

No: 26-  
Date: April 1, 2026

RESOLUTION  
OF THE CITY COUNCIL  
CITY OF SANDPOINT

**TITLE: MEMORANDUM OF AGREEMENT WITH THE CITY OF PONDERAY FOR  
TEMPORARY CONSTRUCTION ACCESS**

WHEREAS: The City of Sandpoint owns and operates the Water Treatment Plant located at 902 Sandpoint Avenue;

WHEREAS: The Water Treatment Plant site provides the only feasible vehicular access to the Pend d'Oreille Bay Trail and the former Panhandle Smelting and Refining Company (PSRC) site, now owned by the City of Ponderay;

WHEREAS: The City of Ponderay has secured grant funding to conduct environmental remediation and site improvements at the PSRC property, commonly referred to as "Black Rock";

WHEREAS: In order to complete this remediation and improvement work, the City of Ponderay requires temporary construction access through the City of Sandpoint's Water Treatment Plant property;

WHEREAS: Such access will be limited to construction-related activities and restricted to designated routes and approved hours of operation, with specific limitations on the hauling of contaminated materials;

WHEREAS: The proposed Memorandum of Agreement (MOA) requires coordination with City of Sandpoint staff, adherence to site maintenance standards, and full repair or restoration of any damage to City property at the sole expense of the City of Ponderay;

WHEREAS: The MOA includes appropriate insurance and indemnification provisions to protect the City of Sandpoint from liability arising from the construction activities;

WHEREAS: The project is anticipated to occur between April 7, 2026, and September 30, 2026, and will facilitate environmental remediation and public improvements at the former PSRC site for the benefit of the community; and

WHEREAS: The City Council finds that entering into this Memorandum of Agreement is in the best interest of the City of Sandpoint and its residents.

NOW, THEREFORE, BE IT RESOLVED THAT: By the City Council of the City of Sandpoint, the Memorandum of Agreement with the City of Ponderay for temporary construction access through the Water Treatment Plant property is hereby approved. The Council President is authorized to execute the Memorandum of Agreement on behalf of the City of Sandpoint, subject to such minor modifications as may be approved by the City Attorney. City staff are authorized to take all necessary actions to implement and administer the terms of the agreement.

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Deb Ruehle, Council President

ATTEST:

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Meri Jane Bohn, City Clerk