



Agenda for the Short Subdivision Workshop, & Regular Meeting Dalton Gardens City Council

Thursday, September 8, 2022

5:00 PM Short Subdivision Workshop;

6:00 PM City Council Meeting

Location: DALTON GARDENS CITY HALL, 6360 N 4th St., Dalton Gardens, ID

Meeting will be conducted in person and via Zoom.

Please use this link to join the webinar via computer/smartphone:

<https://us02web.zoom.us/j/89076090241?pwd=ZW9tdFhnMWJSaHpubVNFaHd3Ylp4Zz09>

Phone Number: 1-669-900-6833 or 1-346-248-7799 or 1-253-215-8782

Webinar ID:890 7609 0241; Passcode: 392112

5:00-5:50 PM: SHORT SUBDIVISION WORKSHOP

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL CONSENT CALENDAR- **ACTION**

- a. Minutes from the Regular Meeting August 11, 2022
- b. Ratification of Bills from August 1-31, 2022
- c. Monthly Financial Statement August 1-31, 2022

5. CITY REPORTS

- a. City Engineer
- b. City Planner
- c. City Attorney

6. PUBLIC COMMENT PERIOD:

Each speaker will be allowed a maximum of three (3) minutes to address the City Council on matters that relate to City government business. Comments related to future public hearings should be held for that public hearing. Please be advised that the City Council can only take official action this evening for those items already listed on the agenda.

7. CITY BUSINESS

- a. Update on September 17, 2022 Community Picnic
- b. Consideration of Alcohol Catering Permit for Mad Bomber Brewing- **ACTION**
- c. Consideration of Animals in Park for Annual Picnic- **ACTION**
- d. Consideration of Parking Lot Repair proposal by HMH Engineering- **ACTION**
- e. Consideration of Landscaping Contract Services Bids for FY 2023- **ACTION**
- f. Discussion of Grant Application for Emergency Generator- **ACTION**
- g. Discussion of October Agenda Items
 - Subdivision Ordinance Public Hearing

- Code Compliance Manual Workshop

8. ADJOURNMENT- **ACTION**

Original Posting: 09/02/2022

The purpose of this Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Council on any other subject should plan to speak when Item: Public Comments is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time. Please, no repetitive or abusive comments. Workshops are for Council Members discussion only on a topic, no action or decisions occur at that time. No Public Comment is taken during Workshops. Assistance for persons with disabilities will be provided upon 24-hour notice prior to the meeting by calling the City Clerk at (208) 772-3698 ext 102.

CITY OF DALTON GARDENS, IDAHO

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF DALTON GARDENS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 5, CHAPTER 10, SECTION 3 TO ADD SUBDIVISIONS AND SHORT SUBDIVISIONS FOR NOTICING REQUIREMENTS; AMENDING TITLE 6, CHAPTER 1, SECTION 4 TO DEFINE SHORT SUBDIVISIONS; AMENDING TITLE 6, CHAPTER 6 TO REVISE APPROVAL REQUIREMENTS FOR SHORT SUBDIVISIONS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALTON GARDENS, IDAHO:

SECTION 1: AMENDMENT TO TITLE 5, CHAPTER 10, SECTION 3.

5-10-3-3: POSTED SITE NOTICES (SIGNS):

A. Posted notices are required for applications requesting:

1. Special use permits; ~~and~~
2. Rezones; ~~and~~
3. Subdivisions and Short Subdivisions.

SECTION 2: AMENDMENT TO TITLE 6, CHAPTER 1, SECTION 4.

6-1-4: DEFINITIONS:

SHORT SUBDIVISION: Every division of land ~~for the purposes of lease or sale~~ into two (2), three (3) or four (4) lots, plots, sites, parcels or tracts within the residential district of the incorporated area of Dalton Gardens ~~and where no new dedications are required.~~

SECTION 3: AMENDMENTS TO TITLE 6, CHAPTER 6.

6-6-1: APPLICATION OF PROVISIONS; EXEMPTIONS:

A. Every division of land ~~for the purpose of sale or transfer~~ into two (2), three (3) or four (4) lots, tracts or parcels within the residential district in the incorporated area of Dalton Gardens, ~~where no new dedications are required,~~ shall proceed in compliance with this chapter. No short subdivisions in the commercial district are allowed.

B. The provisions of this chapter shall not apply to the following:

1. Any division of land for the purpose of adjusting the boundary line or the transfer of land between two (2) adjacent property owners which does not result in the creation of any additional building site.
2. Any division of land made by testamentary provision, the laws of descent or upon court order.
3. Any acquisition or division of land by a public agency for public right of way purposes.
4. Any application for a division of land that is deemed complete prior to the adoption of this chapter shall be vested under the previously adopted ordinance.

6-6-2: APPLICATION FOR SHORT SUBDIVISION:

A. Form And Fees: Any person who undertakes a "short subdivision" as defined in section 6-1-4 of this title shall submit to the city commission a completed application form provided by the city commission accompanied by a nonrefundable fee in an amount to be established by resolution of the city council.

B. Contents Of Application; ~~Plats And Plans~~ And Plat Required: The ~~drawing, map and accompanying material and accompanying plat~~ submitted with an application for short subdivision approval shall include, at a minimum, the following information:

1. The name, address and telephone number of the applicant and the property owner if different than the applicant.
2. A legal description of the entire area being subdivided and a legal description for each of the proposed lots.
3. The size of each lot indicated by square footage computation sufficiently accurate to determine that each lot meets the minimum established lot size requirements.
4. A copy of any existing or proposed restrictions or covenants.
5. A large plat, including the signature page and all supplemental pages which has been prepared by and Idaho licensed surveyor and complies with the requirements of this chapter and title 50, chapter 13, Idaho Code ~~survey by a licensed engineer or surveyor of the property~~ containing the following:
 - a. Boundaries and dimensions of the entire area being subdivided and the proposed boundaries and dimensions of the proposed lots.
 - b. All existing buildings and structural improvements.
 - c. The location of any roads, easements or rights of way that exist or are proposed or as required by the city to serve the short subdivision.
 - d. Proposed access and approach areas.
 - e. Location of all water and sewer lines servicing the proposed lots.

- f. Any dedications as required by the city.
- g. A space for approval of the commission.

C. Noticing

The applicant and the city shall follow the procedures delineated in title 5, chapter 10 section 3 of this code for public hearing notification.

D. Approval or Denial of Application:

1. Distribution Of Plats And Plans: Upon receipt of a completed application for short subdivision approval, the ~~city commission~~ shall forward copies of the proposal to the following agencies for comment:

- a. Dalton Water Association.
- b. Panhandle health district.
- c. Kootenai County fire and rescue.
- d. Other appropriate agencies, including the city of Coeur d'Alene wastewater treatment official and the city of Coeur d'Alene street department or similar agency having jurisdiction over granting approaches off of Government Way.

Agencies requested to review a proposed short subdivision will have thirty (30) days upon receipt of a request for review in which to return their written comments. Failure by an agency to reply within the established review period shall be interpreted to mean that the particular agency has no concern over the proposal.

- 2. Decision; Time Limitation: Within ~~sixty (60) thirty (30)~~ days after receipt of a completed application ~~or at its next regular meeting~~, the commission shall approve or disapprove the proposed short subdivision and shall within 30 days ~~immediately~~ notify the applicant, in writing, of such decision. If an application is disapproved, the commission shall cite the specific reason for disapproval.
- 3. Requirements For Approval: The commission shall not approve a short plat unless:
 - a. The proposed lots meet all established lot size and width requirements.
 - b. Adequate water supply and sewage disposal are available.
 - c. The decision to approve a short subdivision will not be contrary to the public interest.
 - d. The plat conforms with the zoning ordinance and comprehensive plan.
 - e. Newly dedicated roads are improved and paved according to standards set by Lakes highway district.
 - f. No cul-de-sacs or dead end streets are allowed, unless they comply with this subdivision ordinance, and shall only be allowed in the commercial and light industrial zones.

4. Filing: ~~Upon approval~~ Within thirty (30) days after the date of approval of a short subdivision, the applicant commission shall provide final copies of the plat for city acknowledgment. Once executed, the city will contact the applicant for recording of the same and require a copy of the recorded plat be returned to the ~~transmit a copy of the approved application and plans to the county recorder for filing. The fee collected at the time the application was submitted will be used to cover the cost of filing. The commission shall also forward a copy of the approved short subdivision to the city clerk for permanent file at the city clerk's office.~~

D. Variance Request: In the event the application for short subdivision does not meet the requirements of section 6-6-3 of this chapter, the person requesting the short subdivision shall apply for a variance before the city council and the provisions of section 6-5-4 of this title shall apply to the variance request.

6-6-3: MINIMUM LOT SIZE AND WIDTH REQUIREMENTS:

All lots within a short subdivision in the Residential District shall have one hundred ten feet (110') of frontage on a publicly created and maintained street and contain not less than one acre, less such portions which may have been granted, dedicated or conveyed for use as road right of way or other easement. Nonconforming lots shall not be created except as approved through the granting of a variance.

SECTION 4. SEVERABILITY.

If any provision of this chapter, or its application to any person or circumstances, be declared unconstitutional or invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter or the application of the provisions to other persons or circumstances.

Nothing in this chapter shall be construed as preventing the adoption of more restrictive provisions set forth in other sections of the Dalton Gardens Municipal Code. The more restrictive provisions of the code shall control.

SECTION 5. REPEAL OF CONFLICTING PROVISIONS.

All provisions of the ordinances of the City of Dalton Gardens which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE.

Upon passage and approval and publication in one (1) issue of the Coeur d'Alene Press, the official newspaper of the City of Dalton Gardens, Idaho, this Ordinance shall be in full force and effect.

PASSED under suspension of the rules at which a roll call vote was taken at regular meeting of the city council of the City of Dalton Gardens, Kootenai County, Idaho, this _____ day of _____, 2022.

ATTEST:

DAN EDWARDS, Mayor

TERESA JANZEN, Clerk

DRAFT

**City of Dalton Gardens Council Budget Workshop, Code Compliance Manual
Workshop & Regular Meeting Minutes
Thursday, August 11, 2022**

Meeting was conducted in person and via Zoom.

1. **CALL BUDGET WORKSHOP TO ORDER:** Mayor Edwards called to order at 4:00 PM
2. **ROLL CALL:** Physically Present were Councilmembers Scott Jordan, Robert Wuest, Tyler Drechsel, and Mayor Dan Edwards. Councilmember Aaron O'Brien attended via Zoom. Also present: Teresa Janzen-City Clerk/Treasurer and Candi Baker- Deputy City Clerk.
3. **FY23 BUDGET WORKSHOP: Discussion included:** RWuest asked for clarification on Rollover Funds for Law Enforcement from FY22 is an LGIP draw in FY23. SJordan asked for clarification of line item 301-11 ROW Permits. Clerk explained Property Tax projections. RWuest 307-02 Court Revenue/Traffic Fine explained projected increase in revenue for FY23. SJordan 401-016 Training and Travel Expenses review- will roll any unused monies to FY23. RWuest 404-042 Bldg & Ground Maintenance review. RWuest 401-047 Office Supplies & Postage review and 401-048 IT & Software review Clerk requested to not go below \$15,000. RWuest 401-054 Clerk Wages asked for confirmation of the wage amount as he felt it should be \$75,400 not \$75,406 as listed. Clerk confirmed from July Meeting that Council vote was for \$75,406. Mayor Edwards 401-061 Audit and Accounting questioned lower amount of budget but note of 13% increase. Clerk explained that increase was for previous base budget of \$12,000. RWuest 401-050 Company Payroll Tax Expense highlighted error that it didn't total correctly and correct total of line item should be \$40,932. 403-14 Street Maint-Contracted questioned where the extra \$156,816 is coming from. Clerk explained that \$105,779.89 will come from LGIP transfer and the rest of it will be general M&O income that is projected to come in for FY23.
4. **ADJOURN:** SJordan made a motion to adjourn the FY23 Budget Workshop. TDrechsel seconded. All in favor. Motion carried. Adjourned at 5:00 PM

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1. **CALL TO ORDER** Mayor Edwards called to order regular City Council Meeting at 6:00 PM
 2. **ROLL CALL** Physically present were Councilmembers Robert Wuest, Tyler Drechsel, Scott Jordan, and Mayor Dan Edwards. Councilmember Aaron O'Brien attended via Zoom starting at 6:01 PM. Also present: Teresa Janzen-City Clerk/Treasurer, Candi Baker- Deputy City Clerk, Chris Gabbert-City Attorney, and Ryan Hughes-City Planner attended via Zoom.
 3. **PLEDGE OF ALLEGANCE** led by Council President Drechsel
 4. **APPROVAL OF CONSENT CALENDAR**
 - a. Minutes from the Regular Meeting July 19, 2022
 - b. Ratification of Bills from July 1-31, 2022
 - c. Monthly Financial Statement July 1-31, 2022RWuest requested the following amendments to the Minutes from the Regular Meeting of July 19, 2022: "Code Compliance Manual Workshop be postponed because we want to have more time tonight for the budget, cause we won't have enough time for both. My revisions were already in."; on Item 8b- Kurt Jernigan is misspelled and should be Curt Jernigan; On item 8e-

asked, per Dalton Water Association Board President Kirking's request that it be reflected it was a mutual agreement between entities because they serve the same people. This does not match what the Mayor said in the June 2022 meeting so the minutes stand as presented; Questioned the Clerk's FY 2023 showing as \$75,406 as he felt it was voted to be \$75,400. TDrechsel stated that in the June 2022 meeting recording at 4:30:19 Councilmember Jordan made the motion to increase wages to \$75,406. Minutes stand as presented.; LGIP ARPA balance and ICCU-ARPA balances need to be corrected. Treasurer agreed the balances need to be corrected and look to have an error.

TDrechsel made motion to approve the consent calendar items a-c as presented with the agreed upon changes as indicated from RWuest. SJordan seconded.

AO'Brien: yes RWuest: yes SJordan: yes TDrechsel: yes Motion Carries

5. CITY REPORTS

a. City Engineer- Christine from HMH Engineering gave updates on:

- i. We were awarded \$150,00 for the Child Pedestrian Safety Grant. Putting together design and bid package and get the signs put in. Thermoplastic crosswalks, School Zone flashing beacons, and RFBs (flashing beacons for pedestrian crossings), Council thanked her for her efforts.
- ii. Chip Seal project is ongoing and fog sealing should be wrapping up.
- iii. City Street Striping- exhibit in packet for recommended markings to move forward with. Next step would be to get bids together.
- iv. City Hall parking lot repair for drainage issues and compromised asphalt, adding sidewalk and dedicated entrances. Approximate cost is \$200,000.
- v. Currently has 21 open ROW permits; 10 are expired, 3 failed inspection. Closed 6-8 permits today from the 10 expired.
 - RWuest called out 1980 Prairie Ave (green house next to Baillie) TDS cut a notch in the road and has not repaired it. RWuest said he's talked to TDS for 2 months trying to get them to fix it and they haven't so he's put gravel in as it was 4" deep. HMH was unaware of any issue but will inspect and follow up with TDS.
 - SJordan reminded everyone that all issued should be directed to the Clerk's office to coordinate with HMH Engineering. RWuest clarified his contact was when he worked for Dalton Water Association.
 - SJordan has received numerous complaints about lack of sweeping during chip seal. We will not sweep until chip seal is completely finished. Resident on Anne Street has complained that chips are gotten into their yard. HMH will add in a city-wide sweep to next year's bid. Currently only sweeping in immediate area where chip sealing is happening.

b. City Planner.

- i. 50 Commercial Business Licenses issued last month. Some hold up with water overages which causes a hold up.
- ii. P&Z approved 2 special use permit requests subject to conditions.
- iii. Workshop for Code Compliance Manual is still tabled
- iv. Short subdivision ordinance changes have been approved by P&Z and is ready for a public hearing at City Council
 - City Planner asked for direction on how to proceed on Code Compliance Manual workshop and Short Subdivision Ordinance

- Workshop in September for Short Subdivision Ordinance. Potentially have workshop in October for Code Compliance Manual.
- c. **City Attorney**
- i. KCFR Building Inspector contract is up for renewal. Only change being the cost of the per inspection fee.
 - ii. 2 continuing Tenant Leases with Dalton Water Association and Dalton Irrigation are up for renewal
 - iii. KCSO citations- received 2 emails late today from the State of Idaho- it has taken over a month to get their response. Does not appear to be a lot of funds that were missent. Still working through the spreadsheets.
- e. **KCSO**- Clerk presented monthly report from Deputy Wallace showing 241 traffic stops which resulted in 197 citations; 54 written warnings and 12 verbal warnings not included in that total.
- f. **Picnic Committee**- Lucy Jernigan presented and handed out packets to Council
- Feels Saturday, 9/17/22 is too soon for a picnic as the committee just formed last month. If move forward with 9/17/22 time would be 11:00 AM- 1:30 PM.
 - Depending on Council and Mayor to be actively involved as they have no purchasing ability and need their help
 - Conflicting area events
 - Items needed
 1. Sound System/Music
 2. Meat Source/Food truck to sell beer and pretzels
 3. Badminton Set
 - Council Requirements
 1. On 9/17/22 or postpone it?
 2. Can they create fiscal year rollover funds for donations that come in too late for this year?
 3. Does Council need to approve parking at Church of Christ for liability?
 4. Get Vendors pre-approved so they can be paid at the picnic?
 5. Timeline for postcard printing
 6. Permission to advertise in round-a-bout
 7. Councilmembers and Mayor to insure they have all insurances, waivers, and purchases
 8. Would like permission to have for purchase alcoholic beverages in park
 9. Would like to have approval for animals in park
 10. Would like a sweep scheduled for the city parking lot prior to the picnic
 11. Would like to have sprinklers stopped the week of the picnic
 12. Would like Clerk to apply to STCU, Costco, and Triple Play for donations
 13. Would like to have a Visit with Santa Event at Christmas time and have refreshments in the Council Chamber.

6. **PUBLIC COMMENT PERIOD:** Opened 6:56 PM – Closed at 7:03 PM

- Elizabeth Jacobsen- 7376 N Davenport St; Thanked Council for their service. 6/14/22 filed a code enforcement complaint against neighbor to the east for light trespass. At end of July

called for a status update. Dalton Irrigation is requiring they remove a berm that has been blocking the lights since 2017. Will loose 25' of current berm which will cause light trespass issue. Asked for a way for resident complainants to be updated on progress of complaints.

- Sarah Ferraro- written statement about round-a-bout pedestrian crossing safety issues at Hanley and 4th.
- Jamie Smith- 6871 N Mt. Carrol; written statement in support of 3% tax increase. City has taken increase every year and still remains the 2nd lowest tax rate.

7. CITY BUSINESS

a. CONSIDERATION OF PAVEMENT MARKINGS FROM RPI AND STRIPE RITE:

- Christine Baker of HMH Engineering restriping everything existing except edge line markings on Valley and Colfax north of Wilbur; and center line on Wilbur between 4th and 15th St as that stretch is only 20' wide.
- Dalton Ave has existing center line and shoulder to 17th and HMH recommends keeping those lines for safety.
- Christine Baker called out to Council that the Stripe Rite bid already has traffic control built into and it is an error that lists it as an exclusion at the bottom of the bid. Additionally, if Stripe Rite doesn't need the \$1,800 for traffic control, they will not charge it.

SJordan made a motion to approve pavement marking for the selected streets up to the cost of \$15,314.92 and direct the Mayor to sign the contract with Stripe Rite and draw from the LGIP funds designated for Street Maintenance to cover the cost.

AO'Brien seconded.

AO'Brien: yes RWuest: yes SJordan: yes TDrechsel: yes Motion Carries

b. CONSIDERATION OF PARKING LOT REPAIR PROPOSAL:

- HMH Engineering reviewed the parking lot proposal for full reconstruction, extension of sidewalk from the roundabout, specified driveways; concrete valley gutter to help move stormwater into a new dry well swale instead of flooding parking lot
- Cost estimate is
- Took a core sample this week; asphalt is 2 ½" thick but there are voids in it which indicates it was not compacted enough when it was installed.
- Option 1: remove existing asphalt; compact existing base and then re-asphalt with materials and compact testing. Lasts approximately 25 years with good maintenance.
- Option 2: pavement patches in spots that are low and then chipseal the lot. Lasts approximately 10 years.
- SJordan asked to have the light pole in the center of the parking lot be removed for easier snow plowing and instead put it on the old fire shop/city hall that floods down into the parking lot. SJordan will donate the wire and the pipe to install; the city will need to purchase the pole.
- SJordan concerned swale as depicted is too big. HMH said it was only conceptual.
- East side of City Hall would be left as is or rip out asphalt and add aggregate. If tear out asphalt, will potentially need a sidewalk for compliant egress.
- Council discussed a potential 40 x 60 new shop on the southern side of the park.

TDrechsel made a motion to table item until September. SJordan seconded. All in favor. ITEM TABLED until September

c. CONSIDERATION OF LANDSCAPE MAINTENANCE CONTRACT FOR FY 2023:

AO'Brien recommends approving contract with Sacco de Campos for 3 years to lock in rate. Sacco de Campos has serviced the City landscaping needs for the past 4 years. He creates custom mixes for fertilizer and treatments after testing the soil. Everyone is happy with the service that has been provided. Council was concerned about encumbering future councils. City Attorney said we could add in a provision that it is subject to annual renewal although the current proposal is missing that verbiage.

Council would like to get additional bids before awarding the contract. AO'Brien said he reached out to other companies with no response, but he will keep working on other bids. **TDrechsel made a motion to table item until September in order to receive additional bids. SJordan seconded. All in favor. ITEM TABLED until September**

d. CONSIDERATION OF PARK ARCH REPLACEMENT INVOICE:

City Clerk presented update on procurement of new logs for Ward Newcomb Park Arch replacement from R&R Northwest. 2- 14' logs for side pieces and 1-14-15' cross piece for round logs. \$375 milling if council desires round logs to be make into rectangles like the current gazebo posts. Additionally, cost provided by Ward Newcomb's great grandson, Mr. Peery, did the work on the bbq monument and will charge \$775.00 to match the rock from the bbq monument to decorate the outside of the sonotube posts. He requested a concrete dome on the top of the sonotube to protect the stone façade. Clerk has ask that the hardware for the new uprights be black to match the gazebo. Burl will be rehung. Have not found anyone to engrave the logs yet. We could look at a dedication monument plaque instead of the engraving.

RWuest made motion to approve the \$1,176 purchase for the 3 new logs. SJordan seconded.

AO'Brien: yes RWuest: yes SJordan: yes TDrechsel: yes Motion Carries

❖ **Council directed Staff to keep logs round instead of cutting them down into rectangles.**

TDrechsel made motion to approve \$775 additional for the stone work on the park arches sonotubes. SJordan seconded.

RWuest: yes AO'Brien: yes TDrechsel: yes SJordan: yes Motion Carries

e. DISCUSSION OF SEPTEMBER AGENDA ITEMS:

- Subdivision Ordinance workshop at 5 PM on 9/8/22
- September Public Hearing to open FY 2022 Budget 9/26/22 at 6 PM
- Landscape Maintenance Contract

❖ Mayor Edwards asked the Clerk to explain Zoom links and meeting minutes. Clerk explained that there is social media buzz alleging the City does not have Zoom link or meeting minutes for the May 24, 2021. We do not download the Zoom, we post a link to the Zoom site. The Zoom link was posted to website on May 26, 2021 and the meeting minutes were tabled in June 2021 meeting to add a verbatim transcript of City Attorney explanation. They were then unanimously approved in the July 15, 2021 meeting and posted to the website on the morning of July 16, 2021. Clerk's office has been directing everyone to the website where those items live.

In the last budget workshop, the Clerk made a comment about the cost of the Zoom links was in reference to the 2019 Records Retention Policy that needs to be updated. It is 42 pages of run on paragraphs. Pending project to update it to be more usable. In it, on page 3, it says, “ for City Council Meeting Agenda, Minutes & Recordings: Records documenting meetings of the city council and motions, resolutions, ordinances, and other actions taken at council meetings. There are 2 types of records; PERMANENT and TRANSITORY.

- Permanent records: Adopted council meeting minutes and council meeting agendas (if not included in the minutes).
 - Transitory records: Keep audio/visual recordings of non-land use issues and notes for meeting minutes until minutes officially approved. Keep audio recordings of land use issued one year after the final decision, unless a longer period is required due to litigation.
 - In light of Co-Vid, the Clerk has kept all Zoom links for meetings from the past 2 years. The public does not need a public records request for anything already on the public domain.
- ❖ Mayor Edwards asked the Clerk to explain projected 3% tax levy rate. Clerk reviewed slides showing with the 3% tax levy increase, the tax levy rate for Dalton Gardens would go from \$0.32/\$1,000 of value in 2021 to \$0.20/\$1,000 of value in 2022. Total property taxes for the City in 2023 is projected to be \$175,xxx. Dalton has one of the lowest tax levy rates in the state of Idaho. The slides that were shared will be on the website as well as some resources from Kootenai County.
- ❖ RWuest suggested we put a tax levy on the ballot in November 2022 to raise the levy rate. Clerk advised we have very little time to put together a levy ballot option and asked for RWuest’s suggestion to be emailed of the breakdown of general fund monies. She recommended having an accounting for the residents of what the approximate \$2M general fund monies in savings are dedicated to so they know why they are being asked to increase their taxes. Council agreed we should have an accounting for residents and we need time to do research and create a presentation. Would only have 5 weeks from tonight to get levy on the ballot.

8. PUBLIC HEARING BUDGET FOR FISCAL YEAR 2023: Opened 8:18 PM; Closed 8:22 PM
Treasurer gave presentation of proposed 3% tax levy increase and the projection of what it would do for a resident’s tax bill.

PUBLIC TESTIMONY

- Joe Wuest- suggests placing cost of continued Law Enforcement on the November 2022 ballot and utilize the City of Hayden’s work for bringing a levy forward. With the 3% increase it only brings in an additional \$5-6K a year for the City.

9. CONSIDERATION OF ANNUAL APPROPRIATION ORDINANCE 279:

TDrechsel made a motion to suspend reading the Annual Appropriation Ordinance for fiscal year 2023 on three different days and have the title of the proposed ordinance read once.

SJordan seconded.

SJordan: yes RWuest: yes AO’Brien: yes TDrechsel: yes Motion Carries.

City Clerk read the title: An Ordinance entitled the ANNUAL APPROPRIATION ORDINANCE for the fiscal year beginning October 1, 2022, appropriating the sum of \$1,210,075.39 to defray the expenses and liabilities of the CITY OF DALTON GARDENS, Kootenai County, Idaho, for said fiscal year, authorizing a levy of a sufficient tax upon the taxable

property and specifying the objects and purposes for which said appropriation is made, Providing for a levy of sufficient tax upon the taxable property within the city to yield \$175,097.00 for the fiscal year beginning October 1, 2022; providing for severability; providing for repeal of conflicting ordinances; and providing an effective date.

TDrechsel made a motion to adopt the Annual Appropriation Ordinance for fiscal year 2023, direct the Clerk to assign the appropriate number, and to publish once upon passage in the Coeur d'Alene Press. SJordan seconded.

RWuest: yes TDrechsel: yes SJordan: yes AO'Brien: yes Motion Carries.

10. EXECUTIVE SESSION: Opened at 8:17 PM; Closed at 9:11 PM

Executive session pursuant to Idaho Code 74-206(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. Executive session pursuant to Idaho Code 74-206 (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

SJordan made a motion to enter into executive session per Idaho Code 74-206(b) and Idaho Code 74-206(f). TDrechsel seconded.

RWuest: yes AO'Brien: yes TDrechsel: yes SJordan: yes Motion Carries.

- **Councilmember AO'Brien attended executive session via direct conference call**

11. CONSIDERATION OF AMENDMENTS TO EMPLOYMENT CONTRACTS:

RWuest made motion to adjust wages for the Deputy Clerk to \$25.98/hour beginning in Fiscal Year 2023. TDrechsel seconded.

AO'Brien: yes SJordan: yes RWuest: yes TDrechsel: yes Motion Carries.

TDrechsel made motion to increase Jim Wuest's wages by \$3/hour for Parks, General Maintenance, and Snow Plowing beginning in Fiscal Year 2023. SJordan seconded.

AO'Brien: yes RWuest: abstain SJordan: yes TDrechsel: yes Motion Carries.

10. ADJOURNMENT:

TDrechsel made motion to adjourn. SJordan seconded. All in favor. Adjourned 9:27 PM

Dan Edwards, Mayor

ATTEST:

Teresa Janzen, City Clerk/ Treasurer

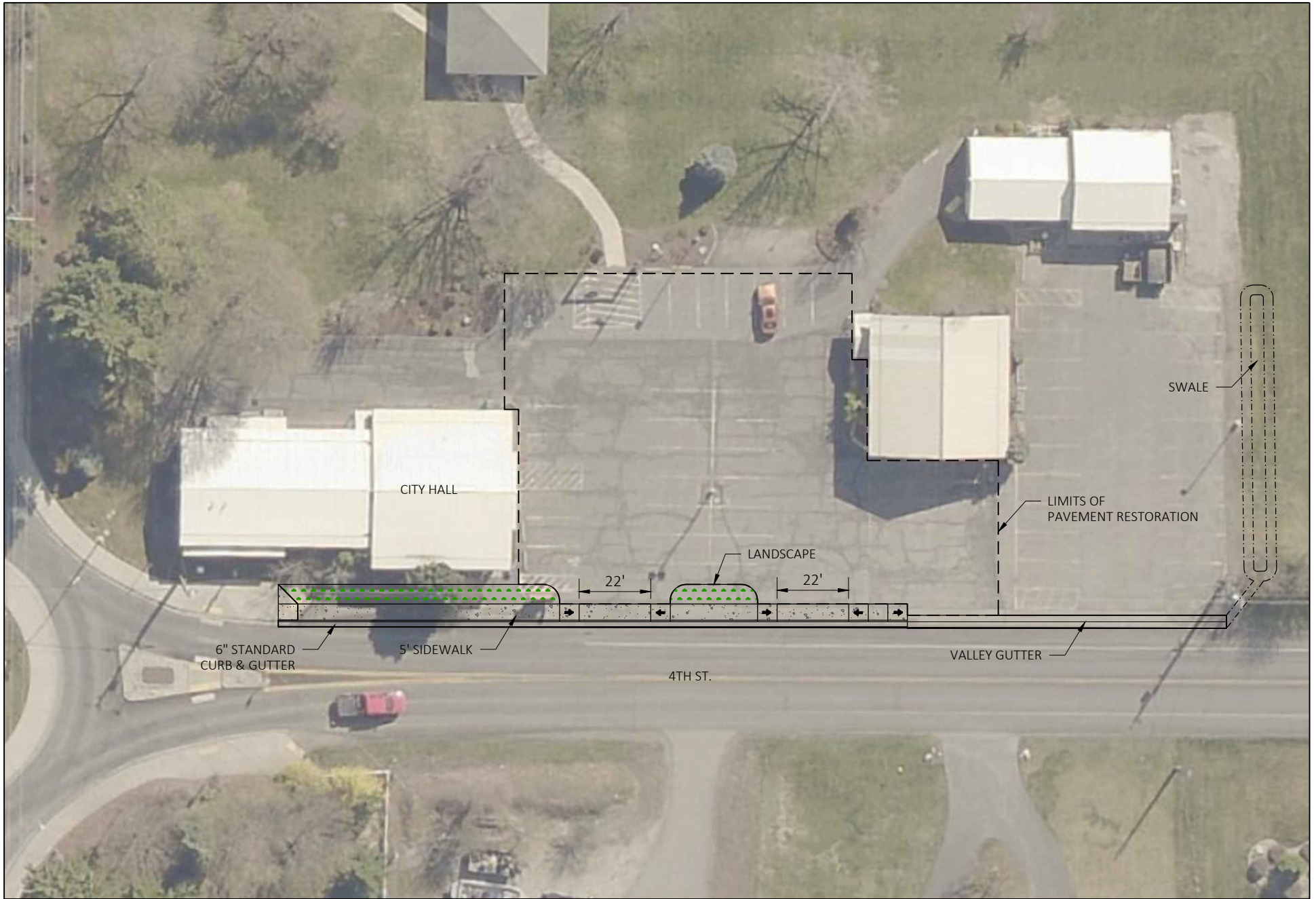
To: Mayor Edwards, City of Dalton Gardens

From: HMH Engineering

Date: September 1, 2022

Re: Engineering Update

1. Child Pedestrian Safety Program Grant – We are in the process of putting together the plans, specs and bid package for this project.
2. Chip Seal Info – The 2022 chip seal project is complete.
3. City Street Striping – StripeRite has been scheduled to begin striping September 12.
4. City Hall Parking Lot – We have put together an opinion of probable cost for reconstructing the city hall parking lot, as well as a conceptual drawing for your consideration. If approved, we can begin the topographic survey, and parking lot design this Fall. Once we have completed this, we can then put a bid package together, going out to bid for construction this coming Spring.
5. ROW Permits –
 - Open Permits: 16 permits
 - Expired: 3 permits
 - Failed final inspection & waiting for repair: 1 permits



City Hall Parking Lot Restoration
 Dalton Gardens, ID
 July 7, 2022



Engineering & Survey Estimate

TOPOGRAPHIC SURVEY	\$4,000.00
ENGINEERING DESIGN FEES	\$10,000.00
CONSTRUCTION ADMINISTRATION	\$5,000.00
Total	\$19,000.00

Construction Estimate

ISPWC No.	Item Name	Approx. Quantity	Units	Unit Price	Engineers Estimate Amount
202.4.1.A.1	EXCAVATION	315	CY	\$ 16.00	\$ 5,040.00
201.4.1.D.1.1	REMOVAL OF ASPHALT	1630	SY	\$ 15.00	\$ 24,450.00
201.4.1.D.1.2	REMOVAL OF CONCRETE	11	SY	\$ 60.00	\$ 660.00
706.4.1.A.5	6 INCH VERTICAL CURB & GUTTER	194	FT	\$ 75.00	\$ 14,550.00
706.4.1.B.1	CONCRETE VALLEY GUTTERS	98	LF	\$ 60.00	\$ 5,880.00
706.4.1.E.1	CONCRETE SIDEWALKS, THICKNESS 4"	69	SY	\$ 150.00	\$ 10,350.00
706.4.1.F.1	CONCRETE DRIVEWAY APPROACH	2	EACH	\$ 4,000.00	\$ 8,000.00
706.4.1.H.1.1	PEDESTRIAN RAMP W/DETECTABLE WARNING DOMES TYPE C3	1	EACH	\$ 5,000.00	\$ 5,000.00
802.4.1.B.1	CRUSHED AGGREGATE FOR BASE TYPE I	489	TON	\$ 30.00	\$ 14,670.00
810.4.1.A.1	PLANT MIX PAVEMENT	243	TON	\$ 125.00	\$ 30,375.00
1001.4.1.A.1	SEDIMENT CONTROL	1	LS	\$ 1,000.00	\$ 1,000.00
1103.4.1.A.1	CONSTRUCTION TRAFFIC CONTROL	1	LS	\$ 2,000.00	\$ 2,000.00
1104.4.1.B.1	PAVEMENT LINE PAINT	700	LF	\$ 1.50	\$ 1,050.00
2010.4.1.A.1	MOBILIZATION	1	LS	\$ 20,000.00	\$ 20,000.00
SP-1	DRYWELL	2	EACH	\$ 4,500.00	\$ 9,000.00
Contingency (20%)					\$ 27,597.00
Total					\$ 174,582.00



City of Dalton Gardens

6360 N Fourth Street, Dalton Gardens,
ID 83815 Phone: (208) 772-3698 Fax:
(208) 772-3698

Monthly Planner Activity Report

August 31, 2022

Code amendments

No Planning and Zoning Commission meeting was held in August. At P&Z's July the Commission identified a number of priorities for their work. This included updating the height measurement in City Code to come into closer consistency with surrounding and like jurisdictions. They have also prioritized looking closer at landscaping, parking, and drainage requirements in the Commercial District, and how updates might support implementation of goals and policies outlined in the City's Comprehensive Plan.

Variances / Special Use Permits

Two Special User Permits were received in August and will be scheduled for public hearing at an upcoming Planning and Zoning Commission meeting. No new variance requests were received.

Subdivisions

No new subdivision requests have been submitted.

Building Permits

The City continues to receive and manage a variety permit request. New building permit requests are received weekly and are reviewed on a rolling basis. Other permits requests include commercial business license renewals, home based business, and others. The city also continues to receive permit applications for both accessory structures and new home construction.

Code enforcement

The city continues to receive variety of code-enforcement / compliance complaints. A backlog of code enforcement complaints exist. With limited staffing capacity, application of the code compliance policy is applied on a prioritized basis. Further review and updates to the code compliance policy handbook can assist current and future staff, providing guidance, instruction and prioritization of enforcement / compliance activities. Code enforcement constitutes a significant portion of staff time, including developing and tracking Voluntary Compliance Request (VCR) letters and Notices of Violations. Staff recommends that a dedicated code enforcement staff member is hired and trained to administer the backlog of enforcement cases.

Respectfully submitted,

Ryan Hughes,
City Planner



Kootenai Co Sheriff's Office

Law Total Incident Report, by Agency, Nature

Agency: KOOTENAI CO SHERIFF'S OFFICE

<u>Nature of Incident</u>	<u>Total Incidents</u>
Abandoned Vehicle	2
Agency Assistance	1
CHECK / CONTACT BUSINESS	2
CARD/RESP ARREST DELTA	1
General Public Assistance	5
DIRECTED PATROL AREA	17
Disorderly Conduct	1
Domestic	1
Game Violations	1
follow up	1
VANDALISM	1
Phone Contact	2
SUPPLEMENTAL REPORT	1
Suspicious Person/Circumstance	1
Threatening	1
Traffic Hazard	1
Traffic Stop	184
Unconscious / Unresponsive	1
Warrant Service	1
Watch Commander	1
EXTRA PATROL PROWL CHECK	1
Total Incidents for This Agency	227

Total reported: 227

Report Includes:

All dates between `00:00:00 08/01/22` and `23:59:59 08/31/22`, All agencies matching `KCSO`, All natures, All locations matching `33`, All responsible officers matching `G.WALLACE`, All dispositions, All clearance codes, All observed offenses, All reported offenses, All offense codes, All circumstance codes



BRAD LITTLE
GOVERNOR

STATE OF IDAHO
OFFICE OF EMERGENCY
MANAGEMENT

4040 W. GUARD STREET, BLDG. 600
BOISE, IDAHO 83705-5004

MG MICHAEL J. GARSHAK
ADJUTANT GENERAL



BRAD RICHY
DIRECTOR

August 18, 2022

To: Tribal, state, and local governments, taxing districts, and qualifying political subdivisions

Subject: FY22 Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA) Notices of Funding Opportunity (NOFO)

The Idaho Office of Emergency Management (IOEM) announces FY 2022 BRIC and FMA funding opportunities for mitigation projects. BRIC provides \$2.295 billion nationwide, a \$2 million set aside to Idaho, and up to \$50,000,000 for each competitive subapplication. FMA offers \$800,000,000 nationwide through the National Flood Insurance Program (NFIP) and requires NFIP participation. Both may require up to 25% local match.

The goal of this funding is to help communities become more resilient with emphasis on multi-hazard projects that address climate change and promote equitable outcomes in underserved communities. Next steps:

- Submit Pre-applications at <https://idahohub.maps.arcgis.com/> (instructions attached) by **September 20, 2022**. Contact emergency managers to add projects to plans.
- Register in FEMA-GO <https://go.fema.gov> after IOEM reviews pre-applications and notifies you. Application period: **September 30, 2022 - December 12, 2022**.
- Track eligible pre-award activities: pre-engineering, Hydraulic & Hydrology study, Benefit Cost Analysis, public outreach, etc. needed for the application. Do not begin project work prior to award.
- Locate Building Code Effectiveness Grading Score (BCEGS) - required for all BRIC applications. If community doesn't have a score, complete a BCEGS survey by contacting Leland Boekweg, lboekweg@isrb.com
- Review attached BRIC and FMA fact sheets and NOFO's for project eligibility details and scoring criteria.

Additional information regarding BRIC and FMA is found at the Idaho Office of Emergency Management's website <https://ioem.idaho.gov/grants>. If you have questions or need assistance, please contact the Mitigation Section at 2018MitigationGrants@imd.idaho.gov.

Sincerely,

Brad Richy, Director
Idaho Office of Emergency Management

Attachments

cc: IOEM Area Field Officers
IOEM Finance

Table 3: Eligible Activities by Program

Eligible Activities	HMGP	PDM	FMA
1. Mitigation Projects	✓	✓	✓
Property Acquisition and Structure Demolition	✓	✓	✓
Property Acquisition and Structure Relocation	✓	✓	✓
Structure Elevation	✓	✓	✓
Mitigation Reconstruction	✓	✓	✓
Dry Floodproofing of Historic Residential Structures	✓	✓	✓
Dry Floodproofing of Non-residential Structures	✓	✓	✓
Generators	✓	✓	
Localized Flood Risk Reduction Projects	✓	✓	✓
Non-localized Flood Risk Reduction Projects	✓	✓	
Structural Retrofitting of Existing Buildings	✓	✓	✓
Non-structural Retrofitting of Existing Buildings and Facilities	✓	✓	✓
Safe Room Construction	✓	✓	
Wind Retrofit for One- and Two-Family Residences	✓	✓	
Infrastructure Retrofit	✓	✓	✓
Soil Stabilization	✓	✓	✓
Wildfire Mitigation	✓	✓	
Post-Disaster Code Enforcement	✓		
Advance Assistance	✓		
5 Percent Initiative Projects	✓		
Miscellaneous/Other ⁽¹⁾	✓	✓	✓
2. Hazard Mitigation Planning	✓	✓	✓
Planning Related Activities	✓		
3. Technical Assistance			✓
4. Management Cost	✓	✓	✓

⁽¹⁾ Miscellaneous/Other indicates that any proposed action will be evaluated on its own merit against program requirements. Eligible projects will be approved provided funding is available.

Additional information regarding eligible projects for **HMGP** is included in Part VIII, A.11 and A.12, and for **FMA**, in Part VIII, C.1.

Costs for eligible activities must be reasonable, allowable, allocable, and necessary as required by 2 CFR Part 200 Subpart E, applicable program regulations, and this guidance.

Notice of Funding Opportunity for Fiscal Year 2022 Building Resilient Infrastructure and Communities Program

FEMA provides federal funds for the Building Resilient Infrastructure and Communities (BRIC) grant program to state, local, tribal and territorial governments for hazard mitigation activities, including capacity and capability activity types and hazard mitigation projects. For Fiscal Year (FY) 2022, FEMA will distribute up to \$2.295 billion for the BRIC program.

The Fiscal Year 2022 BRIC program's priorities are to:

- Incentivize natural hazard risk reduction activities that mitigate risk to public infrastructure and disadvantaged communities, as referenced in [Executive Order 14008](#) - Tackling the Climate Crisis at Home and Abroad
- Incorporate nature-based solutions, including those designed to reduce carbon emissions
- Enhance climate resilience and adaptation
- Increase funding for the adoption and enforcement of the latest published editions of building codes
- Encourages hazard mitigation projects that meet multiple program priorities

Each year, FEMA publishes a [Notice of Funding Opportunity](#) for the BRIC program. The FY 2022 BRIC funding opportunity can be accessed at www.Grants.gov. Before applying, please review the funding opportunity. It provides detailed program information and the requirements for grant application and administration.

Changes for the Fiscal Year 2022 Grant Cycle

FEMA made the following changes to the Fiscal Year 2022 funding opportunity to improve equity and reduce complexity:

- **Increased total available funding**, more than doubling BRIC levels from \$1 billion in FY 2021 to \$2.295 billion in FY 2022. This increase was boosted by the [Infrastructure Investment and Jobs Act \(IIJA\)](#). The IIJA appropriates billions of dollars to FEMA to promote resilient infrastructure, respond to the impacts of climate change, and equip our nation with the resources to combat its most pressing threats. Within that total, the [FY 2022 funding opportunity](#) also:



FEMA

- Raised the State/Territory Allocation subtotal from \$1 million to \$2 million, which includes an increase to hazard mitigation planning and planning-related activities to \$1 million per applicant.
- Increased the Tribal Set-Aside from \$25 million to \$50 million. Raised the combined cost of an applicant's Capability- and Capacity-Building (C&CB) activities to \$2 million.
- **Removed the subapplicant hazard mitigation plan requirement for certain Capability- and Capacity Building Activities:** (1) hazard mitigation planning and planning-related activities, (2) partnerships, and (3) building code activities. (Note: applicants are still required to have a FEMA-approved State or Tribal Hazard Mitigation Plan by the application deadline and at the time of obligation of the award. Hazard mitigation planning subapplications submitted by applicants are exempt from this mitigation plan requirement).
- **Allowed entities working in collaboration with an Economically Disadvantaged Rural Community (EDRC) to build and submit a subapplication on their behalf** and include an authorization letter with the subapplication permitting them to do so and receive the 90% federal cost share increased funding. This change was introduced to increase equitable access to our program.
- **FEMA may assist EDRCs, federal recognized tribal governments, or disadvantaged communities** (CDC SVI score greater than .80) **with developing a Benefit-Cost Analysis** for mitigation projects after submission of the project, as the Benefit-Cost Analysis requirement has been removed as a condition to apply for a grant.
- **Allowed activities that enable greater community resilience through cybersecurity as eligible costs** when those activities are performed in accordance with the cybersecurity performance goals for critical infrastructure and control systems directed by the National Security Presidential Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems, found at: [Control Systems Goals and Objectives](#). FEMA recognizes that building a resilient nation requires addressing all hazards. Therefore, we are making cybersecurity upgrades to projects funded through our programs an eligible expense
- **Required a new identifier known as a Unique Entity Identifier (UEI)** for subapplicants. The Data Universal Numbering System or DUNS number will no longer be used. Communities should apply for, update, or verify their UEI number from [Sam.gov](#).
- **Added new reporting requirements** to comply with the [Build America, Buy America Act](#), which invests in our nation's resilience by ensuring federal funding be spent on American made goods. It also invests in creating jobs to help build our economy back better. Further guidance on this topic and its requirements will be available soon.
- **Changed the following Technical Evaluation Criteria:**
 - Removed mitigating risk from community lifelines criterion.
 - Expanded the EDRC criterion to incorporate communities with a [CDC Socially Vulnerable Index](#) of 0.6 or higher and federally recognized tribal governments and increased points allotted to this criterion.

- Expanded the qualifying awards included in the application generated from a previous qualifying award criterion to any federal award.
- **Changed the following Qualitative Evaluation Criteria:**
 - Expanded the Outreach Activities criterion to emphasize community engagement.
 - Expanded the Implementation Measures criterion to projects that demonstrate the ability and commitment to ensure strong labor standards to ensure high quality work, avert disruptive and cost delays, and promote efficiency. Under the partnerships criteria, partnerships may include innovative workforce development programs that ensure these programs are part of creating better jobs in the communities served.

Available Funding for Fiscal Year 2022

FEMA will distribute up to \$2.295 billion through the BRIC grant program in the following manner:

Total Available BRIC Funding \$2.295 Billion			
Uses of Assistance	\$112M State/Territory Allocations	\$50M Tribal Set-Aside	\$2.133B National Competition for Hazard Mitigation Projects
Management Costs	✓	✓	✓
Capability and Capacity Building Activities	✓	✓	✓
Hazard Mitigation Projects	✓	✓	✓

- **State or Territory Allocation:** \$112 million (up to \$2 million per applicant). All 50 states, the District of Columbia, and U.S. territories may apply under the State/Territory Allocation. Up to \$1 million per applicant may be used for hazard mitigation planning and planning-related activities.
- **Tribal Set-Aside:** \$50 million. All federally recognized tribal governments may apply under the Tribal Set-Aside. The Tribal Set-Aside can be used for Capability and Capacity-Building Activities and hazard mitigation projects. The combined cost of the applicant’s Capability and Capacity-Building Activities under the Tribal Set-Aside must not exceed \$2 million per applicant.
- **National Competition for Hazard Mitigation Projects:** An estimated \$2.133 billion (\$50 million per subapplication). Any funds that are not awarded from the state or territory allocation will be reallocated to the national competition. Any funds that are not awarded from the tribal set-aside may be reallocated to the national competition. An unlimited number of subapplications can be submitted to the national competition by an applicant.

Funding Caps

The federal share funding caps for the BRIC program are as follows:

- **State or Territory Maximum Allocation and Activity Caps:** The maximum allocation and activity cap is \$2 million. Each applicant may use up to \$1 million of that for hazard mitigation planning and planning-related activities.
- **Tribal Set-Aside Activity Caps:** The combined cost of the applicant’s Capability and Capacity-Building Activities under the Tribal Set-Aside must not exceed \$2 million per applicant.
- **National Competition Cap:** Each subapplicant will have a cap of \$50 million. An applicant may submit an unlimited number of subapplications to the national competition.

Cost Share

A cost share is required for all subapplications funded under the BRIC program. The non-federal cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof. FEMA will provide 100% of the federal funding for management costs. Cost share amounts are as follows:

- Generally, the cost share for this program is 75% federal funding and 25% non-federal funding.
- EDRCs are eligible for an increase in cost share up to 90% federal funding and 10% non-federal funding.
- For insular areas—including American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands—FEMA automatically waives the non-federal cost share when it is under \$200,000. The recipient may request this waiver in its application.
- FEMA provides 100% federal cost share funding for management costs.

Opportunities for Successful Subapplications

- Talk to your [State Hazard Mitigation Officers](#) and [FEMA regional office](#) points of contact about your projects and the subapplication process. Look for mentors and partners who have had success navigating the grant application process that could give advice.
- Attend this year’s [webinar series](#) to learn more.
 - FEMA has planned 10 webinars that address technical and qualitative criteria, capacity and capability, system-based mitigation, application pitfalls, and Severe Repetitive Loss and Repetitive Loss Properties. Register on this webpage; [Connect Event Catalog](#).
- Review BRIC program support materials in detail. FEMA developed program support materials to help inform stakeholders.

- FEMA would like to receive more subapplications for projects with multiple benefits, system-based mitigation, and goals that address multiple hazards to further increase resiliency in communities across the nation.
 - FEMA will continue to encourage innovative mitigation projects that include nature-based solutions, combat climate change, reduce flood risk, improve water quality, reduce urban heat, add recreational space and more.
 - FEMA also encourages communities to consider a system-wide approach to mitigation, a resilience strategy that mitigates the risk to critical sectors of a community and builds community-wide resilience to natural hazards.

How to Apply for BRIC Grants

- To apply for available funding, applicants must adhere to the application and funding deadlines. The application period opens on **Sept. 30, 2022**.
- Eligible applicants must apply for funding using the FEMA Grants Outcomes (FEMA GO) management system. Applications must be received in the [FEMA GO Portal](#) by **Jan. 27, 2023 (3 p.m. Eastern Standard Time)**. Applications received by FEMA GO after this date will not be considered for funding. Subapplicants should contact their [State Hazard Mitigation Officer](#) to find out their deadline to submit subapplications.
- Applicants experiencing technical problems outside of their control must notify FEMA by **3 p.m. ET on Jan. 25, 2023**. No new system-related issues will be addressed after this deadline.
- If you need help, reach out to:
 - FEMA GO Help Desk: femago@fema.dhs.gov.
 - FEMA GO technical support for error messages or forgotten password: 877-585-3242.
 - Hazard Mitigation Assistance programmatic support for questions such as eligibility: 866-222-3580.
- The application deadlines are for the applicants only. Subapplicants should consult with their state, tribal or territorial agency to confirm deadlines to submit subapplications for their consideration.
- FEMA will release additional guidance for eligible communities that are unable to calculate or demonstrate cost-effectiveness of their mitigation project during the review process. It will explain how FEMA can help.
- For any subapplications submitted for the FY 2021 cycle that met all programmatic requirements and were not selected for BRIC funding, there are two options:
 - Applicants and subapplicants can repurpose their subapplications and apply for the FY 2022 cycle, or
 - Applicants can apply for FEMA's Hazard Mitigation Grant Program (HMGP), including HMGP COVID-19 funding. The application period deadline was Aug. 5, 2022; however, a majority of the 59 declared states,

territories, District of Columbia and three federally recognized tribes that received a major declaration have requested extensions.

Eligibility Information

To be eligible for BRIC funding, FEMA will require the applicants to have a current FEMA-approved hazard mitigation plan at the time of application and award. FEMA will require subapplicants to have a current FEMA-approved hazard mitigation plan at the time of application and award for hazard mitigation projects and project scoping subapplications. Subapplicants are exempt from the hazard mitigation plan requirement for the following Capability and Capacity Building Activity types: (1) hazard mitigation planning and planning related activities, (2) partnerships, and (3) building codes activities.

Applicants must also meet these criteria:

- **Eligible applicants** include states, U.S. territories, federally recognized tribal governments, and the District of Columbia.
- **Eligible subapplicants** include local governments, tribal governments, state agencies, and tribal agencies.
- **A state or territory** must have received a major disaster declaration under the Stafford Act in the seven years prior to the start date of the annual grant application period.
- **A federally recognized tribal government** must either have received a major disaster declaration under the Stafford Act in the seven years prior to the annual grant application period start date or be entirely or partially within a state that received a major disaster declaration in that same period. A federally recognized tribal government is eligible to apply for a grant either as an applicant or subapplicant. If a tribe asks to apply through the state, the state must meet the “seven-year” declaration criteria.
- FEMA must apply this seven-year requirement for each BRIC grant cycle. All states, federally recognized tribes, and territories satisfy these criteria for the FY22 BRIC grant cycle.

FEMA will fund the following uses of assistance through the BRIC program:

- **Capability and Capacity Building Activities** are those that enhance the knowledge, skills, and expertise of the current workforce, to expand or improve the administration of hazard mitigation assistance. There are four types of activities:
 - Building Codes
 - Partnerships
 - Project Scoping
 - Hazard Mitigation Planning and Planning-Related Activities

- **Hazard mitigation projects** are cost-effective projects designed to increase resilience and public safety; reduce injuries and loss of life; and reduce damage and destruction to property, critical services, facilities, and infrastructure from natural hazards.
- **Management costs** allow FEMA to provide financial assistance to reimburse the recipient and subrecipient for eligible and reasonable indirect costs, direct administrative costs, and other administrative expenses associated with a specific hazard mitigation project or Capability and Capacity Building Activity.

Other Eligibility Criteria

FEMA continues to partially implement the [Federal Flood Risk Management Standard \(FFRMS\)](#).

- All non-critical structure elevation, dry floodproofing, and hazard mitigation reconstruction projects in a Special Flood Hazard Area must apply, at a minimum, the flood elevations of the FFRMS Freeboard Value Approach, which requires a minimum of 2 feet of freeboard over the base flood elevation. All other types of projects are strongly encouraged to apply the flood elevations of the FFRMS Freeboard Value Approach.
- For critical actions in the Special Flood Hazard Area, the elevation requirements from [Title 44 Code of Federal Regulations Section 9.11](#) continue to apply. For any new construction or substantial improvement of structures, the lowest floor of the structure (including the basement) must be at or above the level of the 500-year flood.

For additional information on eligibility, view the full FY 2022 BRIC funding opportunity accessible at [Grants.gov](#).

Additional Resources

Additional information and resources on the FY22 BRIC program are available at: [Building Resilient Infrastructure and Communities](#). The resources include:

- A [link](#) to the funding opportunity.
- A summary of the application process.
- A link to the FEMA GO system.
- Program support materials, including fact sheets to help with the BRIC application process. Access these materials here: [Resource List for the BRIC Grant Program](#).

Direct any general questions about the BRIC program to your [State Hazard Mitigation Officer \(SHMO\)](#) or [FEMA Regional Office](#) on [FEMA.gov](#). Call the HMA Helpline at (866) 222-3580.

This document is intended to be used as guidance. It is not a request for information.

Notice of Funding Opportunity for the Fiscal Year 2022 Flood Mitigation Assistance Program

FEMA's Flood Mitigation Assistance (FMA) grant program provides funds to state, local, tribal and territorial governments to reduce or eliminate the risk of repetitive flood damage to buildings insured under the National Flood Insurance Program (NFIP). For Fiscal Year (FY) 2022, FEMA will distribute up to \$800 million.

Fiscal Year 2022 Funding

Each year FEMA publishes a [Notice of Funding Opportunity](#) for the Flood Mitigation Assistance grant program. The FY 2022 Flood Mitigation Assistance funding opportunity can be accessed at [Grants.gov](#). Please review the funding opportunity as it provides detailed program information, grant application, and administration requirements. This fact sheet covers Flood Mitigation Assistance program changes for this grant cycle including funding caps, cost share requirements, application and funding deadlines, eligibility requirements, and includes additional resources to assist with application development.

Awards made under this funding opportunity will be funded, in whole or in part, with funds appropriated by the [Infrastructure Investment and Jobs Act](#), also more commonly known as the Bipartisan Infrastructure Law. The law is a once-in-a-generation investment in infrastructure, which will grow a more sustainable, resilient and equitable economy by enhancing U.S. competitiveness and ensuring stronger access to economic and environmental benefits for disadvantaged communities. It appropriates billions of dollars to FEMA to promote resilient infrastructure, respond to the impacts of climate change, and equip our nation with the resources to combat its most pressing threats.

Changes for the Fiscal Year 2022 Grant Cycle

Changes in this grant cycle include:

- **Increase in total available funding**, more than five times the previous Flood Mitigation Assistance level from \$160 million in FY 2021 to \$800 million in FY 2022.
- **Increased the federal cost share for disadvantaged communities** to 90% for Capability and Capacity Building activities, Localized Flood Risk Reduction Projects, and Individual Flood Mitigation Projects where average [CDC Socially Vulnerable Index score](#) is not less than 0.5 for the project benefitting area. When the



FEMA

Infrastructure Investment and Jobs Act funding is exhausted, this enhanced cost share cannot be extended to the remaining funds made available for this grant cycle.

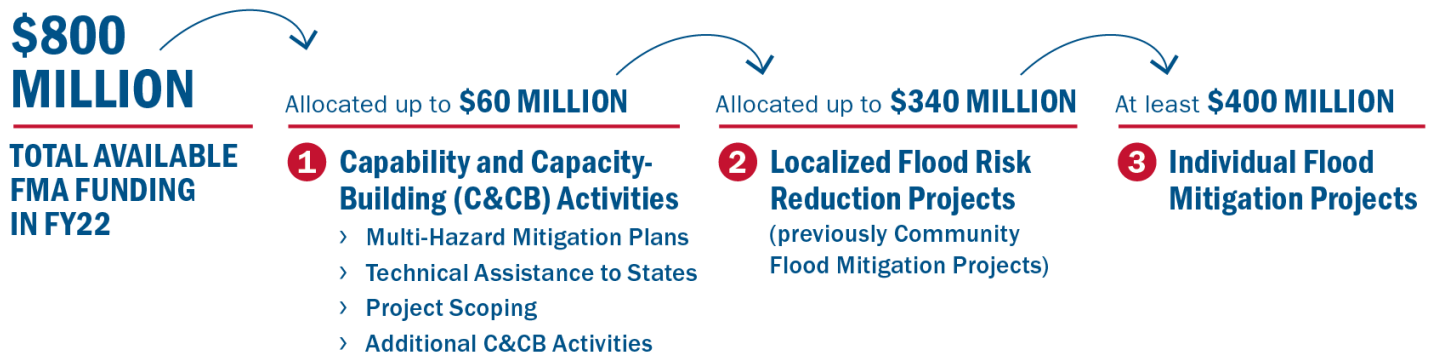
- **Added [Capability and Capacity Building Activities](#) as a new priority activity** to enhance the knowledge, skills and expertise of the local community to expand or improve the administration of flood mitigation assistance. Examples of activities include: (1) develop or update hazard mitigation plans, (2) support technical assistance to states, (3) project scoping, (4) partnership development, (5) enhancing local floodplain management, and (6) Severe Repetitive Loss and/or Repetitive Loss strategy plan development
- **Increased the funding cap for Capability and Capacity Building Project Scoping subapplications to \$900,000.** FEMA will select the highest ranked eligible subapplication(s) for Project Scoping from each applicant not to exceed \$900,000 total federal cost share funding. Project Scoping can be used to obtain data and to prioritize, select, and develop Localized Flood Risk Reduction Projects and/or Individual Flood Mitigation Projects for future funding based on current FEMA-approved hazard mitigation plans. Project Scoping subapplications will be evaluated to ensure that the end result will lead to an eligible project subapplication that provide benefits to the National Flood Insurance Program (NFIP).
- **Assisting federal recognized tribal governments or disadvantaged communities (CDC Socially Vulnerable Index score greater than .80) with developing a Benefit-Cost Analysis** for mitigation projects after submission of the project, as the Benefit-Cost Analysis requirement has been removed as a condition to apply for a grant.
- **Renamed Community Flood Mitigation Projects to [Localized Flood Risk Reduction Projects](#)** and increased funding from \$30 million to \$50 million.
- **Allow Phased Projects to receive funding under the Local Flood Risk Reduction Project category** that are complex and require technical or environmental and historic preservation data beyond what is required for a typical Flood Mitigation Assistance project. For more information, review the [Phased Projects Fact Sheet](#).
- **Allowed activities that enable greater community resilience through cybersecurity as eligible costs** when those activities are performed in accordance with the cybersecurity performance goals for critical infrastructure and control systems directed by the National Security Presidential Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems, found at: [Control Systems Goals and Objectives](#). FEMA recognizes that building a resilient nation requires addressing all hazards. Therefore, we are making cybersecurity upgrades to projects funded through our programs an eligible expense
- **Required a new identifier known as a Unique Entity Identifier (UEI) for subapplicants.** The Data Universal Numbering System or DUNS number will no longer be used. Communities should apply for, update, or verify their UEI number from [Sam.gov](#).
- **Added new reporting requirements** to comply with the [Build America, Buy America Act](#), which invests in our nation's resilience by ensuring federal funding be spent on American made goods. It also invests in creating jobs to help build our economy back better. Further guidance on this topic and its requirements will be available soon. More information can be found on FEMA's [website](#).
- **Changed the following scoring criteria:**

- Added a tiered scoring system to the CDC Socially Vulnerable Index scoring criteria to provide more points to communities with higher scores
- Points will be given to communities that are good standing with the [National Flood Insurance Program](#) and have no outstanding violations
- Points will be given if a community participates in the National Flood Insurance’s [Community Rating System \(CRS\)](#)
- Buildings with a replacement or actual cash value of \$750,000 or more will not be prioritized for funding
- The tiebreaker for Capability and Capacity Building Activities and Localized Flood Risk Reduction Projects will be project areas with the highest CDC Socially Vulnerable Index score (highest social vulnerability)
- Points will be given to projects for Localized Flood Risk Reduction and Individual Flood Mitigation Projects that incorporates strong labor standards to ensure high-quality work, avert disruptive and costly delays, and promote efficiency

Available Funding

The funding priorities for this application cycle are: (1) Capacity and Capability Building activities, (2) Localized Flood Risk Reduction Projects, and (3) Individual Flood Mitigation Projects.

FEMA will distribute up to \$800 million in the following manner:



The funding order and funding caps for the priorities are included below.

1. Up to \$60 million for **Capability- and-Capacity-Building Activities** which enhance the knowledge, skills, expertise, etc., of the current workforce to expand or improve the administration of Flood Mitigation Assistance. These activities may be used to develop future Localized Flood Risk Reduction Projects and/or Individual Flood Mitigation Projects that will subsequently reduce flood National Flood Insurance Program (NFIP) claims. The funding order and funding caps for Capability and Capacity-Building Activities are as follows:
 - **Multi-Hazard Mitigation Plans:**
 - \$100,000 per applicant with maximums of \$50,000 for state multi-hazard mitigation planning and \$25,000 for local multi-hazard mitigation planning.

- **Technical Assistance to States** available for recipients to which FEMA obligated an award of at least \$1 million in federal cost share funding.
 - \$50,000 per applicant
 - **Project Scoping** to develop Localized Flood Risk Reduction Projects and/or Individual Flood Mitigation Projects that will subsequently reduce flood claims against the National Flood Insurance Program.
 - \$900,000 per subapplication
 - **Additional Capability and Capacity Building activities** including Partnership Development, Enhancing Local Floodplain Management, Severe Repetitive Loss /Repetitive Loss Strategy Plan Development, and other eligible C&CB activities.
 - \$300,000 per subapplication
2. Up to \$340 million for **Localized Flood Risk Reduction Projects** (previously Community Flood Mitigation Projects) to address community flood risk for the purpose of reducing national Flood Insurance Program flood claim payments.
- \$50 million per Localized Flood Risk Reduction Project subapplication.
3. All remaining funds (at least \$400 million) for **Individual Flood Mitigation Projects** that mitigate the risk of flooding to individual NFIP-insured structures. FEMA will select eligible Individual Flood Mitigation Project subapplications on a competitive basis in the following prioritized order
4. **Management Costs**
- A maximum of 10%of the total application budget can be submitted for applicant management costs, and a maximum of 5%of the total subapplication budget can be submitted for subapplicant management costs, per [Hazard Mitigation Assistance Guidance](#).

Cost Share

Generally, federal cost share funding is available for up to 75% of the eligible activity costs. However, FEMA may contribute increased federal cost share for properties that are insured under the National Flood Insurance Program at the time of application and meet the definitions of Severe Repetitive Loss or Repetitive Loss.

FEMA may contribute up to 90% federal cost share (for eligible costs) for activities or projects that impact properties with NFIP insurance that are located within a census tract with a Centers for Disease Control and Prevention (CDC) Social Vulnerability Index (SVI) score of not less than 0.5. Applicants and subapplicants can view their community's CDC SVI score on the [CDC's website](#).

Capability-and-Capacity-Building Activities

- 75% federal cost share funding
- Up to 90% federal cost share funding if the average CDC SVI score of all NFIP-insured properties in the jurisdiction is not less 0.5 and the activity is funded by the Bipartisan Infrastructure Law.

Localized Flood Risk Reduction Projects

- 75% federal cost share funding
- Up to 90% federal cost share funding when the average CDC SVI score of all NFIP-insured properties in the benefiting area is not less than 0.5 and the project is funded by the Bipartisan Infrastructure Law.

Individual Flood Mitigation Projects

- 75% federal cost share funding
- Up to 90% federal cost share funding for properties located in census tracts with a CDC SVI score not less than 0.5 and the project is funded by the Bipartisan Infrastructure Law.
- Up to 90% federal cost share funding for Repetitive Loss properties
- Up to 100% federal cost share funding for Severe Repetitive Loss (SRL) (B)(i) or (B)(ii) properties

Opportunities for Successful Subapplications

- Talk to your State Hazard Mitigation Officers and FEMA regional points of contact about your projects and the subapplication process. Look for mentors and partners who have had success navigating the grant application process that could give advice.
- Attend this year's [webinar series](#) to learn more.
 - FEMA has planned 10 webinars that address technical and qualitative criteria, capacity and capability, system-based mitigation, application pitfalls, and Severe Repetitive Loss and Repetitive Loss Properties. Register here: [Connect Event Catalog](#).
- Review the program support materials for the Flood Mitigation Assistance grant program. FEMA developed program support materials to help inform stakeholders.
- FEMA would like to receive more subapplications for projects with multiple benefits, system-based mitigation, and goals that address multiple hazards to further increase resiliency in communities across the nation.
 - FEMA will continue to encourage innovative mitigation projects that include nature-based solutions, combat climate change, reduce flood risk, improve water quality, reduce urban heat, add recreational space and more.
 - FEMA also encourages communities to consider a system-wide approach to mitigation, a resilience strategy that mitigates the risk to critical sectors of a community and builds community-wide resilience to natural hazards.

How to Apply for Flood Mitigation Assistance Grants

- To apply for available funding, applicants must adhere to the application and funding deadlines. The application period opens on **Sept. 30, 2022**.
- Eligible applicants must apply for funding using the FEMA Grants Outcomes (FEMA GO) management system. Applications must be received in the [FEMA GO Portal](#) by **Jan. 27, 2023 (3 p.m. Eastern Standard Time)**. Applications received by FEMA GO after this date will not be considered for funding. Subapplicants should contact their State Hazard Mitigation Officer to find out their deadline to submit subapplications.
- Applicants experiencing technical problems outside of their control must notify FEMA **by 3 p.m. ET on Jan. 25, 2023**. No new system-related issues will be addressed after this deadline.
- If you need help, reach out to:
 - FEMA GO Help Desk: femago@fema.dhs.gov.
 - FEMA GO technical support for error messages or forgotten password: 877-585-3242.
 - HMA programmatic support for questions regarding things like eligibility: 866-222-3580.
- The application deadlines are for the applicants only. Subapplicants should consult with their state, tribal or territorial agency to confirm deadlines to submit subapplications for their consideration.
- FEMA will release additional guidance for eligible communities that are unable to calculate or demonstrate cost-effectiveness of their mitigation project during the review process. It will explain how FEMA can help.
- For any subapplications submitted for the Fiscal Year 2021 cycle that met all programmatic requirements and were not selected for FMA funding, there are two options:
 - Applicants and subapplicants can repurpose their subapplications and apply for the FY 2022 cycle, or
 - Applicants can apply for FEMA’s Hazard Mitigation Grant Program (HMGP), including HMGP COVID-19 funding. The application period deadline was Aug. 5, 2022; however, a majority of the 59 declared states, territories, District of Columbia and three federally recognized tribes that received a major declaration have requested extensions.

Eligibility Information

Applicants

Eligible applicants include states, the District of Columbia, U.S. territories, and federally recognized tribal governments. To apply for Flood Mitigation Assistance funding, applicants must meet the eligibility criteria listed below.

- Applicants are required to have a FEMA-approved State or Tribal Hazard Mitigation Plan in accordance with [Title 44 of the Code of Federal Regulations Part 201](#) by the application deadline and at the time of obligation of the award.

Subapplicants

Eligible subapplicants are local governments including cities, townships, counties, special district governments, and tribal governments (including federally recognized tribes who choose to apply as subapplicants). To apply for a grant, subapplicants must meet the eligibility criteria listed below.

- Subapplicants must have a FEMA-approved Local or Tribal Hazard Mitigation Plan by the application deadline and at the time the grant funds are obligated. Subapplicants are exempt from the hazard mitigation plan requirement for the following Capability-and-Capacity-Building Activity types: hazard mitigation plan development and hazard mitigation plan updates.
- Subapplicants must be participating in the National Flood Insurance Program, and not be withdrawn, on probation, or suspended.
- Structures identified in the subapplication must have an NFIP policy in effect at the application start date and must maintain it through completion of the flood hazard mitigation activity and for the life of the structure.

To verify the status of a community participating with the National Flood Insurance Program, refer to the [Community Status Book](#) available online.

Other Eligibility Criteria

- All subapplications submitted under the Capability and Capacity Building Activities priority must demonstrate that the activity will reduce flood claims against the National Flood Insurance Program (NFIP).
- All subapplications submitted under the Localized Flood Risk Reduction Project category must demonstrate that the proposed project benefits NFIP insured properties by submitting a map and associated geospatial file(s) (e.g., Shapefile, Keyhole Markup Language (KML)/Keyhole Markup Language zipped (KMZ), Geodatabase, or other Geographic Information System (GIS) enabled document) delineating: the proposed project footprint boundary, the area benefitting from the project, and active National Flood Insurance Program policies (if this data is available).

For additional information on eligibility, view the full Fiscal Year 2022 Flood Mitigation Assistance funding opportunity at [Grants.gov](#).

Additional Resources

Additional information and resources about the Flood Mitigation Assistance program is available on [FEMA's website](#). [Resources](#) include links to the funding opportunity document, a summary of the application process, a link to the FEMA GO grant application system, and program support materials including several fact sheets to help with the application process.

General questions about the FMA program can be directed to your [State Hazard Mitigation Officer \(SHMO\)](#) or [FEMA regional office](#).