



Lewiston City Council
AMENDED 5/1/2024
WORK SESSION AGENDA
May 6, 2024 - 3:00 PM
Bell Building – Second Floor Conference Room – 215 D Street
Lewiston, Idaho 83501

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's website at cityoflewiston.org.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZENS COMMENTS

This is an opportunity for citizens to address the Council on agenda items or other items they wish to bring to the attention of the Council. Citizens are encouraged to discuss operational issues in advance with the Mayor. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. ACTIVE AGENDA

- A. RESOLUTION 2024-14:** Considering declaring various items of City of Lewiston property to be surplus and providing for the public auction of said surplus property - Action Item (Finance Director Gordon)

V. DISCUSSION ITEMS

Please note that identifying an item as an "Action Item" does not require the City Council to vote on that item.

- A. PERSONNEL POLICY:** Reviewing the City of Lewiston's Personnel Policy for updates and changes - Action Item (Human Resources Director Province)
- B. BRYDEN CANYON GOLF COURSE UPDATE:** Receiving an update regarding current management and operation of the Bryden Canyon Golf Course - Action Item (Parks & Recreation Director Barker)
- C. BRYDEN AVENUE EXPANSION UPDATE:** Receiving an update on the Bryden Avenue Corridor Project - Action Item (Public Works Director Johnson)
- D. PROPOSED LEASE WITH LC VALLEY YOUTH RESOURCE CENTER:** Discussion on a proposed request to lease City property to the LC Valley Youth Resource Center Inc. - Action Item (Mayor Johnson)

VI. UNFINISHED AND NEW BUSINESS

- A. **CITY COUNCILOR COMMENTS:** Comments shall not be related to an item currently before the City Council or an item that may come before the City Council in the foreseeable future, and shall be limited to comments, not discussion.
- B. **CITY BOARDS AND COMMISSIONS LIAISON UPDATES**
- C. **MAYOR COMMENTS**
- D. **AGENDA TOPICS:** - Action Item

VII. ADJOURNMENT - Action Item

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the City Clerk's Office at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6202.



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE RESOLUTION 2024-14	AGENDA NO. IV. A. AGENDA DATE: May 6, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) City staff has compiled a list of surplus items from the disestablishment of the Business Improvement District (Exhibit A to Resolution 2024-14). Surplus items will be sold using GovDeals.com, an online auction site. Appropriate notices of the online auction will be placed in the Lewiston Tribune for two weeks prior to the start of the auction.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) The City will receive 100% of the bid amounts. Fees for the use of the website are covered by the Buyer's Premium and are paid by the bidders. Proceeds from the items sold will be deposited into the Business Improvement District Fund where the items originated.	
ACTION PROPOSED Staff recommends that the City Council approve Resolution 2024-14, declaring the items in Exhibit A surplus and authorizing the sale of said items by auction using GovDeals.com as the administrator of the auction.	

RESOLUTION 2024-14

A RESOLUTION DECLARING VARIOUS ITEMS OF CITY OF LEWISTON PROPERTY TO BE SURPLUS, AND PROVIDING FOR THE PUBLIC AUCTION OF SAID SURPLUS PROPERTY

WHEREAS, the City of Lewiston is in possession of property surplus to the City's needs; and

WHEREAS, in accordance with the City's Purchasing Policy, the City's Purchasing Division seeks to have the Lewiston City Council declare such property as surplus so that the property may be disposed of in accordance with Section 6.14 of the City's Purchasing Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The Lewiston City Council hereby declares all property listed in Exhibit A, attached hereto and incorporated herein, to be surplus to the City's needs.

SECTION 2: The Lewiston City Council hereby authorizes the City's Purchasing Division to sell by public auction said surplus property "as is, no warranty or guarantee."

SECTION 3: The City's Purchasing Division shall conduct said public auction in accordance with the City's Purchasing Policy.

SECTION 4: This resolution shall become effective upon its passage.

PASSED this _____ day of _____ 2024.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Tanya M. Brocke, City Clerk

**EXHIBIT A
TO RESOLUTION 2024-14**

City of Lewiston

Unusable/Obsolete Items for Surplus Auction

DEPT	QTY	DESCRIPTION	CONDITION
BID	1	ION Party Boom Box	Good
BID	14	Basketball Hoops	Good
BID	3	6' Folding Table	Good
BID	1	10'x10' Pop Up Canopy	Poor
BID	1	JOOLA Sport Squad Endzone Challenge 2 in 1 Football Game	Fair
BID	1	JOYIN Arcade Basketball Game Set with Balls and Hoop	Good
BID	1	Hstyle 5 Pack Inflatable Ghost Witch Hat Ring Toss Toys with Rings	Poor
BID	1	Halloween Bean Bag Toss Games for Kids - without bean bags	Good
BID	1	Inflatable 5 Foot Tall Double Sided Football Receive	Fair
BID	3	A Frame Signs (24" x36")	Good
BID	11	90" Round table cloths - Black	Good
BID	10	32 Gallon Rubbermaid Garbage Cans	Good
BID	1	Acrylic Suggestion Box	Fair
BID	1000	BDL/Coke Tokens - Poker Chips (approximate)	Good
BID	4	20'x20' Beige Sun Shade Sail Canopy	Good
BID	1	24'x24' Beige Sun Shade Sail Canopy	Good



CITY COUNCIL MEETING AGENDA ITEM SUMMARY

ITEM TITLE PERSONNEL POLICY	AGENDA NO. V. A. AGENDA DATE: May 6, 2024
ITEM SUMMARY (Background, Discussion, Key Points, Recommendations, etc.) The City of Lewiston Personnel Policy is reviewed annually for updates. Human Resources is presenting the following policy section updates for City Council approval: Section 203 Harassment, Discrimination, and Retaliation, 205 Drug Free Workplace, 218 Motor Vehicle Record Check, 307 Telecommuting Agreement, 405 Background Checks, 503 Advancement within Salary Range, 510 Established Work Hours/Work Week, 602 Vacation Leave, 604 Family Medical Leave, 610 Military Leave, Chapter 10 Disciplinary Action, 1003 Disciplinary Probation, 1506 Use of Communications and Computer Systems. Once the sections have been approved, HR will come to another meeting with a resolution to approve the personnel policy in its entirety.	
BUDGET IMPACT (Identify any or all impacts this proposed action would have on the City budget and/or personnel resources) None	
ACTION PROPOSED Approval of updates.	

SECTION 203 POLICY AGAINST HARASSMENT, DISCRIMINATION, AND RETALIATION

PURPOSE OF POLICY

The City is committed to providing a workplace free of unlawful harassment and discrimination, and creating and maintaining a respectful work environment for all employees. This includes sexual harassment (which includes harassment based on pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions) and harassment based on actual or perceived gender, gender identity (including transgender identity, status and transitioning), gender expression and sex stereotyping, as well as harassment based on such factors as race, color, religion, religious creed (including religious dress and religious grooming), national origin, ancestry, citizenship, age, physical or mental disability, legally-protected medical condition or information (including genetic information), family care or medical leave status, military caregiver status, military status, veteran status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by federal, state, or local laws. The City strongly disapproves of and will not tolerate harassment of or discrimination against applicants, employees, interns, or volunteers by managers, supervisors, co-workers or third parties with whom employees come into contact. Similarly, the City will not tolerate harassment by its employees of non-employees with whom the City employees have a business, service, personal or professional relationship. This policy applies to all employees with the City. Prohibited conduct as outlined in this policy is unacceptable in the workplace and in any work-related setting outside of the workplace, including business-related meetings, trips, or events.

HARASSMENT DEFINED

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance. The Equal Employment Opportunity Commission (EEOC) defines harassment as unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment, or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws. ; (2) submission or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Harassing conduct can take many forms and may include, but is not limited to, the following: slurs, jokes, insults, statements, gestures, teasing, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, posters, symbols, drawings, or cartoons, violating someone's "personal space" (for example by blocking someone's way) foul or obscene language, leering, stalking, staring, unwanted or offensive letters or poems, offensive email or voicemail messages, or any kind of verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any protected characteristic, and interference with work performance. The City's policy concerning harassment includes off work activities that would otherwise be in violation of this policy, including but not limited to city events and public places.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and other unwelcome sexual advances. Sexually harassing conduct can be by a person of either the same or opposite sex. Sexually harassing conduct need not be motivated by sexual desire to violate this policy.

The examples outlined in this policy concerning sexual and other forms of workplace harassment, are illustrative of conduct that may constitute harassment, but are not an exhaustive list. Other acts may

constitute harassment depending on the circumstances of the specific situation. A single incident may or may not constitute harassment but would require investigation of the facts, on a case by case basis.

*No edits are suggested for the remainder of this section

SECTION 205 DRUG FREE WORKPLACE

Post-Accident Testing

The City is committed to providing a safe and secure work environment. Employees involved in on-the-job accidents or who engage in unsafe on-duty job-related activities that pose a danger to themselves or others or the overall operation of the City, may be subject to testing. Based on the circumstances of the accident or unsafe act, the City's Risk Manager, Human Resource representative, Department Director or designee may initiate testing when such circumstances involve:

1. Death; or
2. Serious ~~personal~~ injury requiring immediate emergency room or urgent care center treatment; or
3. Employees are subject to testing when they cause or are involved in an accident that damages a City vehicle, machinery, equipment or property. ~~and/or result in an injury to themselves or another individual requiring off-site medical attention.~~ In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner.

*No edits are suggested for the other sections of the policy

SECTION 218 MOTOR VEHICLE RECORD CHECK

PROCEDURES

The City will check the motor vehicle records annually ~~each January~~ for all current employees with driving responsibilities or those who use motor pool cars for travel purposes. Motor vehicle record checks are a condition of employment for these employees, and refusal to participate could result in disciplinary action up to, and including termination. Any covered employee without a valid driver's license will not be allowed to operate a City vehicle or drive on City business. If driving is an essential job function and the employee cannot be reasonably accommodated, employment may be terminated. If an existing employee has a valid driver's license but the employee's driving record falls at marginal or unacceptable status criteria, the employee will be placed on a probationary status and will be subject to the requirements of that status until the end of the probation. If a subsequent periodic motor vehicle record check reveals further violations, the City will review the specific circumstances surrounding the individual and determine appropriate action.

*No edits are suggested for the other sections of the policy

SECTION 307 TELECOMMUTING AGREEMENT

ELIGIBILITY

Individuals requesting formal telecommuting arrangements must be employed with the City for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record. Before entering into any telecommuting agreement, the employee and manager, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

~~If the employee and manager agree, For telecommuting that is ongoing or not short in nature For telecommuting that is ongoing or not short in nature~~ a draft telecommuting agreement will be prepared and signed by all parties with final approval from the employee's Department Director. Telecommuting agreements must provide the justification, rationale, or cause for telework, as well as the timeline for which the agreement will be in place. Human Resources will serve as a resource with the employee and manager on the telecommuting agreement. A copy of the telework agreement will be submitted to Human Resources to be placed in the employee's personnel file.

*No edits are suggested for the other sections of this policy

SECTION 405 BACKGROUND CHECKS

The City of Lewiston is committed to hiring the most qualified applicants. Consequently, all offers of ~~full time and part time~~ employment are conditioned on an applicant successfully passing the City's reference and other background check processes. Additionally, certain volunteer positions are also subject to a background check process. All employees and volunteers are subject to the background checks at any time during the course of employment or service to the City.

~~All offers of employment are conditioned on an applicant successfully passing the City's background investigation.~~ The City's background investigation may include one or more of the following:

- Criminal History Check: At its discretion the City may conduct a criminal history check on all applicants or volunteers regardless of age. This check provides information regarding such things as warrants, civil and criminal filings, and driving records.
- Fingerprint Check: The City conducts fingerprint checks on all applicants and some volunteers 18 years of age or older. This check provides information regarding state and national criminal history records.
- Polygraph Examination: The City conducts polygraph examinations on positions assigned to the Police Department.
- Miscellaneous Checks: For certain jobs additional background investigations are conducted. For jobs involving significant financial accountability, the City may request a consumer report for employment purposes. This may include, but is not limited to information regarding the applicant's credit worthiness, credit standing, and/or credit capacity. Additionally, based on the required education qualifications of a position, the City may request a verification of education.

Applicants shall not begin work until after successfully passing all of the background investigations applicable to the position they will hold. Applicants that do not successfully pass these investigations are ineligible for hire or continued employment and the City's conditional offer of employment will be retracted.

The City retains sole discretion to determine whether to eliminate from consideration for further employment or volunteer service any individual who provides false, misleading, or willfully deceptive information. Employees hired based on false information discovered after employment begins are subject to discipline, up to and including termination. Volunteers may be dismissed from service at any time.

DRUG TESTS

Applicants for safety sensitive positions within the City are required to take a post-offer drug test. Current employees who are transferring, promoting, demoting, or being reassigned from a non-safety sensitive position to a safety sensitive position are required to take a post offer drug test. A verified negative test result shall be received before an applicant may begin safety sensitive duties. Applicants for positions that require a commercial driver's license are required to take a post-offer Department of Transportation (DOT) drug test. Current employees who are transferring, promoting, demoting, or being reassigned to a position that involves the duties or activities that require a commercial driver's license (CDL) shall take a post-offer Department of Transportation (DOT) drug test. A verified negative test result shall be received before the applicant may begin work. Supervisor shall refer to the City's Commercial Driver's License ~~Regulation policy~~ for more information.

PROHIBITED-CRIMINAL HISTORY OFFENSES

An applicant, volunteer, or employee shall be disqualified for employment and volunteer service if the individual's record reveals any conviction of a violent crime composed of murder, non-negligent manslaughter, rape, robbery, or aggravated assault, felony conviction within the individual's lifetime; any misdemeanor conviction related to sexual misconduct, violence, or crimes against children or a vulnerable adult within the individual's lifetime; two or more drug or alcohol related misdemeanors in the last five years; including convictions from foreign jurisdictions. If an applicant's volunteer's, or employee's record reveals any other misdemeanors that individual may be disqualified for employment and volunteer service. Applicants, volunteers, or employees are not automatically disqualified from employment or volunteer service based on their criminal record, with the exception of violent crimes. For all other these crimes, Human Resources in conjunction with the applicable Department Director the city will consider the following factors in determining whether ~~to disqualify the individual~~ an individual is disqualified:

- A. The severity ~~and or~~ nature of the ~~crime and/or conviction~~ offense or conviction;
- B. The period of time since ~~and/or their age at the time~~ the incident(s) under review occurred;
- C. The number and pattern of ~~offenses and convictions~~ incidents;
- D. Activities since the incident, such as continuous employment, education, participation in treatment, payment of restitution, or any other factors that may be evidence of rehabilitation;
- E. The individual's criminal and employment record since the conviction, including withheld judgment, dismissal, suspension, deferral, commutation, or a plea agreement where probation or restitution was or was not required, a sealed record, or an order according to Section 19-2604, Idaho Code, or other equivalent state law;
- F. The falsification or omission of information on the application form and other supplemental forms submitted.

~~Theis~~ term "conviction" includes: a guilty plea; "no contest" or similar plea; plea agreement where probation or restitution was or was not required; a sealed record according to Section 19-2604, Idaho Code, or other equivalent state law or similar result; suspension; commutation; pre-trial diversion; withheld or deferred judgment; bail forfeiture; or guilty finding.

The City reserves the right to consider additional criminal offenses as disqualifying. The City retains sole discretion to disqualify anyone from employment or volunteer service. If an applicant or volunteer is identified as having a pending criminal action for a crime, the City may consider this as disqualifying.

If an employee is charged of a misdemeanor or felony, it is the employee's responsibility to notify their supervisor of the charge/offense as soon as possible. Failure to do so could result in disciplinary action, up to and including termination. The supervisor is subsequently responsible to notify Human Resources of the charge or offense. The city will review the criminal charges to determine if any policies have been violated, or whether the charges reflect negatively on the employee's ability to perform his/her job or on the city as an employer. Current employees who work with children and/or vulnerable adults will be required to have a background check conducted every 3 to 5 years. Background checks are a condition of employment and refusal to participate could result in disciplinary action up to, and including termination.

The term "charged" includes a formal accusation of a misdemeanor or felony, including but not limited to getting arrested, a criminal complaint being filed, or a citation being issued.

SECTION 503 ADVANCEMENT WITHIN SALARY RANGE

In order to properly compensate an employee, advancements in pay shall be based on the employee's satisfactory work performance, time in service, and completion and attainment of other specific advancement requirements outlined for the position. No advancement in the salary matrix will occur without an employee achieving a "competent" performance rating in their annual evaluation. An employee's step increase will take place annually on the employee's anniversary date, or last pay increase. Last pay increase could be an employee's promotion date or approved midyear pay increase. Supervisors are responsible for providing a Change of Status form prior to an employee's step date. Individuals in an "acting" capacity are being paid at the "acting" positions rate of pay, and therefore will not receive their step increase in their regular or "acting"

position should their anniversary date occur while in “acting” position. If the employee stops “acting” and is returned to their regular position they will be placed at the step in grade they would have received had they not been in an “acting” position.

SECTION 510 ESTABLISHED WORK HOURS/WORK WEEK

City business hours are from 8 a.m. to 5 p.m., Monday through Friday. Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point The City may need to change individual work schedules on either a short-term or long-term basis.

The established workday for employees shall be eight (8), nine (9), or ten (10) hours. The established workweek for employees shall be eighty (80) hours within a fourteen (14) consecutive day period. A Department Director or the City Mayor may modify employee work hours consistent with the needs of the City. For the purposes of payroll, the workweek begins on Saturday at 12:01 am and runs through 12:00 (midnight) on Friday. See the city’s Administrative 9/80 Schedule Policy for those employees who have been approved to work a 9/80 schedule.

SECTION 602 VACATION LEAVE

ELIGIBILITY

Regular Full time employees shall earn accrued Vacation Leave each pay period based on the below schedule. Regular Part-Time employees who work 20 hours or more per week, 52 weeks of the year, with consistently the same hours and schedule shall earn Vacation Leave prorated to the amount of hours the employee works. As an example, a regular part-time employee who works 32 hours each week (80% of a 40-hour work week), will accrue 80% of the vacation hours outlined in the below schedule. Employees can take vacation based on hours accrued and subject to the Department Director's approval. Paid vacation shall not exceed the amount of vacation time the employee has actually accrued. Temporary and Part Time employees working less than 20 hours per week or inconsistent hours shall not earn vacation. An employee is not eligible to earn Vacation Leave while in an unpaid leave status or on medical extended leave of absences greater than 12 weeks, even if utilizing accrued leave.

**No edits are suggested for the other sections of this policy*

SECTION 604 FAMILY MEDICAL LEAVE (FMLA)

The city will provide Family and Medical Leave to its eligible employees. The City posts the mandatory FMLA Notice in each City building and ~~upon hire provides all new employees with notices~~as required by the U.S. Department of Labor (DOL) ~~has included in this policy on e~~Employee ~~R~~ights and ~~R~~esponsibilities under the Family and Medical Leave Act.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. If you have any questions, concerns, or disputes with this policy, you must contact the Human Resource Director in writing.

**No edits are suggested for the other sections of this policy.*

SECTION 610 MILITARY LEAVE OF ABSENCE

The City of Lewiston is committed to supporting the service of its employees in the Uniformed Services of the United States (United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service). In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), as well as all related federal and state military leave requirements, the City of Lewiston is committed to ensuring that no employee will be subjected to any form of discrimination, retaliation, or adverse employment

action on the basis of the person's membership in or obligation to perform service for any of the uniformed services of the United States. Employees who perform military duties in any of the uniformed services, whether on a voluntary or involuntary basis, are eligible to take a military leave of absence. Such military duties include leaves of absence taken by members of the uniformed services, for active duty, reserve or National Guard service, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Such service must be for a period during which the employee is ordered to report for duty and is absent from their position of employment. This Military Leave of Absence policy applies to all full time and part time employees of the City who are also members of one of the Uniformed Services.

Employees are entitled to a military leave of absence, without pay, for a cumulative period not to exceed 60 months. Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the Human Resources Department and the employee's supervisor with notice of the need for a military leave of absence at least 10 working days in advance or as far in advance as is reasonable under the circumstance. Written notice is preferred, but not required under USERRA or this policy. For periods of leave less than 30 days, the employee is required to provide the contact information of a person in their military unit that can verify their military service to the Human Resources Department. For periods of leave 31 days or more the employee is required to provide a copy of the orders requiring the employee to report for military service to the Human Resource Department.

For periods of a military leave of absence in which an employee is expected to be gone for 180 days or more, an employee is permitted to request payout of their Vacation Leave, Floating Holiday, earned Wellness Day, and earned Compensatory Time. Payouts will occur on the last pay period in which the employee has submitted time for hours worked. If a Vacation Leave payout is not requested the balance of an employee's Vacation Leave will remain until the employee returns from duty. Employees do not accrue Vacation Leave or Sick Leave while on a military leave of absence. Employees have an option to continue their coverage on the city's health and dental plans while on leave for up to 24 months, but are financially responsible for premium costs of such plans, up to 102% of the full premium amount. When the employee intends to return to work, he or she must make a request for reemployment to the Human Resources Department. If the employee does not intend to return to work, he or she should notify Human Resource as soon as practicable.

If an employee has been absent from a position of civilian employment by reason of service in the uniformed services, he or she will be eligible for reemployment by meeting the following criteria:

- (1) The City had advance notice of the employee's service;
- (2) The employee has five years or less of cumulative service in the uniformed services in his or her employment relationship with The City;
- (3) The employee timely returns to work or applies for reemployment; and,
- (4) The employee has not been separated from service with a disqualifying discharge or under other than honorable conditions.

Upon completing service in the uniformed services, the employee must notify The City of his or her intent to return to the employment position by either reporting to work or submitting a timely application for reemployment. Whether the employee is required to report to work or submit a timely application for reemployment depends upon the length of service, as follows:

Period of service less than 31 days or for a period of any length for the purpose of a fitness examination. If the period of service in the uniformed services was less than 31 days, or the employee was absent from a position of employment for a period of any length for the purpose of an examination to determine his or her fitness to perform service, the employee must report back to the employer not later than the beginning of the first full regularly-scheduled work period on the first full calendar day following the completion of the period of service, and the expiration of eight hours after a period allowing for safe transportation from the place of that service to the employee's residence. If it is impossible or unreasonable

for the employee to report within such time period through no fault of his or her own, he or she must report to the employer as soon as possible after the expiration of the eight-hour period.

Period of service more than 30 days but less than 181 days. If the employee's period of service in the uniformed services was for more than 30 days but less than 181 days, he or she must submit an application for reemployment (written or verbal) with the employer not later than 14 days after completing service. If it is impossible or unreasonable for the employee to apply within 14 days through no fault of his or her own, he or she must submit the application not later than the next full calendar day after it becomes possible to do so.

Period of service more than 180 days. If the employee's period of service in the uniformed services was for more than 180 days, he or she must submit an application for reemployment (written or verbal) not later than 90 days after completing service.

Employees who are on a military leave of absence can utilize earned hours of Vacation Leave, earned Compensatory Time, Floating Holiday, and earned Wellness Day. Employees on a military leave of absence are required to report their time in the city's time reporting software. Such time shall be reported as being for a military leave of absence, in addition to any compensatory time the employee is using. For example, if an employee uses one day of Vacation Leave while on a military leave of absence, the employee shall report both the military leave of absence and Vacation Leave time in the city's time reporting software. If an employee does not report their leave correctly, the employee shall be counseled by their supervisor, and if they continue to not report their time or not report it correctly the employee will receive disciplinary action by the employee's supervisor and/or Department Director. Employees and supervisors should coordinate with the city's payroll department in submitting time correctly.

Military leave will be granted in accordance with the provisions of federal and state law. An employee who is ordered to report for active duty or to take part in active training duty, who are members of the National Guard or the Army, Navy, Air Force, Coast Guard, or Marine Corps Reserve of the United States, or of any organized reserve or armed forces of the United States shall be entitled to and shall be granted unpaid Military Leave of absence from such employment for a period not exceeding 60 months:

All employees entitled to Military Leave shall give the Mayor an opportunity, within the limits of military regulations, to determine when such leave shall be taken. Whenever possible, the employee involved shall notify his/her Department Director and Human Resources Director of such leave request at least ten (10) working days, if not more, in advance of the leave. A copy of the order requiring the employee to report for active duty must be provided to the Human Resources Director as supporting documentation. For periods of full time Military Leave in which an employee is expected to be gone for 180 days or more, an employee is able to request payout of their Vacation Leave, Floating Holiday, earned Wellness Day, and earned Compensatory Time. Payouts will occur on the last pay period in which the employee has submitted time for hours worked. If a Vacation Leave payout is not requested the balance of an employee's Vacation Leave will remain until the employee returns from duty, though they will not have accrued Vacation Leave while on Military Leave. An employee's health and elective benefits will be termed at the end of the month in which an employee last worked. The employee will be able to enroll in COBRA if they would like to continue their medical and dental coverage.

Employees who are on Military Leave part time or intermittently can utilize hours of Vacation Leave, earned Compensatory Time, Floating Holiday, and earned Wellness Day in increments equal to the difference between what an employee's pay is with the City and what the employee is paid by the Military agency in which they are serving, assuming the Military agency is paying less than an employee's earnings with the City. An employee who is on Military Leave part time or intermittently are utilizing their accrued leave only to supplement their Military pay to reach their regular City wages.

CHAPTER 10 – DISCIPLINARY ACTION

The following framework provides discipline options that may be taken when an employee violates employment policies or fails to adequately perform his/her duties and doesn't respond sufficiently to counseling and coaching. Progressive steps may be implemented in order to encourage improved performance or attitude but are not required. The City may take any of the following disciplinary actions, or any other action, in any order when a supervisor deems an action or performance of the employee to be serious enough to warrant a certain discipline. Supervisors are to notify Human Resources of disciplinary proceedings and provide copies of written records.

Disciplinary probation may include a written Performance Improvement Plan (PIP). A PIP, is a tool to give an employee with performance deficiencies the opportunity to succeed. It may be used to address failures, to meet specific job goals, or to ameliorate behavior-related concerns. PIP's should be written with effective goals and sufficient time to address deficiencies. PIP's can be utilized during any step of a disciplinary process but are most commonly utilized during Official Reprimand, Disciplinary Probation, and Suspension.

SECTION 1003 DISCIPLINARY PROBATION

The purpose of disciplinary probation is to provide a final opportunity for an employee to correct performance issues and/or unacceptable behavior prior to consideration of disciplinary demotion or discharge. In essence, disciplinary probation is a "last chance" for an employee after other disciplinary actions have been unsuccessful in effecting the necessary changes in an employee's behavior or performance. An employee may only be placed on disciplinary probation by the Mayor.

~~Disciplinary probation may include a written Performance Improvement Plan (PIP). A PIP, is a tool to give an employee with performance deficiencies the opportunity to succeed. It may be used to address failures, to meet specific job goals, or to ameliorate behavior-related concerns. PIP's should be written with effective goals and sufficient time to address deficiencies.~~

While on disciplinary probation, the employee shall continue to earn vacation and sick leave, but shall not earn time for the purpose of step increases or promotion; nor shall he/she be allowed to compete in promotional examinations. Disciplinary probation shall not be less than three (3) months or more than six (6) months. A new salary review date will be established upon successful completion of the probation period by adjusting the former salary date by the same number of days the employee was on disciplinary probation.

**No additional changes are being recommended*

SECTION 1506 USE OF COMMUNICATIONS AND COMPUTER SYSTEMS

City-provided portable communication devices (PCDs), including cell phones, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a City-provided or personal device, employees must comply with applicable City guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles.

The City's communication and computer systems are intended primarily for business purposes; however, limited personal usage is permitted if it does not hinder performance of job duties or violate any other City policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the City's systems. Note, that the city email address should only be used for official business purposes or for professional services that advance job skills. Personal use of the city email address should be a minimal or insignificant amount.

The City may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when ~~T~~the City deems it appropriate to do so. The reasons for which ~~T~~the City may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that ~~C~~city operations continue appropriately during the employee's absence.

Further, ~~T~~the City may review Internet usage to ensure that such use with City property, or communications sent via the Internet with City property, are appropriate. The reasons for which ~~t~~the City may review employees' use of the Internet with City property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that City operations continue appropriately during the employee's absence.

The City may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The City's policies prohibiting harassment, in their entirety, apply to the use of City's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since ~~t~~the City's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords. Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited. No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

For additional information see the Use of Personal Devices for City Business Administrative Policy and the Acceptable Use and Device Administrative Policy. Violators of these policies may be subject to disciplinary action, up to and including discharge.

Oct 1, 2022 thru April 30th 2024

5/1/24

City of Lewiston Parks and Rec (Tim Barker)

18 months of New Management (Courseco)

Over the last 18 months a lot has been going on at Bryden Canyon Golf Course, not only with the Management change, but with the infrastructure of the Course.

Below are some of the changes that have come about:

Projects completed or working on currently.

- Kitchen Remodel
- Cart Storage complete re-wire & Lighting
- Wash bays Installed, Shop and Pro Shop
- Pro Shop, Restaurant Carpet
- Pro shop Re Paint
- Bathrooms Re Paint
- Bathroom Heaters
- On- Course bathroom sinks and faucets repaired
- Pro shop Lighting
- Scoreboard Paint
- Restaurant Counter top & Cabinets
- New Stairs installed throughout course
- #3 Tee box redone
- Driving Range Poles and Netting (near completion)
- New Fryer
- New Sandwich Bar
- New Walk In (in progress)
- 50 New Carts (Yamaha)
- New Pro Shop furnace
- New Kabota Tractor
- John Deere Greens Mower (used)
- John Deere Surrounds Mower (used)
- John Deere Fairway Unit (used)
- John Deere Aerator (used)
- New Top Dresser
- Tee Signage (in progress)

Community Events

- Christmas Cookie Decorating (25-30 Kids)- 2022
- Free Kid Clinic (40-50 kids) – 2023
- Halloween Pumpkin Carving- (25-30 Kids)- 2023
- Christmas sale Month of Dec.- 2023

- Christmas Cookie Decorating and Santa- (30-35kids)-2023
- Easter Egg hunt- (35-45 kids)- 2024

It was a busy first 18 Months- Water restriction with water tower going down,

We still did \$60461 in NOI even with less than optimal course conditions.

Rob Hays

G/M- Superintendant

Bryden Canyon Golf Course

Memo



Prepared For: Mayor and City Council

Prepared By: Dustin Johnson, P.E., Public Works Director

Date: April 26, 2024

Subject: May 6, 2024 City Council Work Session - Bryden Ave. Update

At the April 8, 2024 City Council meeting Councilor Klein requested staff prepare an update regarding the Bryden Avenue project for the May work session. Specifically, Councilor Klein asked for information regarding why the current design has been proposed and if any alternatives were considered. The intent of this memo is to provide an overview of the Bryden Avenue project and where it stands today.

The Bryden Avenue corridor has been an area of focus for the City of Lewiston for decades. Although there were conversations regarding what the corridor should look like dating back to the 1970's, the issue has become more front and center with the construction of the Southway Bridge in 1982, and Bryden Canyon in 1999.

When Bryden Canyon was completed, the traffic volumes for Bryden Avenue went from 9,440 trips per day to 15,000 trips essentially overnight. This shifted the load of the entire network as commuters dramatically modified their daily routes. Southway Avenue was reduced from 20,462 trips per day to 9,053 trips (1999) and Snake River Avenue was reduced from 20,068 trips per day to 12,293 trips (1999).

By 2006 the City of Lewiston completed the Traffic Operations and Right-of-Way Plan for the Bryden Avenue Corridor Project. It would appear from 1999 forward the concept of utilizing the existing three lane section was not going to be sufficient with the traffic volumes that were already being seen since the opening of Bryden Canyon. As a general rule, a three lane section typically reaches its maximum capacity at 15,000 to 17,500 trips per day. A segment count between 7th Street and 10th Street in 2022 was 20,227. This capacity can be extremely variable based on the number of accesses and intersections. Based on the character of the street and

current traffic data, there is no reason to believe that Bryden Avenue has much more capacity remaining in its current configuration.

The 2006 Bryden Avenue Right-of-Way Study analyzed three possible alternatives:

- No Build
- Four-Lane (no center turn lane)
- Five-Lane (with center turn lane)

Ultimately, the Five-Lane section was selected because it provided the most flexibility in providing business access, increased level of service, and would alleviate existing safety concerns. The Four-Lane section could function as an alternative, but there would need to be significant modifications to access points and a raised center median that would restrict left turns. The restricted turning movements and access control would not be preferable for the businesses and residents within this corridor.

It should be noted that, in the early 2000's there was controversy as to how Bryden Avenue should function. There has been and continues to be feedback from the residents as to their opposition to the construction of a Five-Lane section because of the requirement to acquire right-of way. Additionally residents have voiced concern about the changes to the land use within the corridor.

In 2012 the Lewis-Clark Valley Metropolitan Planning Organisation (MPO) completed the Bryden Avenue Corridor Study. This study built on the 2006 study and further examined right-of-way width considerations, design alternatives, funding options and engaged with the public. This study is available on the MPO website.

In 2014 the City of Lewiston formally requested Federal Surface Transportation Program Funds (STP) through the MPO for the construction of Bryden Avenue 4th to 7th Streets. The LC Valley MPO receives an allocation of STP funding based on population (currently approximately \$500,000 annually). Due to the size of the Bryden Avenue project, and the fact that Snake River Avenue and 9th Street Grade were in the queue, it took several years for adequate funds to build up enough to move forward.

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Date May 6, 2024
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In 2021 the City of Lewiston executed the design contract with David Evans and Associates (DEA). As of today, the project is wrapping up final design and is under environmental review. Once the environmental review is complete the project can transition into final right-of-way plans and negotiations. There will be an additional agreement with DEA to complete the plans, specifications and estimates (PS&E), and finalize right-of-way descriptions and plans, as well as providing a final level of service analysis for all sections that have been considered for this corridor.

At the May 6th City Council Work Session Public Works Director Dustin Johnson will provide a summary of this memo and answer any questions the City Council may have.