



**Lewiston City Council
REGULAR MEETING AGENDA
March 27, 2023 - 6:00 PM**

AMENDMENT III

**Lewiston City Library – Second Floor Event Space – 411 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 Facebook page or the City'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. PRESENTATIONS

- A. PROCLAMATION: WEEK OF THE YOUNG CHILD:** Recognizing April 1-7, 2023, as the Week of the Young Child (Dan Johnson)
- B. PROCLAMATION: STRENGTHENING FAMILIES MONTH; CHILD ABUSE PREVENTION AND AWARENESS:** Recognizing the month of April 2023 as Strengthening Families Month; Child Abuse Prevention and Awareness (Dan Johnson)
- C. FINANCIAL REPORT:** Financial report for February 2023, in accordance with Idaho Code 50-208 - No oral report (Aimee Gordon)

V. PUBLIC HEARINGS AND RELATED ACTION ITEMS

- A. PUBLIC HEARING RE: ZNC23-000002 & CPA23-000002:** Accepting testimony on a proposal to amend the Comprehensive Plan Land Use Designation from Low Density Residential to Medium Density Residential and rezone from Suburban Residential, R-1, Zone to Medium Density Residential, R-3, Zone for approximately 8.96 acres generally located east of 18th Street, north of Airway Avenue and south of unimproved Bryden Avenue - (Katie Hollingshead)
- B. RESOLUTION 2023-16:** Implementing the City Council's decision in CPA23-000002, amending the "Future Land Use Map Neighborhood No. 7 - East Orchards" of Chapter 6.7 of Lewiston's Comprehensive Land Use Plan - Action Item (Katie Hollingshead)
- C. ORDINANCE 4880 (FIRST READING):** Implementing the City Council's decision in ZNC-23-

000002, declaring that certain real property be removed from the Suburban Residential (R-1) Zone and included in the Medium Density Residential (R-3) Zone and amending the official zoning map of the City of Lewiston - Action Item (Katie Hollingshead)

VI. CONSENT AGENDA

All items on the Consent Agenda are considered routine by the Council and will be enacted by one motion. There will be no separate discussion on these issues unless a councilor so requests, in which case the item will be removed from the Consent Agenda and considered on the Active Agenda under “Items Moved from the Consent Agenda”.

- A. **LEWISTON CITY COUNCIL MEETING MINUTES**: 3/6/23 Work Session; 3/9/23 Special; - Action Item
- B. **ADVISORY BOARD AND COMMISSION MEETING MINUTES**: 01/18/23 Parks & Recreation Advisory Commission; 11/10/22, 12/8/22 and 1/12/23 Disability Advisory Commission; 2/22/23 Planning & Zoning Commission; 2/15/23 Library Board; 2/9/23 Business Improvement District; - Action Item
- C. **VOUCHERS PAYABLE**: 02/24/23 through 03/09/23 in the amount of \$1,749,391.91 - Action Item

VII. ACTIVE AGENDA

- A. **2022 ADA ANNUAL REPORT**: Review and consider approval of the 2022 ADA Annual Report - Action Item (Dustin Johnson)
- B. **RESOLUTION 2023-20**: Considering accepting a donation of brown landscape 8" stackable stones from Nez Perce County - Action Item (Tim Barker)
- C. **PROGRESSIVE DESIGN-BUILD AGREEMENT AMENDMENT NO. 02**: Considering extending the time for Phase 1B by 45-calendar-days for the Fire Station 4 Project. - Action Item (Travis Myklebust)
- D. **TRANSIT GRANT FUNDING AGREEMENT ADDENDUM**: Considering approval of an addendum to the Grant Funding Agreement for the Lewiston Community Center Bus Transfer Stop Construction - Action Item (Suzanne Seigneur)
- E. **IFB-23-006 19TH AVENUE SIDEWALK INFILL; 15TH TO 16TH, TR065**: Considering the contract between the City of Lewiston and Knox Concrete, LLC in the amount of \$248,685 - Action Item (Dustin Johnson)
- F. **RESOLUTION 2023-19**: Declaring that an emergency exists and that the public interest and necessity demand the immediate expenditure of public money for the design and construction of an interim solution for water storage in the high zone of the City of Lewiston's water system - Action Item (Dustin Johnson)

VIII. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

IX. 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. ADVISORY BOARD AND COMMISSION APPOINTMENTS - Action Item

1. **DISABILITY ADVISORY COMMISSION**: Considering the appointment of Matthew Ruth for a three (3) year term. - Action Item
2. **PUBLIC WORKS ADVISORY COMMISSION**: Considering the appointments of Ryan Rehder, Laura Wright, Kayleigh Philippi, and Kevin Kelly for three-year terms. - Action Item
3. **PARKS AND RECREATION COMMISSION**: Considering the reappointment of James Kirk for a three-year term - Action Item
4. **LIBRARY BOARD**: Considering the reappointment of Josh Brown for a five-year term - Action Item

E. AGENDA TOPICS - Action Item

X. 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 City Clerk Kari Ravencroft at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6203.

Proclamation

WHEREAS, the Idaho Association for the Education of Young Children (Idaho AEYC) is celebrating the Week of the Young Child, April 1-7, 2023; and

WHEREAS, we are working to promote and inspire high-quality early childhood experiences for our state's youngest citizens, that can provide a foundation of learning and success for children in Lewiston, Idaho; and

WHEREAS, teachers and others who work with or on behalf of young children birth through age eight, who make a difference in the lives of young children in Lewiston deserve thanks and recognition; and

WHEREAS, public policies that support early learning for all young children are crucial to young children's futures and to the prosperity of our society.

NOW THEREFORE, I, Dan Johnson, Mayor of the City of Lewiston do hereby proclaim April 1-7, 2023, as the "WEEK OF THE YOUNG CHILD" in Lewiston, Idaho and encourage all citizens to work to support and invest in early childhood.



IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND
SEAL OF THE CITY OF LEWISTON,
IDAHO, TO BE AFFIXED HERETO THIS
27th DAY OF MARCH, 2023.

DANIEL G. JOHNSON, MAYOR
LEWISTON, IDAHO

Proclamation



WHEREAS, as a society, we have a responsibility to nurture and protect our children and help ensure they become healthy and productive adults; and

WHEREAS, all members of the community have a role to play in strengthening families to ensure children are valued and supported; and

WHEREAS, all communities have the responsibility to offer parents the education, support and skills they need to provide healthy, safe and nurturing homes for their children; and

WHEREAS, child abuse and neglect can be reduced by making sure each family has the support they need in raising their children in a safe, nurturing environment; and

WHEREAS, child abuse and neglect can be reduced by making sure each family has the support they need in raising their children in a safe, nurturing environment; and

WHEREAS, in the City of Lewiston there are numerous committed agencies, parents, relatives, community volunteers, public policymakers and professionals who are collaborating their efforts to eliminate child abuse in the City and give our children hope, security and safety; and

WHEREAS, a statewide "Pinwheels for Prevention" campaign has been launched through the media, public schools, libraries, social service agencies, and businesses during the month of April to celebrate and bring awareness of the great potential of all children in Idaho and the need to strengthen all families with support and nurturing; and

WHEREAS, the "Pinwheels for Prevention" campaign includes the planting of "Pinwheel Gardens" statewide celebrating community partnerships for strengthening the family and protecting all children from abuse and neglect; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community; and

WHEREAS, all citizens should become more aware of the negative effects of child abuse and its prevention within the community and become involved in supporting parents to raise their children in a safe, nurturing environment; and

NOW THEREFORE, I, Daniel Johnson, Mayor of the City of Lewiston, declare the month of April 2023 as **STRENGTHENING FAMILIES MONTH; CHILD ABUSE PREVENTION AND AWARENESS**. In so declaring, the City of Lewiston officials, employees, citizens, community agencies, religious organizations, medical facilities, and businesses are encouraged to increase their participation in efforts to prevent child abuse, thereby strengthening the communities in which we live.



IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF THE CITY OF LEWISTON, IDAHO, TO BE AFFIXED HERETO THIS 27TH DAY OF MARCH 2023.

DANIEL G. JOHNSON, MAYOR, LEWISTON, IDAHO

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

[See comment/footnote on last page](#)

GENERAL FUND

UNDEFINED

	<u>MTD</u> <u>REVENUES</u>	<u>YTD</u> <u>REVENUES</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u> <u>EXPENSES</u>	<u>YTD</u> <u>EXPENSES</u>	<u>BUDGET</u>	<u>% USED</u>
Grants	\$ -	\$ -	\$ 381,540	0.00%				
Intergovernmental	14,374	1,183,330	5,014,900	23.60%	\$ -	\$ -	\$ -	
Licenses & Permits	590	2,716	8,000	33.95%	-	-	-	
Other	12,194	18,143	1,925,720	0.94%	-	-	-	
Property Tax	264,984	8,343,674	16,287,680	51.23%	-	-	-	
Service Charges	115,832	579,160	1,445,140	40.08%	-	-	-	
Interest	89,750	241,691	272,210	88.79%	-	-	-	
Total	\$ 497,724	\$ 10,368,714	\$ 25,335,190	40.93%	\$ -	\$ -	\$ -	

LEGISLATIVE

Personnel Services	\$ -	\$ -	\$ -		\$ 13,716	\$ 68,788	\$ 164,940	41.70%
Supplies and Materials	-	-	-		36	91	2,150	4.25%
Services and Charges	-	-	-		6,386	119,883	289,820	41.36%
Capital	-	-	-		-	119	5,000	2.38%
Total	\$ -	\$ -	\$ -		\$ 20,138	\$ 188,881	\$ 461,910	40.89%

EXECUTIVE

Personnel Services	\$ -	\$ -	\$ -		\$ 23,835	\$ 113,963	\$ 386,650	29.47%
Supplies and Materials	-	-	-		(13)	603	3,050	19.77%
Services and Charges	-	-	-		9,687	29,369	80,610	36.43%
Capital	-	-	-		-	-	2,500	0.00%
Total	\$ -	\$ -	\$ -		\$ 33,509	\$ 143,936	\$ 472,810	30.44%

HUMAN RESOURCES

Personnel Services	\$ -	\$ -	\$ -		\$ 25,169	\$ 119,868	\$ 325,150	36.87%
Supplies and Materials	-	-	-		69	8	8,300	0.10%
Services and Charges	-	-	-		6,426	35,545	141,540	25.11%
Capital	-	-	-		-	-	1,600	0.00%
Total	\$ -	\$ -	\$ -		\$ 31,664	\$ 155,421	\$ 476,590	32.61%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>			<u>MTD</u>	<u>YTD</u>		
	<u>REVENUES</u>	<u>REVENUES</u>	<u>BUDGET</u>	<u>% USED</u>	<u>EXPENSES</u>	<u>EXPENSES</u>	<u>BUDGET</u>	<u>% USED</u>
LEGAL								
Personnel Services	\$ -	\$ -	\$ -		\$ 35,994	\$ 153,153	\$ 515,690	29.70%
Supplies and Materials	-	-	-		42	277	3,430	8.07%
Services and Charges	-	-	-		29,117	98,291	177,610	55.34%
Capital	-	-	-		-	100	1,080	9.26%
Total	\$ -	\$ -	\$ -		\$ 65,153	\$ 251,821	\$ 697,810	36.09%
PARKS & FACILITIES								
Other	\$ 773	\$ 1,073	\$ 11,500	9.33%	\$ -	\$ -	\$ -	
Service Charges	-	-	43,200	0.00%	-	-	-	
Personnel Services	-	-	-		120,932	585,915	1,994,380	29.38%
Supplies & Materials	-	-	-		15,322	71,655	260,070	27.55%
Services & Charges	-	-	-		93,203	501,265	1,122,240	44.67%
Capital	-	-	-		(6,872)	16,503	32,000	51.57%
Total	\$ 773	\$ 1,073	\$ 54,700	1.96%	\$ 222,586	\$ 1,175,339	\$ 3,408,690	34.48%
POLICE								
Grants	\$ 11,845	\$ 28,868	\$ 33,500	86.17%	\$ -	\$ -	\$ -	
Other	1,432	3,432	65,500	5.24%	-	-	-	
Service Charges	225	102,617	228,660	44.88%	-	-	-	
Personnel Services	-	-	-		505,358	2,479,648	7,464,850	33.22%
Supplies & Materials	-	-	-		12,483	75,229	224,140	33.56%
Services & Charges	-	-	-		57,758	366,872	1,137,770	32.24%
Capital	-	-	-		2,945	11,821	437,990	2.70%
Total	\$ 13,502	\$ 134,917	\$ 327,660	41.18%	\$ 578,543	\$ 2,933,571	\$ 9,264,750	31.66%
FIRE								
Grants	\$ -	\$ 19,000	\$ 54,000	35.19%	\$ -	\$ -	\$ -	
Intergovernmental	-	67,035	250,000	26.81%	-	-	-	
Licenses & Permits	1,116	9,321	20,200	46.14%	-	-	-	
Other	54	(631)	6,460	-9.77%	-	-	-	
Service Charges	150,569	958,384	2,750,000	34.85%	-	-	-	
Personnel Services	-	-	-		593,497	3,116,643	8,158,490	38.20%
Supplies & Materials	-	-	-		16,941	124,401	340,400	36.55%
Services & Charges	-	-	-		75,567	375,393	1,019,290	36.83%
Capital	-	-	-		3,481	5,778	292,730	1.97%
Total	\$ 151,739	\$ 1,053,109	\$ 3,080,660	34.18%	\$ 689,486	\$ 3,622,216	\$ 9,810,910	36.92%
COMMUNITY DEVELOPMENT								
Grants	\$ -	\$ -	\$ 1,500	0.00%	\$ -	\$ -	\$ -	
Licenses & Permits	\$ 91,751	\$ 547,432	\$ 1,149,000	47.64%	\$ -	\$ -	\$ -	
Service Charges	2,172	9,220	2,400	384.18%	-	-	-	
Personnel Services	-	-	-		93,269	512,412	1,360,450	37.66%
Supplies & Materials	-	-	-		1,371	6,220	35,850	17.35%
Services & Charges	-	-	-		18,428	91,454	452,780	20.20%
Capital	-	-	-		-	3,504	17,700	19.80%
Total	\$ 93,923	\$ 556,652	\$ 1,152,900	48.28%	\$ 113,068	\$ 613,590	\$ 1,866,780	32.87%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
RECREATION								
Intergovernmental	\$ -	\$ -	\$ 4,000	0.00%				
Other	12,625	15,175	21,100	71.92%	\$ -	\$ -	\$ -	
Service Charges	24,261	143,071	413,000	34.64%	-	-	-	
Interest	-	-	-	-	-	-	-	
Personnel Services	-	-	-		25,128	118,316	392,000	30.18%
Supplies & Materials	-	-	-		7,744	42,074	159,650	26.35%
Services & Charges	-	-	-		14,247	57,002	166,020	34.33%
Capital	-	-	-		430	430	3,500	12.29%
Total	\$ 36,886	\$ 158,246	\$ 438,100	36.12%	\$ 47,549	\$ 217,822	\$ 721,170	30.20%
FINANCE								
Service Charges	\$ 17,925	\$ 82,846	\$ 200,000	41.42%	\$ -	\$ -	\$ -	
Personnel Services	-	-	-		87,226	439,751	1,146,540	38.35%
Supplies & Materials	-	-	-		5,006	27,726	71,800	38.62%
Services & Charges	-	-	-		45,716	109,471	280,280	39.06%
Capital	-	-	-		-	-	4,500	0.00%
Total	17,925	82,846	200,000	41.42%	137,948	576,948	1,503,120	38.38%
CONTINGENCY								
Services and Charges			\$ -		\$ -	\$ 7,865	\$ 180,000	4.37%
Total	\$ -	\$ -	\$ -	0.00%	\$ -	\$ 7,865	\$ 180,000	4.37%
PROPERTY IMPROVEMENTS								
Other (Reserves)	\$ -	\$ -	\$ 4,026,310		\$ -	\$ -	\$ -	
Property Tax	-	-	1,650,000	0.00%	-	-	-	
Capital					6,810	41,010	6,826,310	0.60%
Total	\$ -	\$ -	\$ 5,676,310	0.00%	\$ 6,810	\$ 41,010	\$ 6,826,310	0.60%
GOLF COURSE								
Capital			\$ -		\$ -	\$ 241,000	\$ -	0.00%
Total	\$ -	\$ -	\$ -	0.00%	\$ -	\$ 241,000	\$ -	0.00%
OPIOID SETTLEMENT								
Other	\$ 6,074	\$ 159,974	\$ -					
Services & Charges					\$ -	\$ 30	\$ -	
Total	\$ 6,074	\$ 159,974	\$ -	0.00%	\$ -	\$ 30	\$ -	0.00%
INSURANCE TRUST								
Other	\$ -	\$ -	\$ 25,000	0.00%	\$ -	\$ -	\$ -	
Interest	40	190	500	37.99%	-	-	-	
Supplies & Materials	-	-	-		-	-	450	0.00%
Services & Charges	-	-	-		695	320,068	399,720	80.07%
Total	\$ 40	\$ 190	\$ 25,500	0.74%	\$ 695	\$ 320,068	\$ 400,170	79.98%
UNCOLLECTIBLE ACCOUNTS								
Services and Charges	\$ -	\$ -	\$ -		\$ 15,000	\$ 75,000	\$ 200,000	37.50%
Total	\$ -	\$ -	\$ -	0.00%	\$ 15,000	\$ 75,000	\$ 200,000	37.50%
TOTAL GENERAL FUND	\$ 818,585	\$ 12,515,721	\$ 36,291,020	34.49%	\$ 1,962,149	\$ 10,564,516	\$ 36,291,020	29.1%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
CAPITAL PROJECTS FUND								
PARKS & FACILITIES								
Grants	\$ -	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	
Other	2,590	14,861	293,960	5.06%	-	-	-	
Property Tax	-	100,000	100,000	100.00%	-	-	-	
Service Charges	-	-	-	0.00%	-	-	-	
Interest	2,010	9,600	100	9600.42%	-	-	-	
Capital					-	20,645	394,060	5.24%
Total	\$ 4,600	\$ 124,462	\$ 394,060	31.58%	\$ -	\$ 20,645	\$ 394,060	5.24%
TRANSPORTATION								
Grants	\$ 62,024	\$ 118,846	\$ 79,690	149.13%	\$ -	\$ -	\$ -	
Intergovernmental	-	252,633	1,005,440	25.13%	-	-	-	
Other	-	566	161,910	0.35%	-	-	-	
Property Tax	-	675,500	1,375,500	49.11%	-	-	-	
Service Charges	-	-	-	0.00%	-	-	-	
Interest	15,268	60,615	900	6734.96%	-	-	-	
Capital	-	-	-		44,193	103,465	2,623,440	3.94%
Total	\$ 77,291	\$ 1,108,159	\$ 2,623,440	42.24%	\$ 44,193	\$ 103,465	\$ 2,623,440	3.94%
LIBRARY								
Other	\$ 39	\$ 20,834	\$ 90,000	23.15%	\$ -	\$ -	\$ -	
Property Tax	-	-	-	0.00%	-	-	-	
Interest	135	843	-	0.00%	-	-	-	
Capital	-	-	-		-	-	90,000	0.00%
Total	\$ 174	\$ 21,677	\$ 90,000	24.09%	\$ -	\$ -	\$ 90,000	0.00%
TOTAL CAPITAL PROJECTS FUND	\$ 82,065	\$ 1,254,298	\$ 3,107,500	40.36%	\$ 44,193	\$ 124,110	\$ 3,107,500	4.0%
WORKERS COMP TRUST								
INSURANCE TRUST								
Other	\$ -	\$ -	\$ 544,000	0.00%	\$ -	\$ -	\$ -	
Interest	4,473	23,456	22,000	106.62%	-	-	-	
Supplies & Materials	-	-	-		-	-	500	0.00%
Services & Charges	-	-	-		51,939	322,395	565,500	57.01%
TOTAL WORKERS COMP FUND	\$ 4,473	\$ 23,456	\$ 566,000	4.14%	\$ 51,939	\$ 322,395	\$ 566,000	57.0%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
WATER FUND								
WATER								
Grants	\$ -	\$ -	\$ 60,000	0.00%	\$ -	\$ -	\$ -	
Intergovernmental	-	-	36,420	0.00%	-	-	-	
Other	2,084,071	7,625,740	4,939,820	154.37%	-	-	-	
Service Charges	440,489	2,632,883	7,329,730	35.92%	-	-	-	
Interest	16,304	82,328	900	9147.52%	-	-	-	
Personnel Services	-	-	-		184,992	843,435	2,282,970	36.94%
Supplies & Materials	-	-	-		19,620	85,303	455,720	18.72%
Services & Charges	-	-	-		212,775	1,092,651	3,061,760	35.69%
Capital	-	-	-		962,852	8,748,582	5,220,190	167.59%
TOTAL WATER FUND	\$ 2,540,864	\$ 10,340,950	\$ 12,366,870	83.62%	\$ 1,380,240	\$ 10,769,972	\$ 11,020,640	97.7%
WASTEWATER FUND								
WASTEWATER								
Grants	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	
Intergovernmental	323,302	1,280,560	3,707,910	34.54%	-	-	-	
Other	1,468,819	3,353,439	1,459,430	229.78%	-	-	-	
Service Charges	592,664	2,962,517	6,802,870	43.55%	-	-	-	
Interest	51,433	232,162	20,000	1160.81%	-	-	-	
Personnel Services	-	-	-		162,007	814,644	2,339,690	34.82%
Supplies & Materials	-	-	-		37,472	96,162	426,900	22.53%
Services & Charges	-	-	-		220,867	1,142,680	3,142,150	36.37%
Capital	-	-	-		1,383,677	2,363,528	6,072,330	38.92%
TOTAL WASTEWATER FUND	\$ 2,436,218	\$ 7,828,678	\$ 11,990,210	65.29%	\$ 1,804,023	\$ 4,417,014	\$ 11,981,070	36.9%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
SANITATION FUND								
SANITATION								
Grants	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	
Other	2,606	11,858	138,880	8.54%	-	-	-	
Service Charges	592,653	2,926,251	7,172,010	40.80%	-	-	-	
Interest	9,009	51,497	11,240	458.15%	-	-	-	
Personnel Services	-	-	-		35,241	170,963	512,460	33.36%
Supplies & Materials	-	-	-		994	4,672	31,100	15.02%
Services & Charges	-	-	-		482,565	2,323,184	6,454,190	35.99%
Capital	-	-	-		4,134	4,134	349,500	1.18%
TOTAL SANITATION FUND	\$ 604,269	\$ 2,989,606	\$ 7,322,130	40.83%	\$ 522,935	\$ 2,502,953	\$ 7,347,250	34.1%
GOLF COURSE FUND								
GOLF COURSE								
Other	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	
Service Charges	-	-	158,370	0.00%	-	-	-	
Interest	31	897	10	8972.00%	-	-	-	
Services & Charges	-	-	-		4,280	56,656	152,410	37.17%
Debt Service	-	-	-		-	-	47,500	0.00%
Capital	-	-	-		-	-	-	
GOLF COURSE FUND	\$ 31	\$ 897	\$ 158,380	0.57%	\$ 4,280	\$ 56,656	\$ 199,910	28.3%
CEMETERY FUND								
CEMETERY								
Other	\$ 432	\$ 918	\$ 29,440	3.12%	\$ -	\$ -	\$ -	
Property Tax	-	150,000	150,000	100.00%	-	-	-	
Service Charges	4,857	13,906	53,650	25.92%	-	-	-	
Interest	1,021	3,992	30	13305.47%	-	-	-	
Interfund Transfer	-	-	100,000	0.00%	-	-	-	
Personnel Services	-	-	-		6,937	33,343	127,650	26.12%
Supplies & Materials	-	-	-		1,356	1,556	11,500	13.53%
Services & Charges	-	-	-		2,614	15,393	113,470	13.57%
Capital	-	-	-		-	-	80,500	0.00%
TOTAL CEMETERY FUND	\$ 6,310	\$ 168,816	\$ 333,120	50.68%	\$ 10,907	\$ 50,292	\$ 333,120	15.1%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
ECONOMIC DEVELOPMENT FUND								
ECONOMIC DEVELOPMENT								
Grants	\$ -	\$ 62,933	\$ 529,860	11.88%	\$ -	\$ -	\$ -	
Licenses & Permits	-	-	-	0.00%	-	-	-	
Other	17,099	56,927	5,761,790	0.99%	-	-	-	
Interest	22,309	92,890	7,530	1233.60%	-	-	-	
Capital	-	-	-		9,632	156,023	6,299,180	2.48%
TOTAL ECONOMIC DEVELOPMENT	\$ 39,408	\$ 212,750	\$ 6,299,180	3.38%	\$ 9,632	\$ 156,023	\$ 6,299,180	2.5%
TRANSPORTATION & ENGINEERING FUND								
TRANSPORTATION								
Grants	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	
Intergovernmental	659	215,143	1,312,840	16.39%	-	-	-	
Licenses & Permits	2,361	8,541	15,000	56.94%	-	-	-	
Other	32,029	4,861	299,770	1.62%	-	-	-	
Property Taxes	-	2,314,600	2,314,600	100.00%	-	-	-	
Service Charges	(487)	287,303	892,230	32.20%	-	-	-	
Interest	13,830	17,983	1,000	1798.28%	-	-	-	
Personnel Services	-	-	-		186,373	862,903	2,699,210	31.97%
Supplies & Materials	-	-	-		47,268	200,258	416,930	48.03%
Services & Charges	-	-	-		114,535	547,739	1,586,700	34.52%
Capital	-	-	-		530	35,265	132,600	26.60%
TOTAL TRANSPORTATION FUND	\$ 48,392	\$ 2,848,431	\$ 4,835,440	58.91%	\$ 348,707	\$ 1,646,165	\$ 4,835,440	34.0%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
LIBRARY FUND								
LIBRARY								
Grants	\$ -	\$ 8,000	\$ 7,500	106.67%	\$ -	\$ -	\$ -	
Intergovernmental	-	-	200	0.00%				
Other	4,142	6,465	135,630	4.77%				
Property Taxes	-	1,375,500	1,375,500	100.00%				
Service Charges	368	1,659	4,500	36.86%				
Interest	8,203	10,829	200	5414.58%	-	-	-	
Personnel Services					82,302	390,590	1,123,780	34.76%
Supplies & Materials					14,288	46,760	139,750	33.46%
Services & Charges					23,013	98,936	246,500	40.14%
Capital	-	-	-		485	32,143	13,500	238.10%
TOTAL LIBRARY FUND	\$ 12,714	\$ 1,402,452	\$ 1,523,530	92.05%	\$ 120,087	\$ 568,429	\$ 1,523,530	37.3%
FLEET MAINTENANCE								
FLEET								
Grants	\$ -	\$ 158,813	\$ 164,000	96.84%	\$ -	\$ -	\$ -	
Intergovernmental	35	35	15,700	0.22%				
Other	(1,269)	18,804	200	9402%				
Service Charges	159,928	828,168	2,004,330	41.32%				
Interest	4,038	18,191	1,000	1819.12%	-	-	-	
Personnel Services					45,609	216,005	584,790	36.94%
Supplies & Materials					10,639	78,955	254,730	31.00%
Services & Charges					78,128	368,276	900,880	40.88%
Capital	-	-	-		364	364	1,325,000	0.03%
TOTAL FLEET MAINTENANCE	\$ 162,732	\$ 1,024,011	\$ 2,185,230	46.86%	\$ 134,739	\$ 663,599	\$ 3,065,400	21.6%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
INFORMATION SYSTEMS								
INFORMATION SYSTEMS								
Grants	\$ -	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	
Other	100	1,700	3,400	50.00%	\$ -	\$ -	\$ -	
Service Charges	106,342	530,639	1,263,670	41.99%				
Interest	1,106	4,776	-	0.00%	-	-	-	
Personnel Services					46,005	219,767	592,790	37.07%
Supplies & Materials					-	190	1,800	10.55%
Services & Charges					50,171	303,247	559,000	54.25%
Capital	-	-	-		12,614	82,114	147,000	55.86%
TOTAL INFORMATION SYSTEMS	\$ 107,548	\$ 537,115	\$ 1,267,070	42.39%	\$ 108,790	\$ 605,318	\$ 1,300,590	46.5%
SPECIAL ASSESSMENTS								
BUSINESS IMPROVEMENT DISTRICT								
Assessments	\$ -	\$ 166,212	\$ 200,000	83.11%				
Services & Charges					\$ 35,909	\$ 66,397	\$ 200,000	33.20%
TOTAL SPECIAL ASSESSMENTS	\$ -	\$ 166,212	\$ 200,000	83.11%	\$ 35,909	\$ 66,397	\$ 200,000	33.2%
POLICE RETIREMENT								
POLICE RETIREMENT								
Other	\$ (229,258)	\$ 1,228,272	\$ 1,078,000	113.94%	\$ -	\$ -	\$ -	
Property Tax	-	-	-	0.00%				
Interest	5,467	87,839	236,000	37.22%				
Services & Charges					111,248	497,986	1,288,000	38.66%
TOTAL POLICE RETIREMENT	\$ (223,791)	\$ 1,316,111	\$ 1,314,000	100.16%	\$ 111,248	\$ 497,986	\$ 1,288,000	38.7%

CITY OF LEWISTON
MONTHLY FINANCIAL REPORT
For the Five Months Ended February 28, 2023

	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>	<u>MTD</u>	<u>YTD</u>	<u>BUDGET</u>	<u>% USED</u>
	<u>REVENUES</u>	<u>REVENUES</u>			<u>EXPENSES</u>	<u>EXPENSES</u>		
TRANSIT FUND								
TRANSIT								
Grants	\$ 150,290	\$ 150,290	\$ 1,375,000	10.93%	\$ -	\$ -	\$ -	
Intergovernmental	23,172	48,221	93,700	51.46%	-	-	-	
Other (Fund Balance Stabilization)	-	-	196,320	0.00%	-	-	-	
Property Tax	-	353,500	353,500	100.00%	-	-	-	
Service Charges	3,570	15,982	43,200	37.00%	-	-	-	
Interest	1,923	7,295	-	0.00%				
Personnel Services					63,212	306,317	934,770	32.77%
Supplies & Materials	-	-	-		6,244	29,550	92,200	32.05%
Services & Charges					43,857	94,278	247,250	38.13%
Capital	-	-	-		-	1,592	787,500	0.20%
TOTAL TRANSIT FUND	\$ 178,955	\$ 575,288	\$ 2,061,720	27.90%	\$ 113,313	\$ 431,737	\$ 2,061,720	20.9%
CEMETERY PERPETUAL CARE								
CEMETERY PERPETUAL CARE								
Other	\$ -	\$ 33,888	\$ 80,000	42.36%	\$ -	\$ -	\$ -	
Service Charges	149	410	4,000	10.25%				
Interest	-	4,992	17,000	29.36%				
Services & Charges	-				-	719	4,000	17.96%
Interfund Transfers	-	-	-		-	-	100,000	0.00%
TOTAL PERPETUAL CARE	\$ 149	\$ 39,290	\$ 101,000	38.90%	\$ -	\$ 719	\$ 104,000	0.7%
GRAND TOTAL OF ALL FUNDS	\$ 6,818,922	\$ 43,244,081	\$ 91,922,400	47.04%	\$ 6,763,092	\$ 33,444,282	\$ 91,524,370	36.54%

[Citizens are invited to inspect the detailed supporting records of the above financial statements](#)

CITY OF LEWISTON
TREASURY REPORT - 2/28/2023

FUND	BANK	CASH IN BANK	MM & CD INVESTMENTS	STATE TREASURER'S POOL	DIVERSIFIED BOND FUNDS	OTHER	TOTAL
GENERAL	WELLS FARGO	\$ 8,258,466	\$ -	\$ -	\$ -	\$ -	\$ 8,258,466
	LCCU	-	-	-	-	5	5
	P1FCU	-	456,099	-	-	41	456,140
	ICCU	-	-	-	-	25	25
	FNWCU	-	250,311	-	-	5	250,316
	STATE TREASURER	-	-	7,063,726	3,313,233	-	10,376,958
	UMPQUA	-	-	-	-	604,047	604,047
	ZIONS	-	-	-	-	152,434	152,434
	STCU	-	250,358	-	-	-	250,358
GENERAL FUND TOTAL		\$ 8,258,466	\$ 956,769	\$ 7,063,726	\$ 3,313,233	\$ 756,558	\$ 20,348,750
CAPITAL	WELLS FARGO	3,842,649	-	-	-	-	3,842,649
	STATE TREASURER	-	-	2,971,234	-	-	2,971,234
CAPITAL FUND TOTAL		\$ 3,842,649	\$ -	\$ 2,971,234	\$ -	\$ -	\$ 6,813,883
WORKER'S COMP	WELLS FARGO	22,779	-	-	-	-	22,779
	MOUNTAIN WEST	-	-	-	-	25,000	25,000
	STATE TREASURER	-	-	308,315	1,582,367	-	1,890,682
WORKER'S COMP FUND TOTAL		\$ 22,779	\$ -	\$ 308,315	\$ 1,582,367	\$ 25,000	\$ 1,938,462
WATER	WELLS FARGO	6,634,704	-	-	-	506,562	7,141,266
	BANNER BANK	-	-	-	-	108,588	108,588
	STATE TREASURER	-	-	2,276,313	603	-	2,276,916
WATER FUND TOTAL		\$ 6,634,704	\$ -	\$ 2,276,313	\$ 603	\$ 615,150	\$ 9,526,770
WASTEWATER	WELLS FARGO	9,864,756	-	-	-	146,093	10,010,850
	BANNER BANK	-	-	-	-	1,046,680	1,046,680
	P1FCU	-	-	-	-	-	-
	ICCU	-	250,000	-	-	-	250,000
	STATE TREASURER	-	-	9,653,748	678,243	-	10,331,991
WASTEWATER FUND TOTAL		\$ 9,864,756	\$ 250,000	\$ 9,653,748	\$ 678,243	\$ 1,192,773	\$ 21,639,520
SANITATION	WELLS FARGO	2,149,363	-	-	-	-	2,149,363
	LCCU	-	250,310	-	-	-	250,310
	P1FCU	-	353,507	-	-	-	353,507
	STATE TREASURER	-	-	2,035,528	-	-	2,035,528
SANITATION FUND TOTAL		\$ 2,149,363	\$ 603,817	\$ 2,035,528	\$ -	\$ -	\$ 4,788,708
GOLF	WELLS FARGO	73,504	-	-	-	-	73,504
GOLF FUND TOTAL		\$ 73,504	\$ -	\$ -	\$ -	\$ -	\$ 73,504

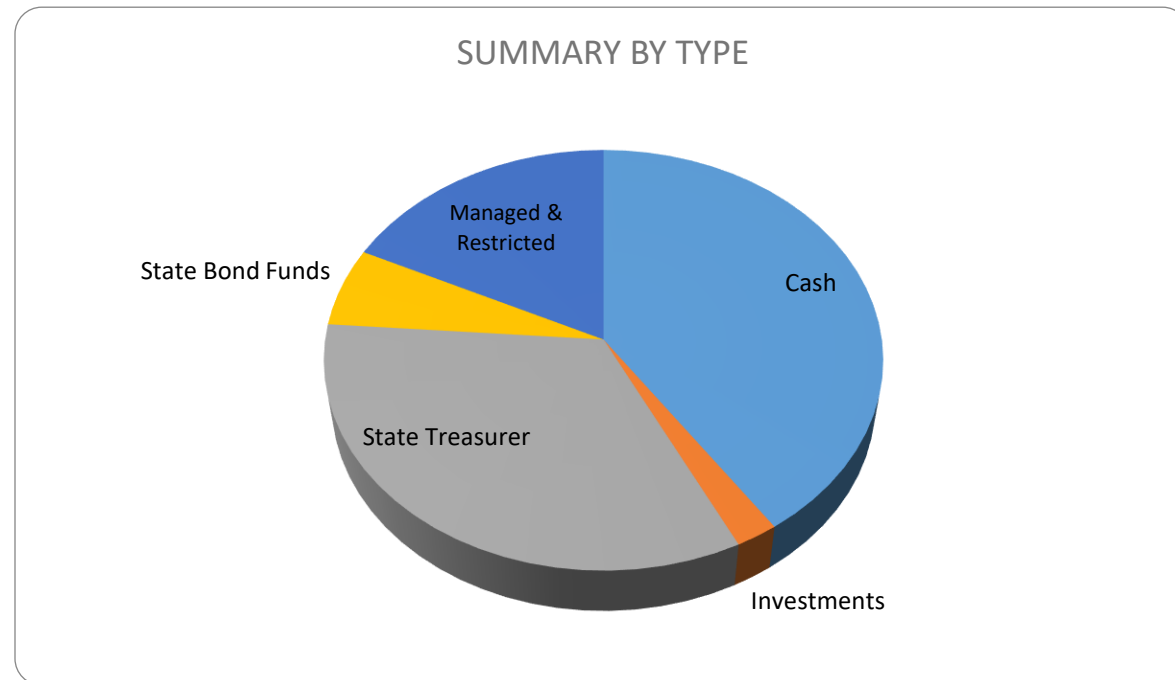
CITY OF LEWISTON
TREASURY REPORT - 2/28/2023

FUND	BANK	CASH IN BANK	MM & CD INVESTMENTS	STATE TREASURER'S POOL	DIVERSIFIED BOND FUNDS	OTHER	TOTAL
CEMETERY	WELLS FARGO	415,662	-	-	-	-	415,662
CEMETERY FUND TOTAL		\$ 415,662	\$ -	\$ -	\$ -	\$ -	\$ 415,662
ECONOMIC DEVELOPMENT	WELLS FARGO	619,749	-	-	-	-	619,749
	STATE TREASURER			5,610,103			5,610,103
ECONOMIC DEVELOPMENT FUND TOTAL		\$ 619,749	\$ -	\$ 5,610,103	\$ -	\$ -	\$ 6,229,852
TRANSPORTATION	WELLS FARGO	1,943,929	-	-	-	-	1,943,929
	ZIONS	-	266,833	-	-	-	266,833
	STATE TREASURER	-	-	196,645	-	-	196,645
TRANSPORTATION FUND TOTAL		\$ 1,943,929	\$ 266,833	\$ 196,645	\$ -	\$ -	\$ 2,407,406
LIBRARY	WELLS FARGO	1,181,878	-	-	-	-	1,181,878
	STATE TREASURER			105,456			105,456
LIBRARY FUND TOTAL		\$ 1,181,878	\$ -	\$ 105,456	\$ -	\$ -	\$ 1,287,333
FLEET	WELLS FARGO	1,349,644	-	-	-	-	1,349,644
	STATE TREASURER	-	-	508,889	-	-	508,889
FLEET FUND TOTAL		\$ 1,349,644	\$ -	\$ 508,889	\$ -	\$ -	\$ 1,858,533
IT	WELLS FARGO	230,933	-	-	-	-	230,933
	STATE TREASURER			203,492			203,492
IT FUND TOTAL		\$ 230,933	\$ -	\$ 203,492	\$ -	\$ -	\$ 434,424
POLICE RETIREMENT	US BANK	-	-	-	-	12,930,625	12,930,625
POLICE RETIREMENT FUND TOTAL		\$ -	\$ -	\$ -	\$ -	\$ 12,930,625	\$ 12,930,625
PUBLIC TRANSIT	WELLS FARGO	802,704	-	-	-	-	802,704
PUBLIC TRANSIT FUND TOTAL		\$ 802,704	\$ -	\$ -	\$ -	\$ -	\$ 802,704
PERPETUAL CARE	US BANK	-	-	-	-	922,954	922,954
PERPETUAL CARE FUND TOTAL		\$ -	\$ -	\$ -	\$ -	\$ 922,954	\$ 922,954
GRAND TOTALS		\$ 37,390,721	\$ 2,077,418	\$ 30,933,449	\$ 5,574,445	\$ 16,443,059	\$ 92,419,093

Other Includes: Fiduciary Funds, Equity Buy-in Funds, Funds Reserved for Debt Repayment, Unemployment Reserves and Funds Held in Trust

CITY OF LEWISTON
TREASURY REPORT - 2/28/2023

FUND	BANK	CASH IN BANK	MM & CD INVESTMENTS	STATE TREASURER'S POOL	DIVERSIFIED BOND FUNDS	OTHER	TOTAL
SUMMARY BY BANK	WELLS FARGO	\$ 37,390,721	\$ -	\$ -	\$ -	\$ 652,655	\$ 38,043,377
	BANNER BANK	-	-	-	-	1,155,268	1,155,268
	FNWCU	-	250,311	-	-	5	250,316
	ICCU	-	250,000	-	-	25	250,025
	LCCU	-	250,310	-	-	5	250,315
	P1FCU	-	809,606	-	-	41	809,647
	STCU	-	250,358	-	-	-	250,358
	MOUNTAIN WEST	-	-	-	-	25,000	25,000
	STATE TREASURER	-	-	30,933,449	5,574,445	-	36,507,894
	UMPQUA	-	-	-	-	604,047	604,047
	ZIONS	-	266,833	-	-	152,434	419,267
	US BANK	-	-	-	-	13,853,578	13,853,578
TOTALS		\$ 37,390,721	\$ 2,077,418	\$ 30,933,449	\$ 5,574,445	\$ 16,443,059	\$ 92,419,093



CITY COUNCIL MEETING

AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE Comprehensive Plan Amendment, CPA23-000002, and Zone Change, ZNC23-000002 (related Ordinance 4880) for DK Holdings		AGENDA NO. _____ AGENDA _____ DATE <u>3/27/23</u> _____ CONSENT: ☐ ACTIVE: ☐	1ST READING _____ 2ND READING _____ 3RD/ADOPTION _____
ORIGINATING SOURCE Planning & Zoning Commission DATE: March 8, 2023		FUNDING CERTIFICATION (IF APPLICABLE) Date: _____	
DIVISION MANAGER REVIEW (If applicable)  Date: <u>3/20/23</u>		DEPARTMENT MANAGER REVIEW (If applicable)  Date: <u>3/20/23</u>	
RECOMMENDED FOR COUNCIL ACTION	MAYOR _____ Date: _____		
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)			
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. On February 22, 2023, the Planning and Zoning Commission held a public hearing to consider (1) CPA23-000002, an application submitted by DK Holdings, LLC, an Idaho limited liability company, to amend the Comprehensive Plan to change the future desired land use designation for the subject property (a parcel of land generally located east of 18th Street, north of Airway Avenue and south of unimproved Bryden Avenue) from Low Density Residential to Medium Density Residential; and (2) ZNC23-000002, an application submitted by DK Holdings, LLC, to rezone the subject property from Suburban Residential (R-1) Zone to Medium Density Residential (R-3) Zone. Following the public hearing, the Planning and Zoning Commission voted 6-0 to recommend approval of CPA23-000002 to Council. Additionally, the Planning and Zoning Commission voted 6-0 to direct staff to draft the Reasoned Statement recommending approval of ZNC23-000002 to Council. On March 8, 2023, the Planning and Zoning Commission approved its Reasoned Statement – formally recommending approval of ZNC23-000000 to Council at that time.			
ACTION PROPOSED Approval of CPA23-000002 and ZNC23-000002 via related Resolution 2023-16 and Ordinance 4880.			

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston City Council will conduct a public hearing at which you may provide testimony on Monday March 27, 2023. The meeting will begin at 6:00 p.m.

**LEWISTON CITY LIBRARY
2ND FLOOR MEETING ROOM
411 D STREET
LEWISTON, ID 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 Facebook page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person at the meeting, by emailing Kari Ravencroft at kravencroft@cityoflewiston.org, or by calling (208) 746-3671 ext 6203.

This public hearing will be to determine approval or denial of the following request:

APPLICATIONS CPA23-000002 & ZNC23-000002 BY DK HOLDINGS, LLC: The applicant proposes to amend the Comprehensive Plan Land Use Designation from Low Density Residential to Medium Density Residential and rezone from Suburban Residential, R1, Zone to Medium Density Residential, R3, Zone, the tax parcel RPL0097003000A, consisting of approximately 8.96 acres and general located east of 18th Street, north of Airway Avenue and south of unimproved Bryden Avenue. The Planning and Zoning Commission recommended that the City Council approve this proposal after their public hearing conducted on February 22, 2023.

FOR FURTHER INFORMATION AND TO SUBMIT TESTIMONY, contact the City Clerk at (208) 746-3671, ext. 6203.

Hearing notice publication date: Sunday March 12, 2023.

Case Number:

Hearing Date:

2-22-23



APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

BY SUBMITTING THIS APPLICATION TO THE CITY OF LEWISTON, YOU ARE ENTERING A QUASI-JUDICIAL PROCESS. AS SUCH, YOU MUST NOT DISCUSS THE APPLICATION WITH ANY MEMBER OF THE LEWISTON PLANNING AND ZONING COMMISSION, OR THE LEWISTON CITY COUNCIL, OUTSIDE OF THE PUBLIC HEARING AT WHICH THIS MATTER WILL BE HEARD.

****NOTE: INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED****

APPLICANT INFORMATION

Full Name: DK HOLDINGS LLC Date: 1/18'23
Last First M.I.
 Address: 247 THAIN RD. #107
Street Address Apartment/Unit #
LEWISTON ID 83501
City State ZIP Code
 Phone: 2087985000 Email: dan@qdplans.com
 Property Owner Name: DK HOLDINGS LLC Phone: SAME
 Mailing Address: SAME

PROPERTY INFORMATION

Street Address of Subject Property: 18TH STREET AND AIRWAY AVE
 Subdivision Name: LO Tract #12 Block: 97 Lot: 3 & 4

OR attach a metes and bounds description if not part of a subdivision.

NATURE OF YOUR REQUEST

The current Comprehensive Plan Designation of this property is: Low density residential

The **proposed** Comprehensive Plan Designation of this property is: Medium density residential

Please provide a statement fully describing your request for a Comprehensive Plan Amendment. What conditions have changed in the area to cause the need to amend the Comprehensive Plan? How will the requested amendment address those changes?

Due to the demand for residential housing and the existence of other residential neighborhoods in the area, this in-fill property seems best suited for residential use

APPLICANT'S CHECKLIST

In order to properly process your request for a Comprehensive Plan Amendment, please be sure to include the following material with your completed application:

- ☐ Completed and signed application, including supporting documents;
- ☐ Site Plan (11 x 17) or 8 ½ x 11) to scale;
- ☐ A correct legal description of the property;
- ☐ Filing fee payable to the City of Lewiston

APPLICANT'S CERTIFICATION

The applicant(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge.

Signature of Applicant: Dan York

Date: 1/18/23

The Property Owner hereby authorizes this application:

Signature of Owner: Dan York

Date: 1/18/23

COMPREHENSIVE PLAN AMENDMENT APPLICATION PROCESS

1. The applicant submits the completed application form to the Community Development Department requesting the amendment to the Comprehensive Plan. **All materials included in the application must be provided at this time.** The representative of the Department reviews the application for completeness prior to further processing.
BY SUBMITTING THIS APPLICATION TO THE CITY OF LEWISTON, YOU ARE ENTERING A QUASI-JUDICIAL PROCESS. AS SUCH, YOU MUST NOT DISCUSS THE APPLICATION WITH ANY MEMBER OF THE LEWISTON PLANNING AND ZONING COMMISSION, OR THE LEWISTON CITY COUNCIL, OUTSIDE OF THE PUBLIC HEARING AT WHICH THIS MATTER WILL BE HEARD.
2. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesdays of each month. Completed applications must be submitted approximately four (4) weeks prior to the public hearing date. You will be notified of the hearing date when you submit your application. Because the State of Idaho limits the number of times each year a municipality may amend the comprehensive plan, your hearing dates may be delayed.
3. The Community Development Department notifies all residents, by mail, within 300 feet of the property for which you are requesting the Comprehensive Plan Amendment. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
4. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
5. After comments have been received, the Community Development Department prepares a staff report and recommendation for the Planning and Zoning Commission. You will receive a copy of this report and recommendation in advance of the meeting.
6. The Planning and Zoning Commission holds a public hearing on the request. You are invited to speak as well as others who wish to provide testimony whether in support or opposition of the request. **It is strongly recommended that you be in attendance at this meeting.**
7. The Planning and Zoning Commission will make a recommendation to the City Council. This recommendation is forwarded to the City Mayor for submittal to the City Council.
8. The City Council sets a public hearing date, generally several weeks away to allow sufficient time for legal notice. The property owners who received notice for the Planning and Zoning public hearing will again receive notice of the City Council public hearing.
9. The City Council holds a public hearing on the request.
10. If the City Council approves the Comprehensive Plan Amendment request, the City Attorney prepares an Ordinance for the Council.

11. At subsequent public meetings, the City Council holds the first, second, and third readings of the Ordinance. Following the third reading and adoption of the ordinance, the ordinance is published in the newspaper, after which the Comprehensive Plan Amendment becomes final.

Case Number:

Hearing Date: 2.22.23



APPLICATION FOR ZONE CHANGE

By submitting this application to the City of Lewiston you are entering a quasi-judicial process. As such, you must not discuss the application with any member of the Lewiston Planning and Zoning Commission, or the Lewiston City Council, outside of the public hearing at which this matter will be heard.

APPLICANT INFORMATION

Full Name: DK Holdings, LLC Date: _____
Last First M.I.

Address: 247 Thain Rd. Ste 107 Apartment/Unit # _____
Street Address
Lewiston ID 83501
City State ZIP Code

Phone: 208/798-5000 Email _____

Property Owner: DK Holdings, LLC Phone: 208/798-5000

Property Owner Mailing Address: 247 Thain Rd. Ste 107, Lewiston, ID 83501

DESCRIPTION OF PROPERTY

Street Address of Subject Property: North of Airway Ave. / East of 18th St.

Subdivision Name: Canyon Crest South

Block: Lewiston Orchards Tract No. 12 Lot: Lots 3 & 4
Ninety Seven (97)

OR, if not part of a subdivision, attach a metes and bounds description

NATURE OF REQUEST

Change **FROM** Zone District: R1 Suburban Res. **TO** Zone District: R3 Medium Density

The Planning and Zoning Commission shall evaluate a requested amendment to a zoning district to determine the nature and extent of the requested change. If it is an accord with the adopted comprehensive plan, the commission may recommend and the council may adopt or reject the requested change. The commission may request documentation of land use impacts, both existing and proposed, through studies, presentations, or other documents, and may require said documentation to be stamped and signed by professionals deemed qualified by the commission.

Please provide **WRITTEN** responses to the following questions:

1. What is the Comprehensive Plan Designation of the property and of the adjoining properties? Describe how the requested zoning classification conforms to the adopted Comprehensive Plan map and text.

The Comp. Plan Designation for subject property is Low Density Residential as well as the property to the South and the West. The requested zoning classification of R3 Medium Density is similar to the developed PUD property to the North, particularly the single family lots (60' wide) North of and Granting Clearview Point Drive, the first East/West street North of subject property

2. Describe how the subject land is at least as well suited or is better suited for the proposed zoning district than the existing zoning district.

This property seems best suited for R3 residential. It matches with the existing subdivision and surrounding properties.

3. Describe how the proposed rezone does not present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity.

The develop will integrate nicely with the rest of the area.

4. Describe how the effects of the proposed rezone are not anticipated to place undue burden upon delivery of services provided by any political subdivision (i.e. taxing entity) within the planning jurisdiction, including school districts.

According to the master plan this change seems complementary

to what is planned for the area. Public utilities are capable of handling

the proposed.

5. Describe how the size, type, intensity and density of development expected to occur on the subject property as a result of this rezoning is suitable for the area and will not unduly burden the neighborhood, public infrastructure or environmental resources.

The development is planned to happen in phases with about 25 lots

a year ready for homes. 15 to 20 homes are planned to be built

and occupied. That translates to several years for the total build out

allowing integration with the valley to happen at a comfortable pace.

6. If the subject property is located within a designated historic district, describe how the requested zone change will not be in conflict with the intents and purposes of Lewiston City Code Chapter 19.5, Historic Districts (A Certificate of Appropriateness from the Lewiston HPC is required).

N/A

APPLICANT'S CERTIFICATION

The applicant(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge.

Signature: *Dan Gouge* Date: 1/18/23

The Property Owner hereby authorizes this application:

Signature: *Dan Gouge* Date: 1/18/23

**** INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED ****

QUESTIONS? Contact City Planner Joel Plaskon at 208-746-1318 x 7202

APPLICATION PROCESS

1. The applicant submits the completed application to the Community Development Department requesting the Zone change. The representative of the Department reviews the application for completeness prior to further processing.

ALL MATERIALS INCLUDED IN THE APPLICATION MUST BE PROVIDED AT THIS TIME. INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED.

PLEASE NOTE: By submitting this application to the City of Lewiston, you are entering a quasi-judicial process. As such, you must not discuss the application with any member of the Lewiston Planning and Zoning Commission and/or the Lewiston City Council outside of the public hearing at which this matter will be heard.

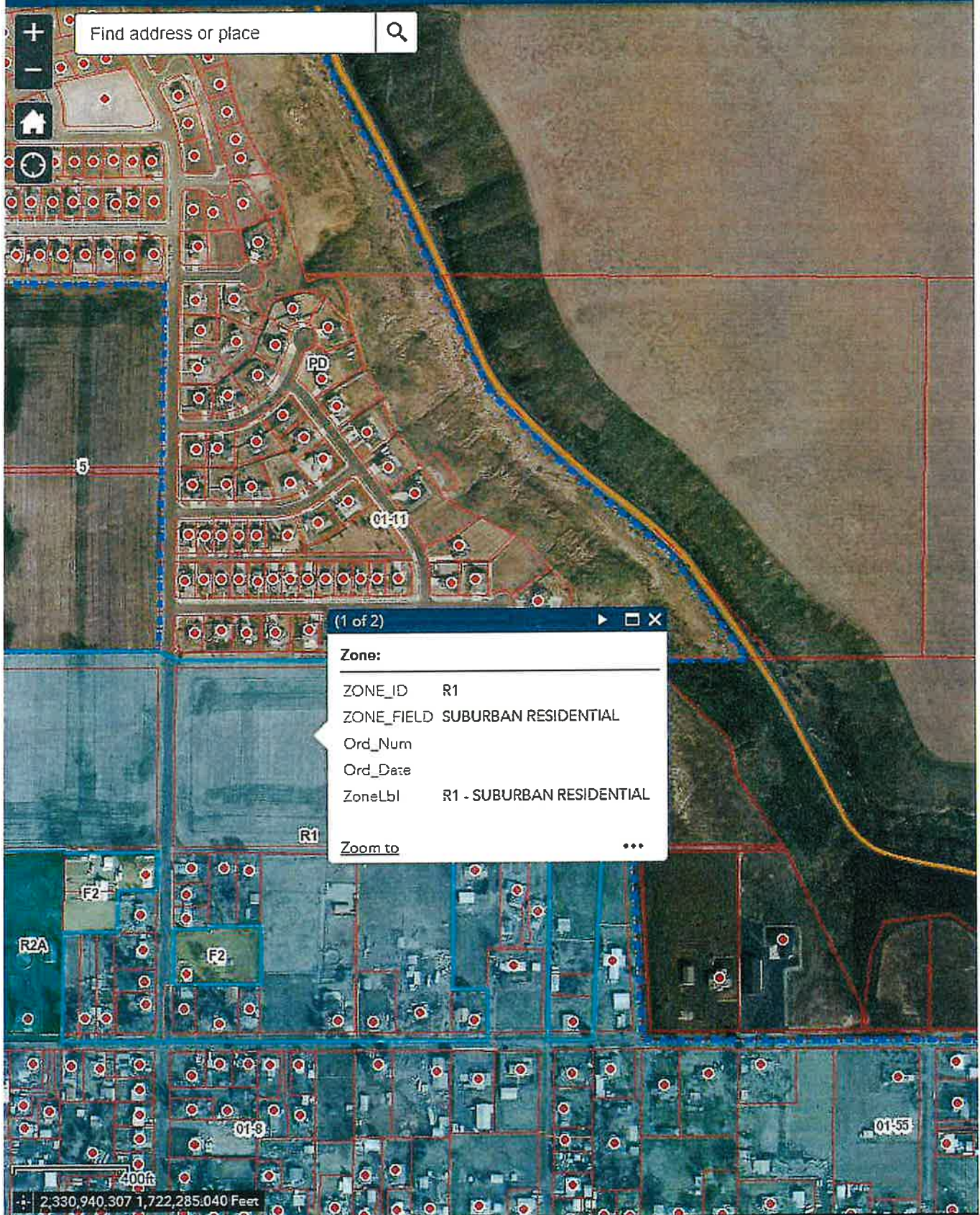
2. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesday of each month. The Commission will make a recommendation on a zone change application to the City Council, who will also conduct a public hearing on the matter and render the decision. The City Council holds public hearings on the second and fourth Monday of each month. **Completed applications must be submitted at least four weeks prior to the public hearing date.** You will be notified of the hearing date when you submit your application.
3. The Community Development Department notifies all residents within 300 feet of the property for which you are requesting the Zone Change. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
4. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
5. After all comments have been received, the Community Development Department prepares a staff report and recommendation for the Planning and Zoning Commission. You will receive a copy of this report and recommendation in advance of the meeting.
6. The Planning and Zoning Commission holds a public hearing on the request. The applicant is invited to speak as well as others who wish to provide testimony, whether in support or in opposition, to the request. **IT IS STRONGLY RECOMMENDED THAT YOU BE IN ATTENDANCE AT THIS MEETING.**
7. The Planning and Zoning Commission will make a recommendation to the City Council. This recommendation is forwarded to the City Mayor for submittal to the City Council.
8. The City Council sets a public hearing date, generally several weeks away to allow sufficient time for legal notice. The property owners who received notice for the Planning and Zoning public hearing will again receive notice of the City Council public hearing.
9. The City Council holds a public hearing on the request. If the City Council approves the PUD Amendment request. The City Attorney prepares an ordinance for the Council.
10. At subsequent public meetings, the City Council holds the first, second, and third readings of the Ordinance. Following the third reading and adoption of the Ordinance, the Ordinance is published in the newspaper, after which the PUD Amendment becomes final.

APPLICANT'S CHECKLIST

- ☐ Completed and signed application with supporting documents;
- ☐ Filing fee payable to the City of Lewiston;
- ☐ A correct legal description of the property;
- ☐ A site plan (11" x 17" or 8 1/2" x 11") to scale



Find address or place



(1 of 2)

Zone:

ZONE_ID R1
ZONE_FIELD SUBURBAN RESIDENTIAL
Ord_Num
Ord_Date
ZoneLbl R1 - SUBURBAN RESIDENTIAL

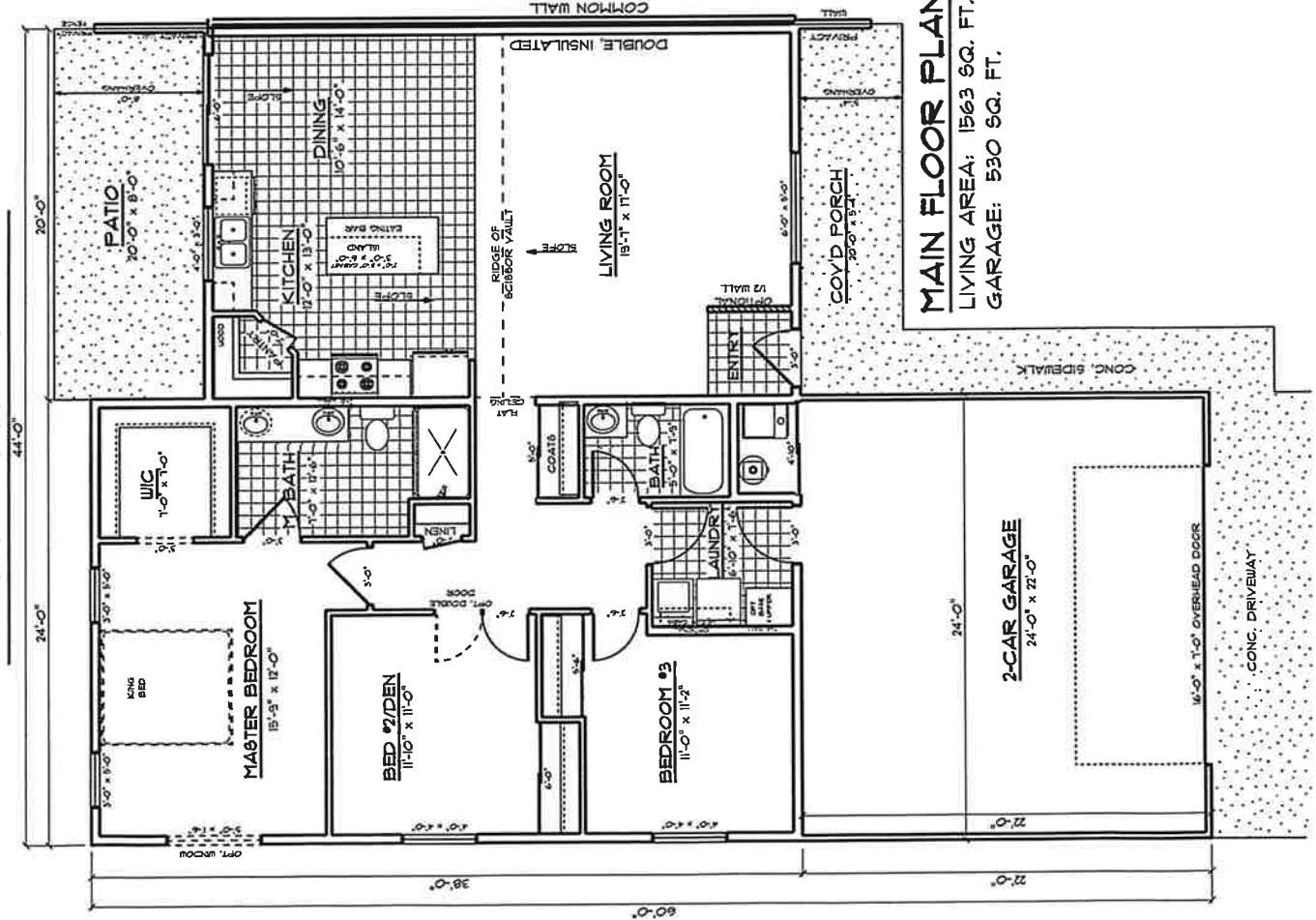
Zoom to





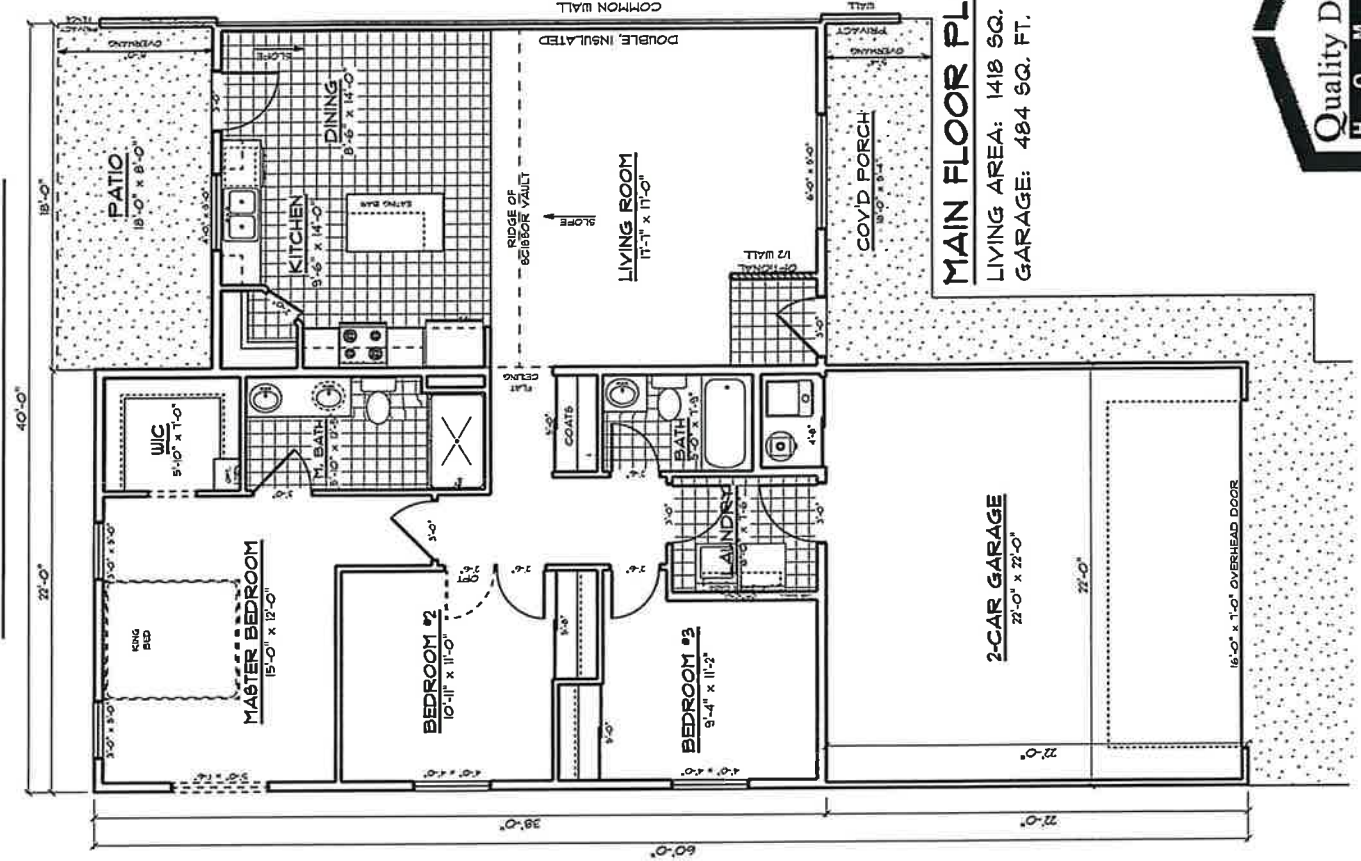
APPLESIDE

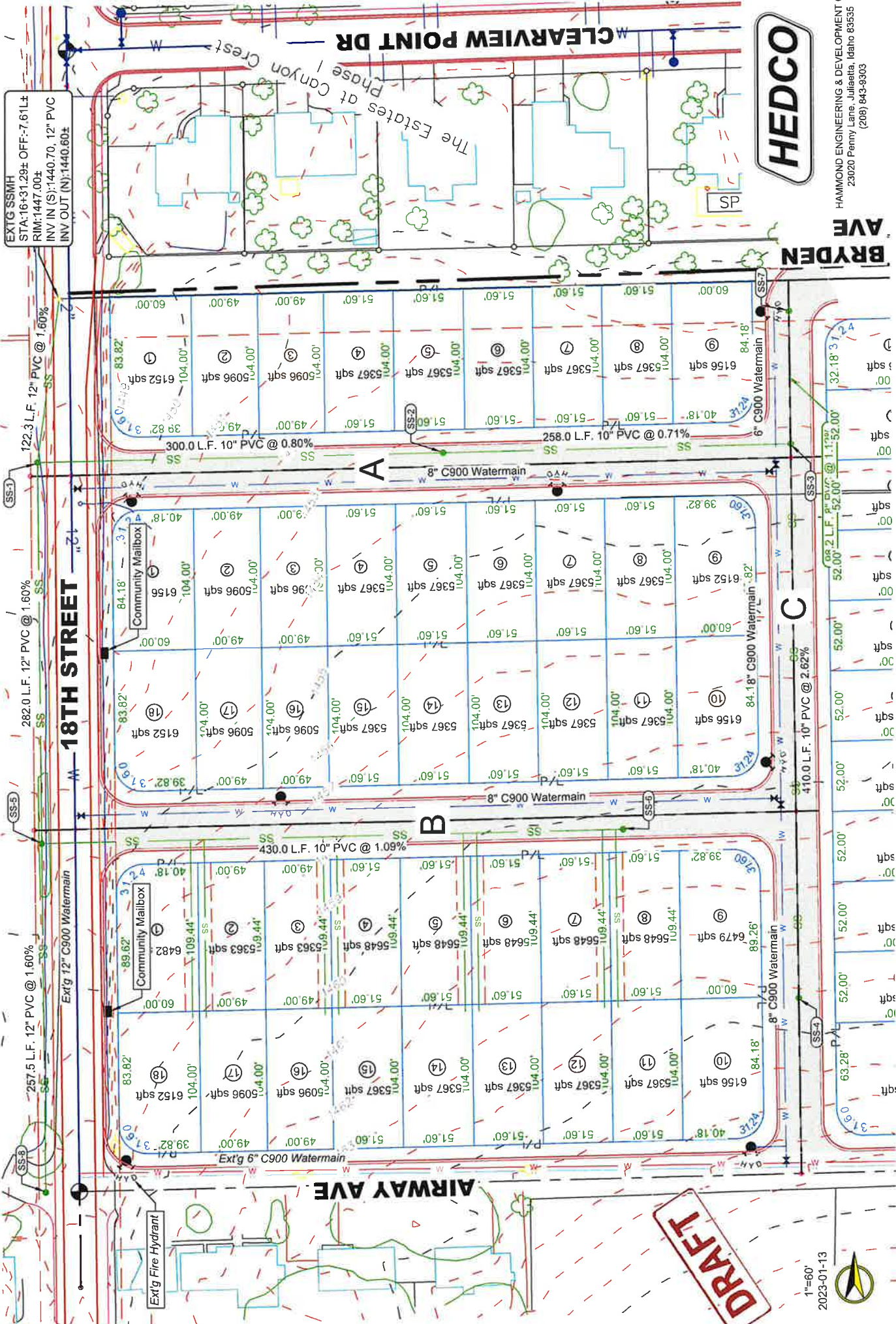
"A" UNIT (1563 SQ. FT.)



TOWNHOMES

"B" UNIT (1418 SQ. FT.)





HEDCO

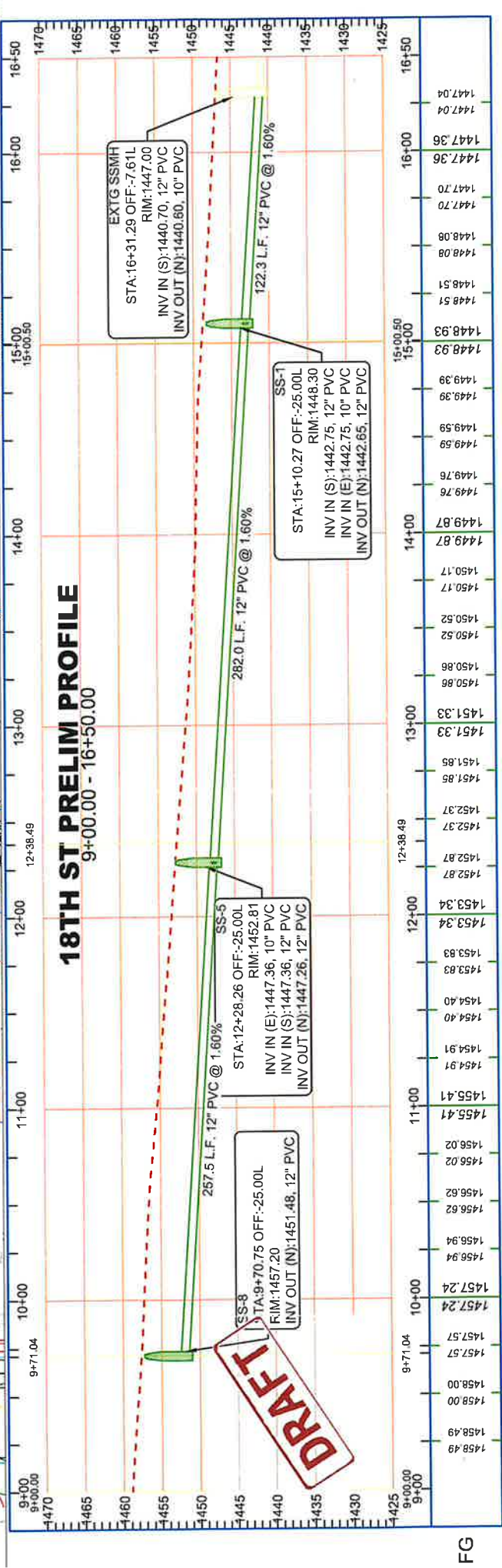
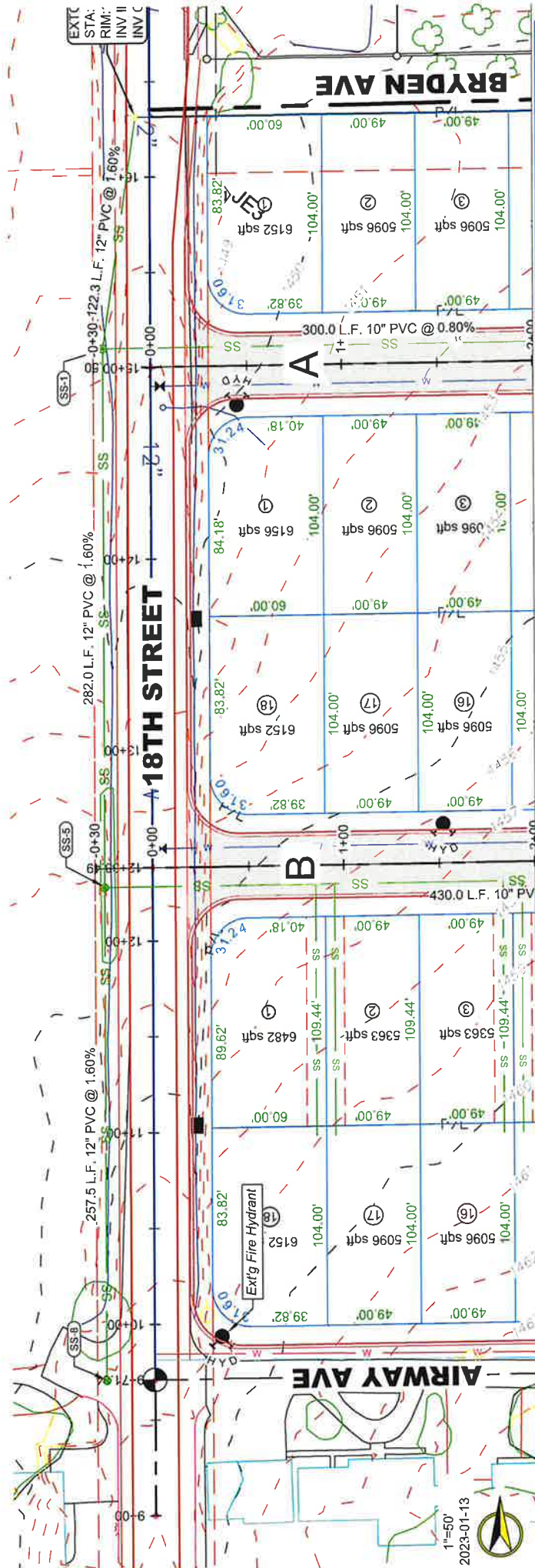
HAMMOND ENGINEERING & DEVELOPMENT
23020 Penny Lane, Juliaetta, Idaho 83535
(208) 843-9303

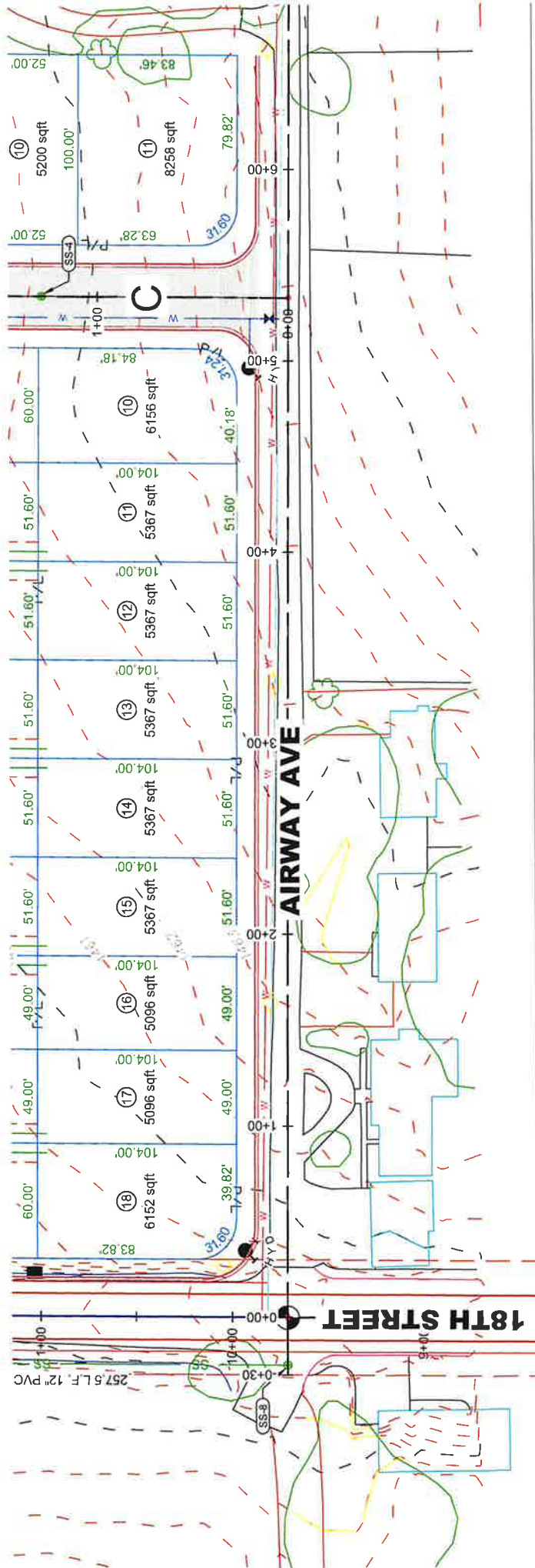
EXT'G SSMH
STA: 16+31.29± OFF: -7.6' L+
RIM: 1447.00±
INV IN (S): 1440.70, 12" PVC
INV OUT (N): 1440.60±

DRAFT

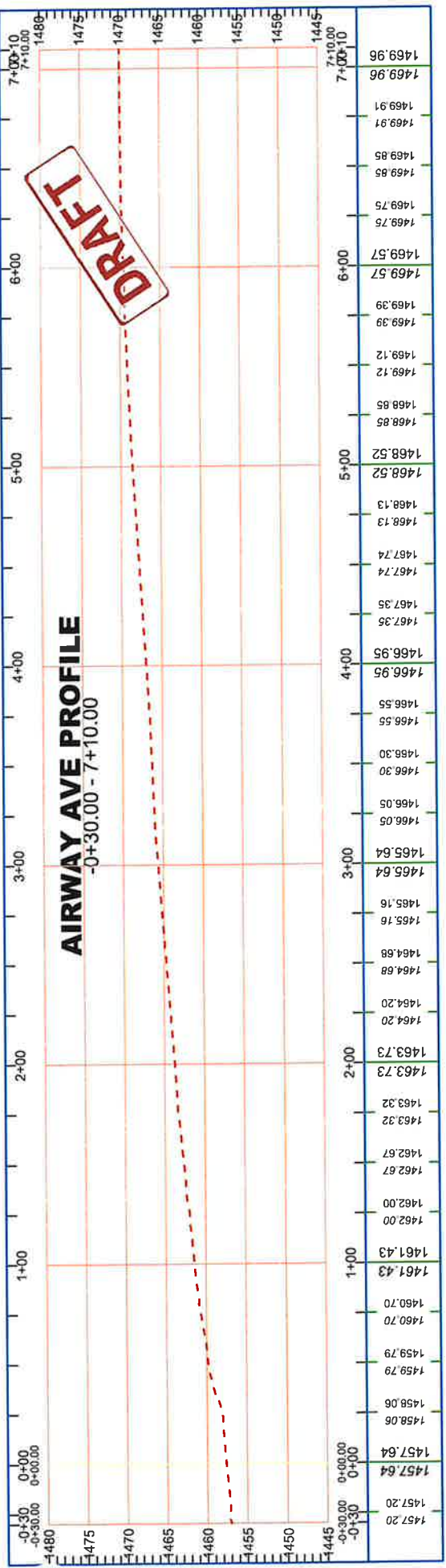
1"=60'
2023-01-13



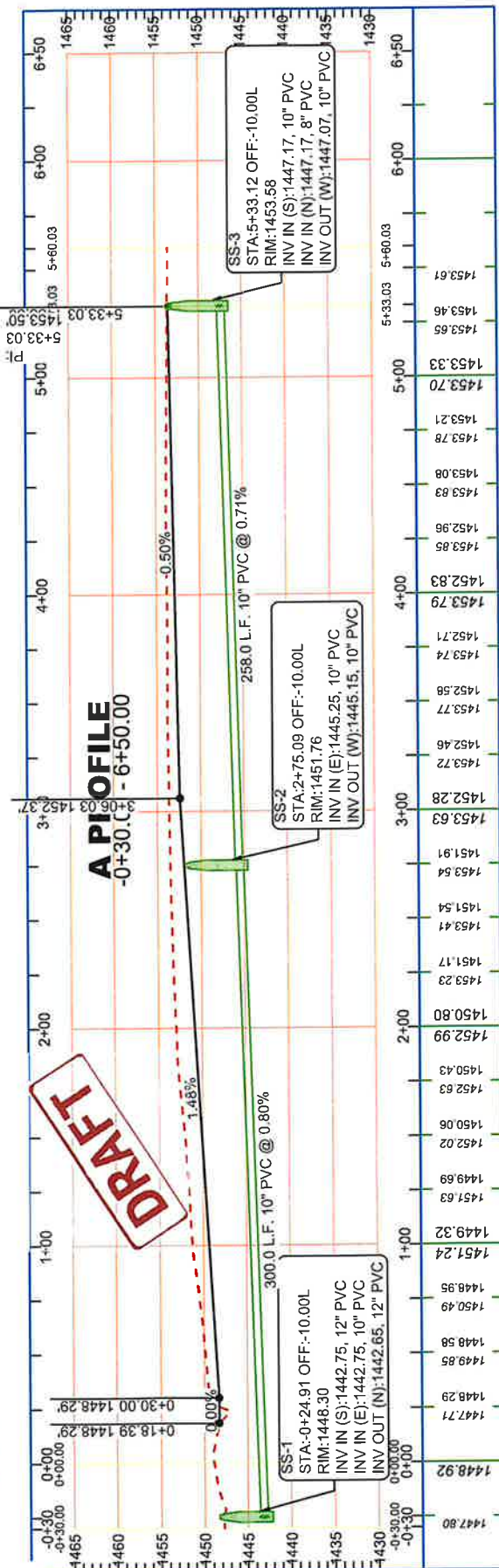
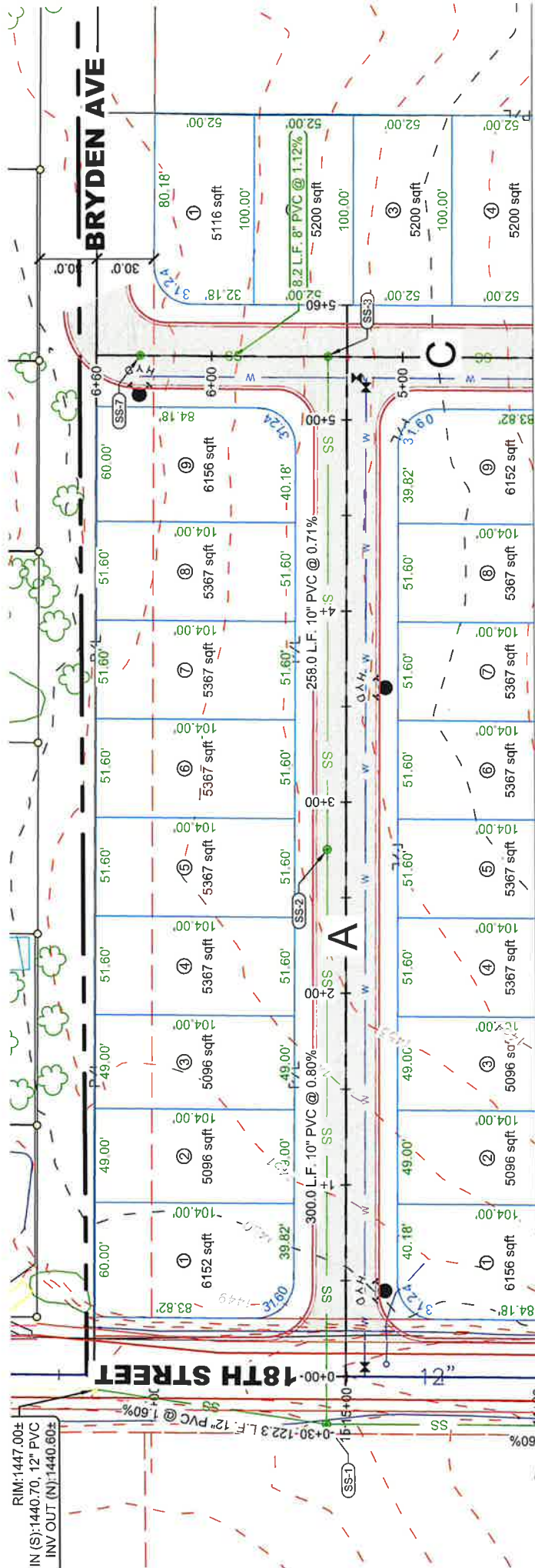




1"=50'
2023-01-16



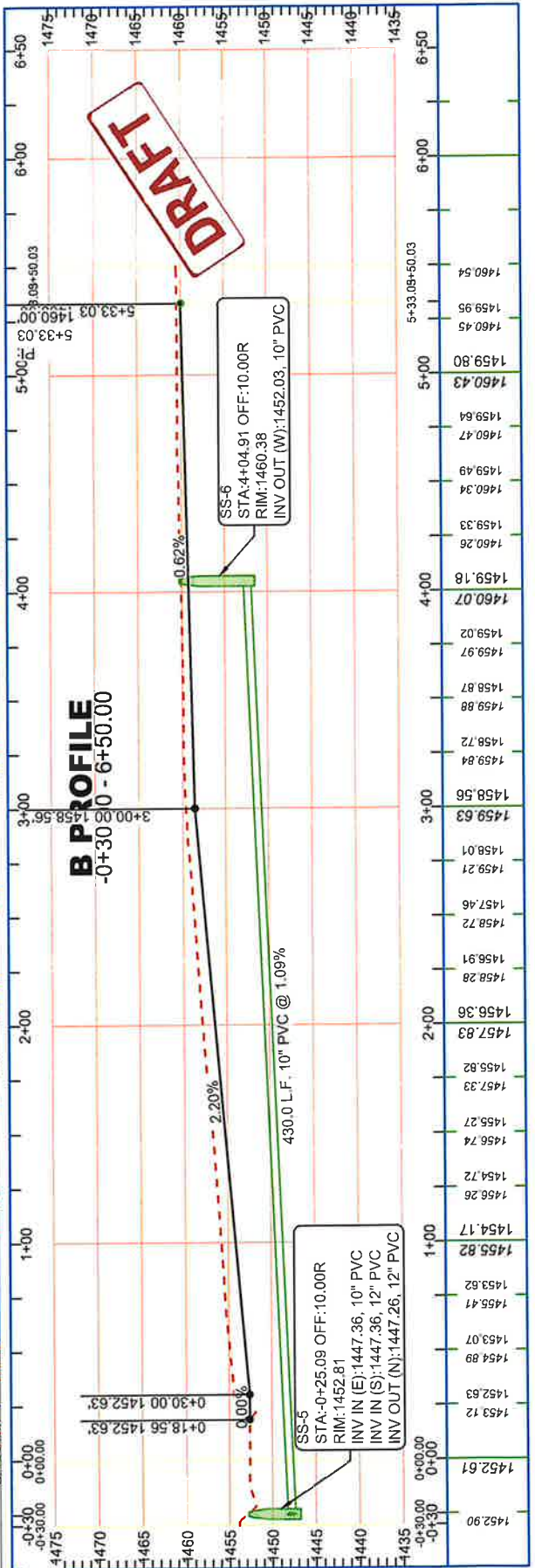
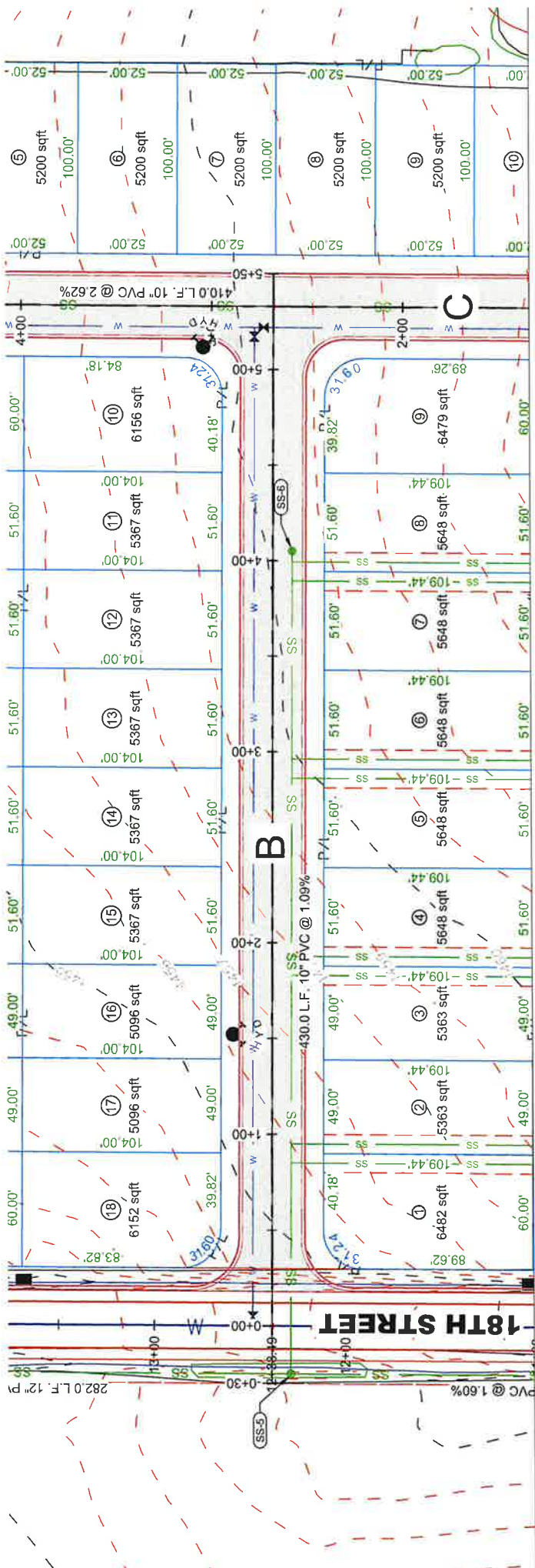
1"=50'



1"=50'
2023-01-13



EG/FG



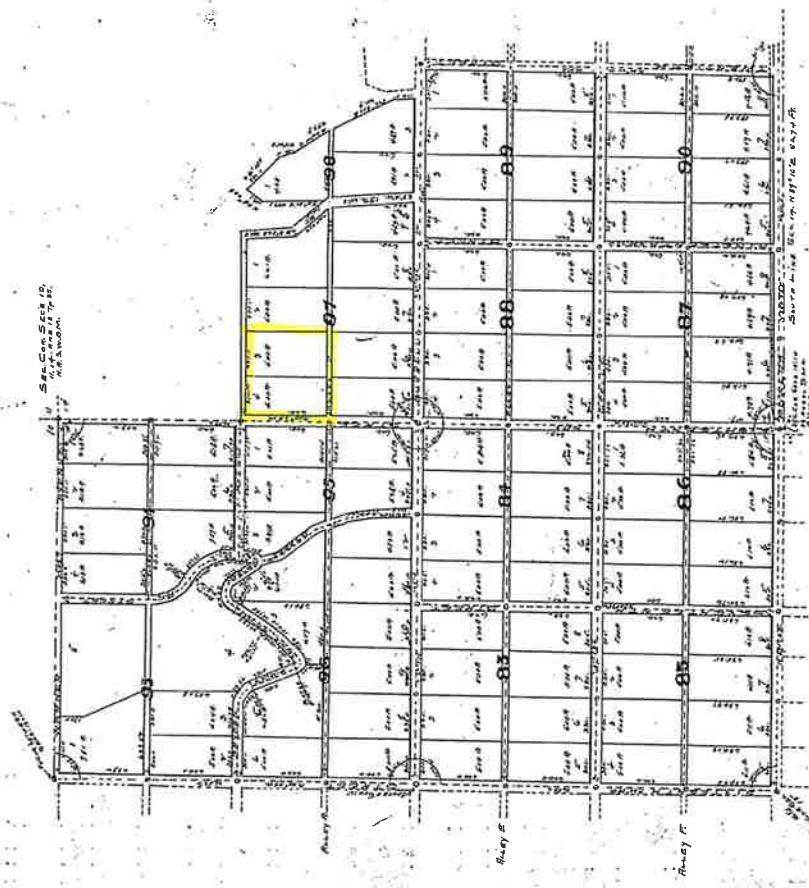
1"=50'
2023-01-13



EGJFG

CASI 33A

45. WEST 14 BLOCKS
Levinson orchards Tract #12



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston Planning and Zoning Commission will conduct a public hearing at which you may provide testimony. This public hearing will be held at a meeting which may have additional public hearings on the agenda.

WEDNESDAY FEBRUARY 22, 2023 at 5:30 P.M.
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING
2ND FLOOR MEETING ROOM,
215 D STREET LEWISTON, ID 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 Facebook page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person at the meeting, by emailing Dawn Ortiz at dortiz@cityoflewiston.org, or by calling (208) 798-2570 and leaving a message.

This public hearing will be to determine approval or denial of the following request:

APPLICATIONS CPA23-000002, ZNC23-000002 BY DK HOLDINGS LLC: The applicant proposes to amend the Comprehensive Plan Land Use Designation from Low Density Residential to Medium Density Residential and rezone from Suburban Residential, R1, Zone to Medium Density Residential, R3, Zone, the tax parcel RPL0097003000A, consisting of 8.96 acres and generally located east of 18th Street, north of Airway Avenue and south of unimproved Bryden Avenue.

Any person (or persons) aggrieved, may support or oppose the Applicant's request. Persons receiving this notice are encouraged to provide testimony/comment.

For further information on the above zoning action, the public hearing process, or appeal process, please contact the Community Development Department at (208) 746-1318, ext. 7261 or khollingshead@cityoflewiston.org. Our offices are located at 215 'D' Street, Lewiston. Business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Notice of this public hearing was mailed on February 06, 2023 and 39 persons were noticed.

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 meeting coordinator at least forty-eight (48) hours in advance of the meeting at (208) 746-1318, ext. 7202.

OWNER1	OWNER2	MAIL_ADD1	MAIL_CITY	MAIL_ST	MAIL_ZIP
BASILICO, LINDA		1810 CLEARVIEW POINT DR	LEWISTON	ID	83501
BECKER LIVING TRUST	BECKER, ROBERT	1817 CLEARVIEW POINT DR	LEWISTON	ID	83501
BOSTON, BRENDA &	BOSTON, BILL	1823 AIRWAY AVE	LEWISTON	ID	83501
BRODIE JAMES R FAMILY TRUST		1801 CLEARVIEW POINT	LEWISTON	ID	83501
CAHILL, JACOB &	CAHILL, CHRISTINA	3432 14TH STREET C	LEWISTON	ID	83501
CANYON CREST ESTATES HOA INC		PO BOX 24	LEWISTON	ID	83501
DAMMON, BARRY		3427 18TH ST	LEWISTON	ID	83501
DANCY, KRISTIN &	DANCY, MICHAEL	1830 CLEARVIEW POINT DR	LEWISTON	ID	83501
DAVISON, ARIEL &	DAVISON, DEE	1821 CLEARVIEW POINT	LEWISTON	ID	83501
DK HOLDINGS LLC		247 THAIN RD STE 107	LEWISTON	ID	83501
DODSON, ETHEL		3430 18TH ST	LEWISTON	ID	83501
EIKUM, JEROME &	EIKUM, CINDIE	1816 CLEARVIEW POINT DR	LEWISTON	ID	83501
ERICKSON, JASON		1825 CLEARVIEW POINT DR	LEWISTON	ID	83501
HOBDEY, ALAN &	HOBDEY, DEBBIE	3425 18TH ST	LEWISTON	ID	83501
HOLMLUND, CYNTHIA &	HOLMLUND, NATHAN	PO BOX 1066	LEWISTON	ID	83501
HOLTHAUS, CATHERINE		1811 CLEARVIEW POINT DR	LEWISTON	ID	83501
HULETT, JOE &	LINDQUIST-HULETT, PATRICIA	1807 CLEARVIEW POINT DR	LEWISTON	ID	83501
KETCHAM, RONALD &	KETCHAM, BESSIE	1809 CLEARVIEW POINT DR	LEWISTON	ID	83501
LAVANCE, MARTHA		1810 AIRWAY AVE	LEWISTON	ID	83501
LEMANSKI, RYAN &	LEMANSKI, LINDSAY	1822 CLEARVIEW POINT DR	LEWISTON	ID	83501
LIND, DOUGLAS &	LIND, JULIE	1828 CLEARVIEW POINT DR	LEWISTON	ID	83501
LOWARY, JERRENE &	LOWARY, LESLIE	1812 CLEARVIEW POINT DR	LEWISTON	ID	83501
MCPHERSON, DOUGLAS		1813 CLEARVIEW POINT DR	LEWISTON	ID	83501
MOHR, GORDON		3424 18TH ST	LEWISTON	ID	83501
OHARRA, JOHNNIE &	OHARRA, LORI	1804 CLEARVIEW POINT DR	LEWISTON	ID	83501
PRATT, JERE &	PRATT, KATHLEEN	1819 CLEARVIEW POINT DR	LEWISTON	ID	83501
RAVARY, CAROLYN		1815 CLEARVIEW POINT DR	LEWISTON	ID	83501
RELAND, JAMES &	RELAND, JANETTE	3433 18TH ST	LEWISTON	ID	83501
RUDDLE, LORI		1823 CLEARVIEW POINT DR	LEWISTON	ID	83501
SCHUMACHER, WILLIAM &	SCHUMACHER, SHELLI	1802 AIRWAY AVE	LEWISTON	ID	83501
SCHWARTZ, JOHN &	SCHWARTZ, JEANETTE	1824 CLEARVIEW POINT DR	LEWISTON	ID	83501
SPENCER, WILLIAM II &	ZWIESLER, JOANN	1827 BURRELL AVE	LEWISTON	ID	83501
STEELE, BRIAN &	STEELE, DIANA	PO BOX 1577	LEWISTON	ID	83501
TAYLOR, JUD		PO BOX 1630	LEWISTON	ID	83501
THELEN JERI ANN REVOC LIV TST&	THELEN, KELLY	1806 CLEARVIEW POINT DR	LEWISTON	ID	83501
THOMAS, TAMMI		21805 CLEARWATER RIDGE DR	JULIAETTA	ID	83535
WALSH, JAMES &	WALSH ANNE LIVING TRUST	PO BOX 211	WAITSBURG	WA	99361
WICKIZER, WADE &	WICKIZER, HANNAH &	1806 AIRWAY AVE	LEWISTON	ID	83501
ZEMAN, MARK		3432 18TH ST	LEWISTON	ID	83501

City of Lewiston





PLANNER'S STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

Date: 2/7/2023

Case File Number: CPA23-000002, ZNC23-000002

Applicant:

DK Holdings, LLC
247 Thain Road #107
Lewiston, ID 83501

Property Owner:

DK Holdings, LLC
247 Thain Road #107
Lewiston, ID 83501

Site Location:

8.96 acres generally located east of 18th Street, north of Airway Avenue and south of unimproved Bryden Avenue, and also known as tax parcel RPL0097003000A.

Request/Proposal: The applicant proposes to amend the Comprehensive Plan Land Use Designation of the subject property from Low Density Residential to Medium Density Residential and rezone from Suburban Residential, R1, Zone to Medium Density Residential, R3, Zone.

Subject Property and Surrounding Land Uses: The subject property is 8.96 acres of vacant land that the applicant plans to subdivide into 56 building lots, if this rezone application is approved. Properties to the north are single family dwellings located in a Planned Unit Development, property to the west is vacant land, properties to the east are a mix of single family dwelling, newly subdivided building lots and vacant land and properties to the south are single family dwellings.

CPA23-000002, ZNC23-000002

Related Or Other Pending Discretionary Actions:

A subdivision application will be required if this rezone application is approved. The Planning & Zoning Commission will review the preliminary plat for recommendation to City Council.

Flood Plain, Wetlands, EPA Regulated Site:

NA

Code References:

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65
LOCAL LAND USE PLANNING

67-6509. RECOMMENDATION AND ADOPTION, AMENDMENT, AND REPEAL OF THE PLAN. (a) The planning or planning and zoning commission, prior to recommending the plan, amendment, or repeal of the plan to the governing board, shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in the official newspaper or paper of general circulation within the jurisdiction. The commission shall also make available a notice to other papers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice of intent to adopt, repeal or amend the plan shall be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing scheduled by the commission. Following the commission hearing, if the commission recommends a material change to the proposed amendment to the plan which was considered at the hearing, it shall give notice of its proposed recommendation and conduct another public hearing concerning the matter if the governing board will not conduct a subsequent public hearing concerning the proposed amendment. If the governing board will conduct a subsequent public hearing, notice of the planning and zoning commission recommendation shall be included in the notice of public hearing provided by the governing board. A record of the hearings, findings made, and actions taken by the commission shall be maintained by the city or county.

(b) The governing board, as provided by local ordinance, prior to adoption, amendment, or repeal of the plan, may conduct at least one (1) public hearing, in addition to the public hearing(s) conducted by the commission, using the same notice and hearing procedures as the commission. The governing board shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendments, or repeal until recommendations have been received from the commission. Following consideration by the governing board, if the governing board makes a material change in the recommendation or alternative options contained in the recommendation by the commission concerning adoption, amendment or repeal of a plan, further notice and hearing shall be provided before the governing board adopts, amends or repeals the plan.

(c) No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted,

amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk.

(d) Any person may petition the commission or, in absence of a commission, the governing board, for a plan amendment at any time, unless the governing board has established by resolution a minimum interval between consideration of requests to amend, which interval shall not exceed six (6) months. The commission may recommend amendments to the comprehensive plan and to other ordinances authorized by this chapter to the governing board at any time.

History:

[67-6509, added 1975, ch. 188, sec. 2, p. 515; am. 1992, ch. 269, sec. 3, p. 832; am. 1999, ch. 396, sec. 5, p. 1103; am. 2010, ch. 253, sec. 1, p. 643; am. 2014, ch. 93, sec. 5, p. 256.]

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65
LOCAL LAND USE PLANNING

67-6511. ZONING ORDINANCE. (1) Each governing board shall, by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided under section [67-6509](#), Idaho Code, establish within its jurisdiction one (1) or more zones or zoning districts where appropriate. The zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan.

(a) Within a zoning district, the governing board shall where appropriate establish standards to regulate and restrict the height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures; percentage of lot occupancy, size of courts, yards, and open spaces; density of population; and the location and use of buildings and structures. All standards shall be uniform for each class or kind of buildings throughout each district, but the standards in one (1) district may differ from those in another district.

(b) Within an overlay zoning district, the governing board shall establish clear and objective standards for the overlay zoning district while ensuring that application of such standards does not constitute a regulatory taking pursuant to Idaho or federal law.

(2) Ordinances establishing zoning districts shall be amended as follows:

(a) Requests for an amendment to the zoning ordinance shall be submitted to the zoning or planning and zoning commission which shall evaluate the request to determine the extent and nature of the amendment requested. Particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. An amendment of a zoning ordinance applicable to an owner's lands or approval of conditional rezoning or denial of a request for rezoning may be subject to the regulatory taking analysis provided for by section [67-8003](#), Idaho Code, consistent with the requirements established thereby.

(b) After considering the comprehensive plan and other evidence gathered through the public hearing process, the zoning or planning and zoning commission may recommend and the governing board may adopt or reject an ordinance amendment pursuant to the notice and hearing procedures provided in section [67-6509](#), Idaho Code, provided that in the case of a zoning district boundary change, and notwithstanding jurisdictional boundaries, additional notice shall be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being

considered, and any additional area that may be impacted by the proposed change as determined by the commission. Notice shall also be posted on the premises not less than one (1) week prior to the hearing. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be provided by local ordinance in lieu of posted or mailed notice. In the absence of a locally adopted alternative notice procedure, sufficient notice shall be deemed to have been provided if the city or county provides notice through a display advertisement at least four (4) inches by two (2) columns in size in the official newspaper of the city or county at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site. Any property owner entitled to specific notice pursuant to the provisions of this subsection shall have a right to participate in public hearings before a planning commission, planning and zoning commission or governing board subject to applicable procedures.

(c) The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction, the governing board may require the request to be submitted to the planning or planning and zoning commission or, in absence of a commission, the governing board may consider an amendment to the comprehensive plan pursuant to the notice and hearing procedures provided in section [67-6509](#), Idaho Code. After the plan has been amended, the zoning ordinance may then be considered for amendment pursuant to paragraph (b) of this subsection.

(d) If a governing board adopts a zoning classification pursuant to a request by a property owner based upon a valid, existing comprehensive plan and zoning ordinance, the governing board shall not subsequently reverse its action or otherwise change the zoning classification of said property without the consent in writing of the current property owner for a period of four (4) years from the date the governing board adopted said individual property owner's request for a zoning classification change. If the governing body does reverse its action or otherwise change the zoning classification of said property during the above four (4) year period without the current property owner's consent in writing, the current property owner shall have standing in a court of competent jurisdiction to enforce the provisions of this section.

History:

[67-6511, added 1975, ch. 188, sec. 2, p. 515; am. 1983, ch. 121, sec. 1, p. 314; am. 1985, ch. 141, sec. 1, p. 384; am. 1987, ch. 329, sec. 1, p. 688; am. 1992, ch. 269, sec. 4, p. 833; am. 1999, ch. 396, sec. 8, p. 1105; am. 2003, ch. 142, sec. 1, p. 411; am. 2011, ch. 89, sec. 3, p. 194; am. 2013, ch. 216, sec. 1, p. 507.]

SUBURBAN RESIDENTIAL ZONE R-1

Sec. 37-18. R-1 Suburban Residential Zone. SHARE

(a) *Purpose:* To provide for agricultural or transitional area for suburban residential uses. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 6, 10-25-99)

Sec. 37-19. Uses permitted outright.



In an R-1 Zone, the following uses and their accessory uses are permitted outright, subject to the provisions of Article IV:

- (1) Bed and breakfast facilities, subject to the special conditions of section [37-13.1](#)(1) of this code;
- (2) Church, subject to the special conditions of section [37-20.1](#)(2) of this code;
- (3) Class A manufactured home;
- (4) Commercial uses legally established as of December 31, 2004, and which have maintained a valid business and occupation permit;
- (5) Family day care, subject to the special conditions of section [37-13.1](#)(2) of this code;
- (6) General farming, except feedlots;
- (7) Mortuary, subject to the special conditions of section [37-20.1](#)(1) of this code;
- (8) Park, subject to the special conditions of section [37-20.1](#)(4) of this code;
- (9) School, subject to the special conditions of section [37-20.1](#)(3) of this code;
- (10) Single-family dwelling;
- (11) Two-family dwelling. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 7, 10-25-99; Ord. No. 4385, § 1, 2-14-05; Ord. No. 4398, § 6, 1-9-06; Ord. No. 4531, § 2, 7-13-09; Ord. No. 4675, § 1, 11-28-16)

Sec. 37-20. Conditional uses permitted.



In an R-1 Zone the following uses and their accessory uses are permitted when authorized in accordance with the standards and requirements in Articles IV and IX:

- (1) *Repealed by Ord. No. 4742.*
- (2) Class B manufactured home;
- (3) Day care center, subject to the special conditions of section [37-20.1](#)(5) of this code;
- (4) Group day care, subject to the special conditions of section [37-13.1](#)(3) of this code;
- (5) Intensification, or expansion of commercial uses of ten (10) percent of the building area or more which were legally established and licensed for business and occupation;

- (6) Manufactured home park, subject to the requirements of Chapter [23](#) of this code, with a minimum area of two (2) acres and a maximum density of five and eight-tenths (5.8) units per acre;
- (7) Noncommercial kennel, subject to commercial kennel standards of section [37-163](#)(15) of this code;
- (8) Preschool, subject to the special conditions of section [37-20.1](#)(6) of this code;
- (9) Public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a public agency;
- (10) Re-establishment of a commercial use which was legally established but where the business and occupation license has lapsed for a period not to exceed one (1) year;
- (11) Replacement of a nonconforming commercial use located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to standards of section [37-163](#)(17) of this code;
- (12) Replacement of a nonconforming residential use not located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to setback and yard requirements of the R-2 Zone;
- (13) Semi-public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a semi-public agency. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 8, 10-25-99; Ord. No. 4322, § 5, 12-9-02; Ord. No. 4328, § 2, 3-24-03; Ord. No. 4385, § 2, 2-14-05; Ord. No. 4398, § 7, 1-9-06; Ord. No. 4531, § 2, 7-13-09; Ord. No. 4675, § 2, 11-28-16; Ord. No. 4742, § 2E, 8-19-19; Ord. No. 4799, § 2, 3-8-21)

Sec. 37-20.1. Special conditions. SHARE

(1) *Mortuary.*

- (a) The size of the site is shown to be reasonable for the intended use.
- (b) Access to the site meets all applicable ordinances.
- (c) The abutting/adjacent properties will not otherwise be adversely affected.
- (d) A site development plan is submitted for review and approval; subsequent development shall be in substantial conformance with the approved development plan.
- (e) The developer of the proposed project shall contact all property owners and tenants within three hundred (300) feet of the property on which the project is planned. The notification shall provide details of the proposed development and inform those receiving notification of their opportunity to contact the community development department, in writing, within fifteen (15) days of notification with complaints or concerns about the proposed project. The developer shall provide to the community development department written verification of the notification to all property owners

and tenants. If no written objections are received from those persons entitled to receive notice within fifteen (15) days of such notice, zoning approval may be granted. If any written objection to the proposed development is received within fifteen (15) days of such notice from any person entitled to notice, a conditional use permit shall be required. The developer shall apply for a conditional use permit as provided in Article IX of this chapter.

(2) *Church.*

- (a) The size of the site is shown to be reasonable for the intended use.
- (b) Access to the site meets all the applicable ordinances.
- (c) The abutting/adjacent properties will not otherwise be adversely affected.
- (d) A church may exceed the height limitations of the zone in which it is located to a maximum of fifty (50) feet, if the total floor area of the building does not exceed one and one-half (1-1/2) times the area of the site and if the yard dimensions in each case are equal to at least two-thirds (2/3) of the height of the principal structure.
- (e) Site development plan is submitted for review and approval; subsequent development shall be in substantial conformance with the approved development plan.
- (f) The developer of the proposed project shall contact all property owners and tenants within three hundred (300) feet of the property on which the project is planned. The notification shall provide details of the proposed development and inform those receiving notification of their opportunity to contact the community development department, in writing, within fifteen (15) days of notification with complaints or concerns about the proposed project. The developer shall provide to the community development department written verification of the notification to all property owners and tenants. If no written objections are received from those persons entitled to receive notice within fifteen (15) days of such notice, zoning approval may be granted. If any written objection to the proposed development is received within fifteen (15) days of such notice from any person entitled to notice, a conditional use permit shall be required. The developer shall apply for a conditional use permit as provided in Article IX of this chapter.

(3) *School.*

- (a) The size of the site is shown to be reasonable for the intended use.
- (b) Access to the site meets all applicable ordinances.
- (c) The surrounding property will not otherwise be adversely affected.
- (d) Site development plan is submitted for review and approval; subsequent development shall be in substantial conformance with the approved development plan.
- (e) The developer of the proposed project shall contact all property owners and tenants within three hundred (300) feet of the property on which the project is planned. The notification shall provide details of the proposed development and inform those receiving notification of their opportunity to contact the community development

department, in writing, within fifteen (15) days of notification with complaints or concerns about the proposed project. The developer shall provide to the community development department written verification of the notification to all property owners and tenants. If no written objections are received from those persons entitled to receive notice within fifteen (15) days of such notice, zoning approval may be granted. If any written objection to the proposed development is received within fifteen (15) days of such notice from any person entitled to notice, a conditional use permit shall be required. The developer shall apply for a conditional use permit as provided in Article IX of this chapter.

(4) Park.

(a) Site development plan is submitted for review and approval to the Lewiston parks and recreation manager; subsequent development shall be in substantial conformance with the approved development plan.

(b) The site development plan shall be shown to be in substantial compliance with the park and open space master plan.

(5) Day care center, thirteen (13) children or over.

(a) A business license is required in accordance with Chapter [21](#) of this code.

(b) The size of the site is shown to be reasonable for the intended use.

(c) Access to the site meets all applicable ordinances.

(d) The surrounding property will not otherwise be adversely affected.

(e) Off-street parking and pick-up/drop-off area shall be provided.

(6) Preschool.

(a) Approval of a conditional use permit from the planning and zoning commission is required. This requires a public hearing before the planning and zoning commission.

(b) A business license is required, including a criminal history check for all employees, volunteers and people over twelve (12) years of age living on the premises.

(c) Compliance with state regulations, Uniform Building Codes and city standards is required.

(d) The size of the site is shown to be reasonable for the intended use.

(e) Parking and access to the site meet all applicable ordinances.

(f) The surrounding property will not otherwise be adversely affected. (Ord. No. 4249, § 9, 10-25-99; Ord. No. 4351, § 3, 3-15-04; Ord. No. 4692, § 11, 10-30-17)

Sec. 37-21. Lot size. SHARE

In an R-1 Zone, the lot size shall be as follows:

- (1) For a single-family dwelling, the minimum lot area shall be ten thousand (10,000) square feet, subject to sections [32-45\(f\)\(1\)](#) and [36-103](#) of this code.
- (2) For a two-family dwelling, the minimum lot area shall be fifteen thousand (15,000) square feet, subject to sections [32-45\(f\)\(1\)](#) and [36-103](#) of this code.
- (3) Lot width shall be a minimum of seventy (70) feet.
- (4) Lot depth shall be a minimum of one hundred (100) feet. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4381, § 1, 1-24-05; Ord. No. 4531, § 2, 7-13-09; Ord. No. 4676, § 2, 11-28-16)

Sec. 37-22. Yards. SHARE

Except as provided in Article VIII, in an R-1 Zone yards shall be as follows:

- (1) A front yard shall be a minimum of twenty (20) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.
- (2) A side yard shall be a minimum of ten (10) feet, except that on a corner lot the side yard on the street side shall be a minimum of fifteen (15) feet from the property line or thirty (30) feet from the centerline of the street, whichever is greater.
- (3) A rear yard shall be a minimum of twenty (20) feet.
- (4) Duplex dwelling units constructed as a use permitted outright in this zone and constructed so as to share a common or adjoining side wall shall be allowed to legally split into two (2) minimum seven thousand five hundred (7,500) square foot lots provided the front and rear setbacks are in compliance with this chapter and the side yard opposite the zero lot line shall be a minimum of twenty (20) feet. In no case shall the minimum width of the zero lot line lot be less than sixty (60) feet nor the depth less than one hundred (100) feet. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-23. Lot coverage. SHARE

Buildings shall not cover more than forty (40) percent of the lot. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-24. Height of buildings. SHARE

In an R-1 Zone, the buildings shall not exceed a height of thirty-five (35) feet. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-25. Reserved.

 SHARE

Editor's note – Ord. No. 4216, § 1, adopted Aug. 10, 1998, repealed § 37-25, relative to signs permitted in the R-1 Zone, which derived from Ord. No. 4108, § 2, adopted Aug. 15, 1994.

MEDIUM DENSITY RESIDENTIAL ZONE R-3

Sec. 37-42. R-3 Medium Density Residential Zone.

 SHARE

(a) *Purpose*: To provide land for the development of multifamily dwellings and to provide an orderly transition from more intensive, high density uses to less intensive, lower density uses. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 16, 10-25-99)

Sec. 37-43. Uses permitted outright.

 SHARE

In an R-3 Zone the following uses and their accessory uses are permitted outright subject to the provisions of Article IV:

- (1) Bed and breakfast facilities, subject to the special conditions of section [37-13.1](#)(1) of this code;
- (2) Church, subject to the special conditions of section [37-20.1](#)(2) of this code;
- (3) Class A manufactured home;
- (4) Commercial uses legally established as of December 31, 2004, and which have maintained a valid business and occupation permit;
- (5) Family day care, subject to the special conditions of section [37-13.1](#)(2) of this code;
- (6) Intermediate term care facility, subject to the special conditions of section [37-44.1](#)(1) of this code;
- (7) Long-term care facility, subject to the special conditions of section [37-44.1](#)(2) of this code;
- (8) Mortuary, subject to the special conditions of section [37-20.1](#)(1) of this code;
- (9) Multifamily dwelling, meeting the standards of section [37-124.1](#) of this code;
- (10) Park, subject to the special conditions of section [37-20.1](#)(4) of this code;
- (11) School, subject to the special conditions of section [37-20.1](#)(3) of this code;
- (12) Single-family dwelling;
- (13) Two-family dwelling;
- (14) Small lot development subject to the requirements of section [37-33](#), standards for small lot development. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4161, § 5, 7-1-96; Ord. No. 4249,

CPA23-000002, ZNC23-000002

§ 17, 10-25-99; Ord. No. 4385, § 7, 2-14-05; Ord. No. 4386, § 2, 2-14-05; Ord. No. 4433, § 4, 1-9-06; Ord. No. 4499, § 2, 1-28-08; Ord. No. 4531, § 4, 7-13-09; Ord. No. 4656, § 10, 3-28-16; Ord. No. 4676, § 14, 11-28-16)

Sec. 37-44. Conditional uses permitted. SHARE

In an R-3 Zone the following uses and their accessory uses are permitted when authorized in accordance with the standards and requirements in Articles IV and IX:

- (1) *Repealed by Ord. No. 4742.*
- (2) Day care center, subject to the special conditions of section [37-20.1](#)(5) of this code;
- (3) Dormitory, subject to the special conditions of section [37-44.1](#) of this code;
- (4) Group day care, subject to the special conditions of section [37-13.1](#)(3) of this code;
- (5) Intensification, or expansion of commercial uses of ten (10) percent of the building area or more which were legally established and licensed for business and occupation;
- (6) Noncommercial kennel, subject to the commercial kennel standards of section [37-163](#)(15) of this code;
- (7) Preschool, subject to the special conditions of section [37-20.1](#)(6) of this code;
- (8) Public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a public agency;
- (9) Re-establishment of a commercial use which was legally established but where the business and occupation license has lapsed for a period not to exceed one (1) year;
- (10) Replacement of a nonconforming residential use not located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to setback and yard requirements of the R-2 Zone;
- (11) Semi-public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a semi-public agency. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 18, 10-25-99; Ord. No. 4322, § 5, 12-9-02; Ord. No. 4328, § 2, 3-24-03; Ord. No. 4385, § 8, 2-14-05; Ord. No. 4386, § 3, 2-14-05; Ord. No. 4531, § 4, 7-13-09; Ord. No. 4742, § 2I, 8-19-19; Ord. No. 4799, § 7, 3-8-21)

Sec. 37-44.1. Special conditions. SHARE

- (1) *Intermediate care facility.*
 - (a) The size of the site is shown to be reasonable for the intended use.
 - (b) Access to the site meets all applicable ordinances.

(c) The surrounding property will not otherwise be adversely affected.

(2) *Long-term care facility.*

(a) The size of the site is shown to be reasonable for the intended use.

(b) Parking and access to the site meets all applicable ordinances.

(c) The surrounding property will not otherwise be adversely affected.

(3) *Dormitory.*

(a) Dormitories with twelve (12) occupants or more shall have on-site management.

(b) Buildings shall be designed with the following security measures:

1. Interior access to each room;
2. Controlled access beyond the lobby and to individual floors;
3. Manager's name and contact information posted in clear view in the lobby.

(c) Dumpsters shall be located inside the building or placed no closer than fifteen (15) feet from any property line adjacent to residentially zoned property. (Ord. No. 4249, § 19, 10-25-99; Ord. No. 4386, § 6, 2-14-05)

Sec. 37-45. Lot size.

In an R-3 Zone, the minimum lot size shall be as follows:

(1) Lot area shall be a minimum of six thousand (6,000) square feet plus an additional two thousand five hundred (2,500) square feet for each dwelling unit over one (1).

(2) Lot width shall be a minimum of sixty (60) feet.

(3) Lot depth shall be a minimum of eighty (80) feet. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4499, § 2, 1-28-08; Ord. No. 4531, § 4, 7-13-09; Ord. No. 4676, § 15, 11-28-16)

Sec. 37-46. Yards.

Except as provided in Article VIII, in an R-3 Zone minimum yard requirements shall be as follows:

(1) A front yard shall be a minimum of twenty (20) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.

(2) A side yard shall be a minimum of five (5) feet and the total of both side yards shall be a minimum of fifteen (15) feet, except that on corner lots the side yard on the street side shall

be a minimum of fifteen (15) feet from the property line or thirty-five (35) feet from the centerline of the street, whichever is greater.

(3) A rear yard shall be a minimum of twenty (20) feet.

(4) Side and rear yards shall be increased by one (1) foot for each foot by which a building exceeds a height of thirty-five (35) feet. A front yard shall be increased by one (1) foot for each two (2) feet by which a building exceeds thirty-five (35) feet.

(5) Two-family dwelling units constructed as a use permitted outright in this zone and constructed so as to share a common or adjoining side wall shall be allowed to legally split into two (2) minimum five thousand (5,000) square foot lots, provided the front and rear setbacks are in compliance with this chapter and the side yard opposite the zero lot line shall be a minimum of fifteen (15) feet. In no case shall the minimum width of the zero lot line lot be less than fifty (50) feet nor the depth less than eighty (80) feet. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4676, § 16, 11-28-16)

Sec. 37-47. Lot coverage. SHARE

In an R-3 Zone, buildings shall not cover more than fifty (50) percent of the lot. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4676, § 17, 11-28-16)

Sec. 37-48. Height of buildings. SHARE

In an R-3 Zone, no building shall exceed a height of forty-five (45) feet. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-49. Reserved. SHARE

Editor's note – Ord. No. 4216, § 1, adopted Aug. 10, 1998, repealed § 37-49, relative to signs permitted in the R-3 Zone, which derived from Ord. No. 4108, § 2, adopted Aug. 15, 1994.

Sec. 37-33. Small lot development or zero lot line development. SHARE

(a) *Lot size.*

(1) For a single-family dwelling, the minimum lot area shall be four thousand (4,000) square feet;

(2) For a two-family dwelling, the minimum lot area shall be six thousand five hundred (6,500) square feet;

(3) Lot dimensions shall be a minimum of forty (40) feet and sixty-five (65) feet, with either dimension serving as lot width or lot depth, so long as both dimensions are met; provided, however, the minimum lot width for a lot street frontage that is a street curve radius only shall be thirty (30) feet, or twenty (20) feet if adjacent to a shared driveway evidenced by a recorded easement with the neighboring lot.

(b) *Yards.* Except as provided in section [37-156](#) of this code, the minimum yard requirements shall be as follows:

(1) A front yard shall be a minimum of ten (10) feet or twenty-five (25) feet from the centerline of the adjacent street, whichever is greater, except a front yard for a garage or carport shall be a minimum of twenty (20) feet.

(2) A side yard shall be:

a. Zero (0) feet for the common wall of a single-family dwelling that is attached to another single-family dwelling where the common wall is also a property line established by the subdivision platting process of Chapter [32](#) of this code, Subdivisions; or

b. A minimum of five (5) feet, except (i): on corner lots the street side yard shall be a minimum of ten (10) feet or twenty-five (25) feet from the centerline of the adjacent street, whichever is greater; and (ii) for a garage or carport, a side yard shall be a minimum of twenty (20) feet.

(3) A rear yard shall be a minimum of twenty (20) feet except when one (1) side yard is at least twenty (20) feet, the rear yard may be reduced to ten (10) feet.

(c) In small lot development, buildings shall not cover more than sixty (60) percent of the lot.

(d) *Standards.*

(1) One (1) detached garage, carport, or storage building shall be allowed, so long as such detached garage, carport, or storage building does not exceed four hundred eighty-four (484) square feet; does not exceed sixteen (16) feet in height; and is not located closer to a street right-of-way than the house, unless on a flag lot or on the street side of a corner lot. No other detached accessory buildings are allowed, unless they do not exceed one hundred twenty (120) square feet.

(2) Except on a flag lot, house facades fronting a street right-of-way shall have a minimum of fifteen (15) percent window area and shall include at least two (2) of the following for a minimum of twenty (20) percent of the length and/or height of the facade:

a. Color change;

b. Texture change;

c. Building material change; or

d. Incorporation of a wall plane projection or recession with the plane projection being a minimum of one (1) foot in depth and a minimum height equal to twenty-five (25) percent of the height of the wall.

(3) Primary entrances shall incorporate a front porch or other building articulation elements, such as cornices, brackets, overhangs, shutters, and window boxes, as part of the street-facing facade.

(4) Except on a flag lot, house facades fronting a street right-of-way shall not have an attached garage that exceeds seventy (70) percent of the width of the facade.

(5) Except on a flag lot, for a home with an attached garage, the garage wall with the garage door shall be recessed at least four (4) feet from the adjoining habitable space wall of the home.

(6) Except on a flag lot, all roofs shall be a hip, gable, or mansard roof with a minimum four-to-twelve (4:12) pitch with twelve (12) inch minimum eaves. Any mansard roof, except on a flag lot, shall incorporate dormers equal to at least twenty-five (25) percent of the facade area of the roof.

(7) *Street trees.* Street trees shall be planted by the developer or the lot owner in the right-of-way between the street and sidewalk, as approved by the city engineer and the city forester. The developer or the lot owner shall provide an automatic irrigation system for the street trees. The number of street trees required to be planted is one (1) per lot street frontage, except no street trees are required to be planted for lots on cul-de-sacs. Street trees shall be planted at a spacing of not less than thirty (30) feet and not greater than sixty (60) feet, unless otherwise approved by the city forester. Each lot owner shall be responsible for maintenance of the street tree(s) for his or her lot, including replacement when necessary. Street trees shall be planted for each lot prior to the approval of final inspection for the home on the lot, except when weather conditions do not allow planting of trees, which may typically occur between November 1st and March 1st. (Ord. No. 4433, § 2, 1-9-06; Ord. No. 4755, § 2, 9-9-19; Ord. No. 4835, § 1, 12-20-21)

ARTICLE XII. AMENDMENTS

Sec. 37-178. Authorization to initiate amendments. SHARE

An amendment to the text of this chapter or to the official zoning map may be initiated by the council, by the commission, or by the property owner. A property owner may initiate a request for an amendment by filing an application with the community development department using forms prescribed in Article XIII. The application shall be submitted at least twenty (20) working days prior to the meeting of the planning and zoning commission at which it will be considered. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-179. Public hearing and records of amendments. SHARE

The commission shall hold a public hearing on every requested change in zoning district boundaries in accordance with section [37-184](#) of this chapter. Its recommendations on each request zone change shall be transmitted to the city council. No zone change shall be accomplished other than by ordinance duly passed by the city council. The city clerk shall maintain records of amendments to this chapter in a form convenient for use by the public. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-180. Accordance with adopted comprehensive plan.

SHARE

The commission shall evaluate a requested amendment to a zoning district to determine the nature and extent of the requested change. If it is in accord with the adopted comprehensive plan, the commission may recommend and the council may adopt or reject the requested change. The commission may request documentation of land use impacts, both existing and proposed, through studies, presentations, or other documents, and may require said documentation to be stamped and signed by professionals deemed qualified by the commission.

If the commission determines the requested change is not in accord with the adopted comprehensive plan, the commission may either deny the request or recommend to the council an appropriate amendment to the plan. The council may adopt or reject the amendment under the procedures provided in Idaho Code, Section [67-6509](#). After the plan is amended, the zoning map may be amended in conformity therewith. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4344, § 4, 11-17-03)

Comprehensive Plan:

The subject property is located in Neighborhood 7, East Orchards, and has a Future Land Use Designation of Low Density residential, which is expected to accommodate a residential development density range of 5-8 dwelling units per acre.

Relevant statements from the Comprehensive Plan include the following:

CHAPTER 1. A VISION FOR LEWISTON IN 2020

First, people of all income groups have safe and adequate housing available; residential areas are protected from commercial incursion. A variety of housing types are provided throughout the community while respecting the development pattern of the neighborhood in which they are located.

Fourth, we respect the environment in which we live, protecting our air and water quality and the lands more suited for wildlife than for urban development. We will site new business and industry in those areas where they will have the least impact on our quality of life.

Sixth, we are a compact urban community, preventing sprawl and efficiently using our land resources and infrastructure, understanding that the random spread of a community wastes valuable resources while adding little to the tax base. Development will be occurring next to already developed areas, rather than in a random, leapfrog pattern and will be developed to city standards.

CHAPTER 6. LAND USE

GOAL (LU-1.0): To promote orderly development and arrangement of land uses throughout the community; provide ample space for future growth, ensure the compatibility of adjacent land uses and follow sound environmental planning principals.

Residential GOAL (LU-14.0): Provide for an appropriate mix of housing types in each of the City's eight planning neighborhoods. OBJECTIVES: LU-14.1: Review and revise zoning designations, as appropriate, to assure that adequate land (both developed and undeveloped) is available for both single family and multi-unit residential development. LU-14.2: Within individual neighborhoods, discourage multi-family development within established single-family developments

LU-14.3: Evaluate appropriateness of duplexes in various residential zones. Revise zoning ordinance, as necessary.

GOAL (LU-15.0): Maintain the design and functional character of each neighborhood.

OBJECTIVES: LU-15.1: Review and revise development standards, as appropriate, to assure that new development, additions, and remodels will maintain the design characteristics prevalent in the neighborhood. Such characteristics may include building height and massing, setbacks, lot coverage, lot size, and other characteristics that define a neighborhood.

LU-15.2: When desired by the property owners in a neighborhood, implement neighborhood-based design review. Develop and adopt neighborhood-specific design review criteria that reflect existing and desired development patterns.

GOAL (LU-17.0): Manage traffic in residential areas to meet the needs of local residents, as well as City-wide needs, while minimizing disruption to neighborhoods. OBJECTIVES: LU-17.1: Implement the Lewiston Comprehensive Transportation Plan (12/96) and the associated Capital Transportation Improvement Plan (1/98.) LU-17.2: Facilitate pedestrian and bike use in neighborhoods. LU-17.3: Create pedestrian connections to other uses within and between neighborhoods, where feasible.

GOAL (LU-18.0): Provide and maintain public services, utilities, and associated infrastructure in a cost-effective manner, by encouraging compact and contiguous growth. OBJECTIVES: LU-18.1: Establish and adopt a revised Comprehensive Land Use Map. Establish land use zones such that growth is directed to areas that are contiguous with existing development, and where services are readily available.

GOAL (LU-19.0): Where appropriate, maintain the rural character of neighborhoods in the East Orchards and the Area of City Impact.

OBJECTIVES: LU-19.1: Identify areas within neighborhoods that are rural in character. Evaluate effectiveness of zoning ordinance in maintaining that rural character. Revise zoning code as necessary.

Neighborhood Number Seven – East Orchards (from Chapter 6, Land Use)

e. Vacant Lands Vacant lands in this neighborhood consist of lands used for pasture, land otherwise unsuitable for residential development and land awaiting development. Lands used for pasture is considered as a form of land banking for future development. The Orchards was originally platted in five acre lots. Over time, these lots began developing along the street side, leaving the centers undeveloped for use as pasture or gardens. This subdivision has continued but in many cases, the property on the interior of the large parcels is now landlocked, thus providing a resource for future development should access requirements be amended to allow full development.

h Desired Futures of Neighborhood Number Seven – East Orchards

2. Public utilities are not present in all parts of this neighborhood. Code limitations preclude significant development of lands not served. a. The serving utilities should extend public utilities to the city limits to allow proper development of the vacant lands remaining.

3. The City of Lewiston does not wish to promote sprawl and the community wishes to best utilize scarce tax dollars wisely. a. Extensions of public utilities outside the corporate limits should be discouraged until the utilities within the City are utilized at a rate in excess of 75%. b. Utilities should be extended only to property abutting the city limits so it may be annexed to the city. Leapfrog service is to be avoided.

4. Residents of this neighborhood have strongly expressed a desire for the retention of animal rights. Whenever possible, preservation of animal rights should be retained especially along the extremities of the urban boundary. More intense agricultural uses and active farming within the city limits should be phased out over time to more urban uses.

5. Higher density uses are not appropriate for this neighborhood for the most part except when included within a planned unit development at which time their impact and appropriateness can be evaluated in the context of the proposed development.

10. Curb, gutter and sidewalk must be provided at and approaching schools and parks to provide safe places for children and parents to walk to these popular community locations. The City and the School District should work to promote the school/park concept to maximize the public investment in these expensive public spaces. Coordination between the school district and the city should take place on the hours of use of any joint facilities.

12. In general, streets and drainage systems in this neighborhood do not meet current standards for local or collector streets. a. Site access must be improved with streets upgraded to current city standards, appropriate to the classification of the street. b. Area drainage throughout the area must be upgraded with curb, gutter and sidewalk installed and surface or underground stormwater collection systems installed.

The Transportation Element of the Comprehensive Plan, Chapter 10, notes that 18th Street is part of the designated bicycle network (although no necessarily improved for such), has no pedestrian facilities on the stretch adjoining the subject property, and is designated as a future collector street. It also shows the subject property to be in the ½ mile school walk zone for Camelot Elementary School.

Input From Other Departments/Agencies:

From the Fire Department; “Access and water supply to comply with the IFC (International Fire Code).”

From the Engineering Division of the Public Works Department; “No objections to the zone change and comprehensive map update. Developer will follow the Traffic Impact Analysis guidelines to mitigate the traffic effects created by the proposed development. Traffic calming along 18th Street has already been identified as being important to incorporate frontage improvements.”

Analysis:

The subject property is located south of the existing Canyon Crest Estates subdivision and is currently vacant land. The current zoning of Suburban Residential, R1, has a minimum lot size of 10,000 square feet for single family residential (when connected to public sewer) and the current Comprehensive Plan Future Land Use designation is Low Density with a density level of 5-8 dwelling units per acre.

The proposed Medium Density Residential, R3, Zone has a minimum lot size of 6,000 square feet for single family residential. The proposed medium density designation in the Comprehensive Plan allows for 8-17 dwelling units per acre. The proposed R3 Zone also allows for small lot development by right, which allows for smaller lot sizes but requires design standards on all properties to create a more cohesive neighborhood feel. The city is currently under-zoned in terms of the amount of land zoned medium density residential, and it is over-zoned in terms of the amount of land zoned suburban and low density residential.

The subdivision concept plan submitted as a supplement to the rezone application contemplates 56 dwelling units (28 zero lot line, i.e. attached with a common wall, dwellings) which is a density of 6.25 units per acre. Although a medium density allows for 8-17 dwelling units per acre, that number is a gross development density, i.e. highest potential presuming no land will need to be dedicated to streets, sidewalks or stormwater detention facilities. The net density,

as presented in the proposed subdivision, is the reality of what the built environment can contain.

The adjacent Canyon Crest Estates subdivision is a Planned Unit Development (PUD) that, in its original phase, allows for a minimum lot size of 6,000 square feet. This PUD was amended in 2021 and, as part of those amendments, the minimum lot size was increased to 7500 square feet, but Small Lot Development (minimum lot size of 4,000 square feet) was allowed as a use by right with up to 50% of the remaining dwelling units allowed to follow those standards. The Canyon Crest Estates PUD will also include multi-family residential and limited commercial development in future phases, so higher intensity land uses are already planned for this area of the city.

The small lot development standards in many ways mimic those design standards seen in many of the City's existing Planned Unit Developments, requiring items such as street trees, front porches or other building articulation elements on the primary entrances, color/texture/material changes on the building facades and a minimum window area on the front of the buildings. These standards are meant to create a cohesive neighborhood feel. This type of development would have a similar look to the adjacent Canyon Crest Estates, albeit on smaller lots. There are portions of Canyon Crest Estates that do have lots with 60 foot widths, and the applicants proposed subdivision would have lots only slightly smaller, but with smaller home footprints. By utilizing standard zoning instead of a Planned Unit Development, the City can also require that streets and intersections meet current city standards.

Relevant Criteria and Standards:

See attached worksheet.

Staff Recommendation:

Staff recommends approval of CPA23-000002, and ZNC23-000002.

Prepared By:

Katie Hollingshead
(208) 746-1318, ext. 7261
khollingshead@cityoflewiston.org
P.O.Box 617
Lewiston, ID 83501

CPA23-000002, ZNC23-000002



City of Lewiston
18th Street
Date: 10/2023

1806 Airway Avenue
1810 Airway Avenue

Sources: Esri, HERE, Garmin, Intermap, InetMap, Inc., IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, OpenStreetMap contributors, and the GIS User Community

This drawing is only a visual aid
information and locations are
approximate. There is no guarantee
or warranty is expressed or implied
for its accuracy.

CPA23-00001, ZNC23-00002



Author: City of Lewiston
Date: 2/15/2023

This drawing is only a visual aid
information and locations are
approximate. There is no guarantee
or warranty is expressed or implied
for its accuracy.

February 22, 2023

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 "D" Street. Chair Busch called the meeting to order at 5:30 p.m.

Planning & Zoning meetings are recorded live. To view the full video, go to <https://livestream.com/accounts/11220190> and select Planning & Zoning.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Michael Busch, Chair; Gabriel Iacoboni, Vice Chair; Kevin Kelly; Cynthia Ball; Kathy Branson; Maureen Anderson

COMMISSIONERS EXCUSED:

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Specialist; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney

II. CITIZEN COMMENTS

None

III. APPROVAL OF FEBRUARY 8, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Iacoboni and Kelly moved and seconded, respectively, approval of the February 08, 2023 meeting minutes with Commissioners Branson and Anderson abstaining. The motion carried 4-0-2.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR ZONE CHANGE APPLICATION ZNC22-000001 BY GRECO LAND DEVELOPMENT, LLC (ACTION ITEM):

Assistant City Attorney Jennifer Tengono recommends tabling the reasoned statement until the Planning and Zoning can have 2nd Public Hearing due to additional information coming to attention.

Commissioners Kelly and Iacoboni moved and seconded, respectively, to table the reasoned statement ZNC23-000001 until after the 2nd public hearing. Motion passed 6-0.

V. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR APPLICATIONS CPA23-000002 AND ZNC23-000002 BY DK HOLDINGS, LLC (ACTION ITEM):

Chair Busch explained the public hearing process, opened the public hearing and asked for a staff presentation.

Assistant Planner Katie Hollingshead provided a verbal summary of the staff report with maps and photos so the commission can get geographically familiar with the area.

Commissioner Ball asked for clarification if the duplex were on the same lot.

Staff Hollingshead stated each unit will have its own lot, the structure will be built on the lot line.

Commissioner Kelly asked for the utilization rate of land.

Staff Hollingshead stated she was not sure what the utilization rate was.

Applicant Dan Yonge, 247 Thain Rd, Lewiston, Id, stated Staff Hollingshead did an amazing job describing the request and wanted to address that these units will be built as townhomes so they will be built on the lot lines, roads will also be built 53 feet wide and he would be happy to get the utilization number if the Commission wanted it. Mr. Yonge also stated they would be giving up 17 feet along Airway to increase the road width.

Joe Hulett, 1807 Clearview Point Drive, Lewiston, Id sent the following statement via email. My wife, Pat, and I live at 1807 Clearview Point Drive, only a short distance north of the parcel Mr. Yonge has asked to be redesignated and rezoned. While we highly respect Mr. Yonge for the work he has done (he built our house, among many others), we are concerned that the proposed changes would unfavorably affect the character of our neighborhood by unduly increasing the population density. We therefore oppose the requested changes.

Applicant Dan Yonge, 247 Thain Rd, Lewiston, Id, stated he built Mr. Hulett's house about 10 years ago. Most of the traffic from this new subdivision is going to be before the road to Mr. Hulett's house. The proposed lots will be very similar in size to Mr. Hulett's.

Commissioner Ball asked if the new proposed subdivision would have alley access.

Staff Hollingshead stated there would not be alley access. Staff also reminded Commission that this public hearing is only for the zone change, comprehensive plan amendment and map amendment. The plat will come before the Commission at a later date.

Commissioners Iacoboni and Branson moved and seconded, respectively, to recommend approval of CPA23-000002 to City Council. Motion passed 6-0

After deliberation and discussion of relevant criteria, commissioners Branson and Kelly moved and seconded, respectively, to direct staff to draft a Reasoned Statement recommending approval of ZNC23-0000002 to City Council. Motion passed 6-0

VI. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for March 08, 2023 meeting.

All current commissioners will be in attendance at the next meeting except Kevin Kelly may not be in attendance.

Staff Hollingshead welcomed the new Commissioner Anderson.

VII. ADJOURN

There being no further business, Commissioners Anderson and Branson moved and seconded, respectively, to adjourn. The motion carried 6-0 and the Planning and Zoning Commission adjourned at approximately 6:20 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2023.

**CITY OF LEWISTON PLANNING AND ZONING COMMISSION
REASONED STATEMENT OF RELEVANT CRITERIA AND
STANDARDS FOR GRANTING OR DENIAL OF
ZONING DISTRICT BOUNDARY CHANGE/REZONE**

This document shall serve as memorialization of the rationale for the granting or denial of a zoning district boundary change/rezone, which shall be based upon relevant criteria and standards, including the Lewiston Comprehensive Plan, Lewiston City Code, and Idaho Code. *See* I.C. § 67-6535.

I. APPLICATION NUMBER:
ZNC23-000002

II. APPLICANT'S NAME AND ADDRESS:
DK Holdings, LLC
247 Thain Road #107
Lewiston, ID 83501

III. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:
Approximately 8.96 acres generally located east of 18th Street and known as tax parcel RPL0097003000A, located north of Airway Avenue and south of unimproved Bryden Avenue.

IV. DATE OF PUBLIC HEARING:
February 22, 2023

V. NAME OF HEARING BODY:
Lewiston Planning and Zoning Commission

VI. NATURE OF APPLICATION:
Rezone subject property from Suburban Residential, R-1, Zone to Medium Density Residential, R-3, Zone

VII. DECISION:
The Lewiston Planning and Zoning Commission recommends **APPROVAL** of ZNC23-000002 to the Lewiston City Council.

VIII. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are: None

IX. RELEVANT CRITERIA AND STANDARDS:

The following relevant criteria, standards, facts, and considerations are hereby declared as reasons for the decision on this zoning district boundary change/rezone:

1. The proposed rezone is in general conformance with the Lewiston Comprehensive Plan. Applicable commentary:

The Comprehensive Plan states, under Chapter 6, Goal LU-1.0: "To promote orderly development and arrangement of land uses throughout the community; provide ample space for future growth, ensure the compatibility of adjacent land uses and follow sound environmental planning principals." Goal LU-14.0: "Provide for an appropriate mix of housing types in each of the City's eight planning neighborhoods." Objective LU-14.1: "Review and revise zoning designations, as appropriate, to assure that adequate land (both developed and undeveloped) is available for both single-family and multi-unit residential development." Objective LU-14.3: "Evaluate appropriateness of duplexes in various residential zones. Revise zoning ordinance, as necessary." Goal LU-18.0: "Provide and maintain public services, utilities, and associated infrastructure in a cost-effective manner, by encouraging compact and continuous growth." Lastly, Objective LU-18.1: "Establish and adopt a revised Comprehensive Land Use Map. Establish land use zones such that growth is directed to areas that are contiguous with existing development, and where services are readily available." The proposed rezone and associated development of the subject property will create an orderly development on a currently vacant lot. The adjacent Canyon Crest Estates subdivision is a Planned Unit Development that will also include multi-family residential and commercial development in future phases, so higher intensity land uses are already planned for this area of the city.

The Comprehensive Plan's desired future land use designation is for low density residential. Currently, the City is under-zoned in terms of the amount of land zoned medium density residential, and is over-zoned in terms of the amount of land zoned suburban and low density residential. A Comprehensive Plan Map amendment is proposed in conjunction with this rezone so that the desired future land use will be medium density residential, and the rezone proposal will then be in conformance.

2. The subject property is at least as well suited or is better suited for the proposed zoning district than the existing zoning district. Applicable commentary:

The proposed Medium Density Residential, R-3, Zone has a minimum lot size of 6,000 square feet for single family residential. The proposed medium density land use designation in the Comprehensive Plan allows for 8-17 dwelling units per acre. The proposed Medium Density

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC23-000002

Page 2 of 5

Residential, R-3, Zone also allows for small lot development by right, which allows for smaller lot sizes but requires design standards on all properties to create a cohesive neighborhood feel. The city is currently under-zoned in terms on the amount of land zoned medium density residential, and it is over-zoned in terms of the amount of land zoned suburban and low density residential.

The subdivision concept plan for the subject property, submitted as a supplement to the rezone application, contemplates 56 dwelling units (28 zero lot line, i.e., attached with a common wall, dwellings) over the 8.96 acres, which is a density of 6.25 units per acre. A density of 6.25 dwelling units per acre falls within the range for the low density land use designation in the Comprehensive Plan, which has a density range of 5-8 dwelling units per acre. Although a medium density land use designation in the Comprehensive Plan allows for 8-17 dwelling units per acre, that number is a gross development density, i.e., the highest potential presuming no land will need to be dedicated to streets, sidewalks or stormwater detention facilities. The net density, as presented in the proposed subdivision, is the reality of what the built environment can contain by utilizing the small lot development permitted by right in the Medium Density Residential, R-3, Zone.

3. The proposed rezone **does not** present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity. Applicable commentary:

The subject property is approximately 8.96 acres of vacant land that the applicant plans to subdivide into 56 building lots. Properties to the north are single family dwellings located in a Planned Unit Development. The property to the west is vacant land. The properties to the east are a mix of single family dwellings, newly subdivided building lots, and vacant land. Finally, the properties to the south are single family dwellings. The proposed zone of Medium Density Residential, R-3, Zone is similar in use and type to that of the Planned Unit Development to the north. There are portions of the Planned Unit Development that do have lots with 60 foot widths, and the applicant's proposed subdivision would have lots only slightly smaller. The small lot development standards in many ways mimic those design standards seen in many of the City's existing Planned Unit Developments. The proposed rezone and associated development of the subject property would have a similar look to the adjacent Planned Unit Development.

4. The effects of the proposed rezone **are not** anticipated to place undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction, including school districts. Applicable commentary:

Political subdivisions were notified of the proposed rezone. City departments and the Lewiston Orchards Irrigation District (LOID) provided comments. The Fire Department stated; "Access and water supply is to comply with the International Fire Code." The Public Works Department – Engineering Division stated; "No objections to the zone change and comprehensive map update. Developer will follow the Traffic Impact Analysis guidelines to mitigate the traffic effects created by the proposed development. Traffic calming along 18th Street has already been identified as being important to incorporate frontage improvements." LOID sent an email

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC23-000002

Page 3 of 5

stating; “The parcel is in the process of being annexed into the LOID for Domestic Only Water Service. There will be a public hearing March 15, 2023 at the COSD’s offices. The developer has to construct his water infrastructure to LOID standards, annexation process must be completed and paid for and then the LOID would service this development.”

5. The size, type, intensity, and density of development expected to occur on the subject property as a result of this rezoning is suitable for the area and **will not** unduly burden the neighborhood, public infrastructure, or environmental resources. Applicable commentary:

The subject property is located south of the existing Canyon Crest Estates subdivision and is approximately 8.96 acres of vacant land. The subdivision concept plan for the subject property, submitted as a supplement to the rezone application, contemplates 56 dwelling units on lots ranging in size from 5300 to 6100 square feet. The adjacent Canyon Crest Estates subdivision is a Planned Unit Development (PUD) that, in its original phase, allowed for a minimum lot size of 6,000 square feet. This PUD was amended in 2021 and, as part of those amendments, Small Lot Development (minimum lot size of 4,000 square feet) was allowed as a use by right for up to 50% of the remaining dwelling units. Higher intensity land uses are already planned for this area of the city. The design of the subject property’s proposed development will integrate a higher density of homes into the neighborhood without sacrificing the quality of the neighborhood. By utilizing standard zoning instead of Planned Unit Development, the City can also require that streets and intersections meet current city standards.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could not** take actions to obtain approval, the explanation is: Not applicable.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could** take actions to obtain approval, such actions might include: Not applicable.

NOTICE TO APPLICANT: Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to Idaho Code § 67-8003. The mailing of a signed and dated copy of this document by the City to the applicant shall constitute compliance with such notice requirement. An applicant denied an application or an affected person aggrieved by a final decision concerning matters identified in Idaho Code § 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

An action or ruling by the Planning and Zoning Commission pursuant to the City of Lewiston Zoning Code may be appealed to the Lewiston City Council by the person who initiated the action before the Planning and Zoning Commission or by any person entitled to notice by mail of the action under section 37-184(b)(2) of the City of Lewiston Zoning Code. Such appeal must be filed within fifteen (15) calendar days after the Planning and Zoning Commission has adopted its written Reasoned Statement of Relevant Criteria and Standards. Written notice of the appeal must be filed

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC23-000002

Page 4 of 5

with the City Clerk within such fifteen (15) day period. If an appeal is not filed and the fee required by section 37-188 of the City of Lewiston Zoning Code is not deposited with the City Clerk within such fifteen (15) day period, the decision of the Planning and Zoning Commission shall be final.

By: _____

Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed: _____

Date of Signature: _____

ATTEST: _____

Dawn Ortiz, Community Development Specialist

RESOLUTION 2023-16

A RESOLUTION OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN CPA23-000002, AMENDING THE "FUTURE LAND USE MAP NEIGHBORHOOD NO. 7 – EAST ORCHARDS" OF CHAPTER 6.7 OF LEWISTON'S COMPREHENSIVE LAND USE PLAN, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 22, 2023, the Lewiston Planning and Zoning Commission held a duly noticed public hearing to consider CPA23-000002, an application to amend Lewiston's Comprehensive Land Use Plan to change the land use designation from Low Density Residential to Medium Density Residential for approximately 8.96 acres generally located north of Airway Avenue and south of unimproved Bryden Avenue, Lewiston, Idaho and recommended approval of said application; and

WHEREAS, on March 27, 2023, the Lewiston City Council held a duly noticed public hearing to consider CPA23-000002, and subsequently approved said application, all in accordance with Idaho Code §§ 67-6509 and 67-6525.

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

SECTION 1: "Future Land Use Map Neighborhood No. 7 – East Orchards" of Chapter 6.7 of Lewiston's Comprehensive Land Use Plan is hereby amended as depicted in Exhibit A, attached to and incorporated herein. The land use designation for the subject 8.96 acres (approximately) is hereby changed from Low Density Residential to Medium Density Residential. Exhibit A-1 highlights the area of such map being amended and is included in this resolution for informational purposes only.

SECTION 2: This resolution shall become effective upon its passage.

Intentionally left blank

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

March 6, 2023

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Work Session at the Bell Building Second Floor Conference Room at 215 D Street. Council President Liedkie called the meeting to order at 3:00 p.m.

City Council meetings are recorded live. To view the full video, go to <https://livestream.com/accounts/11220190>

I. CALL TO ORDER

COUNCIL MEMBERS PRESENT: Council President Liedkie; Councilor Forsmann (via Zoom); Councilor Kleeburg; Councilor Schroeder; Councilor Tousley; Councilor Spickelmire (via Zoom 4:00 pm)

COUNCIL MEMBERS EXCUSED: Mayor Johnson;

II. PLEDGE OF ALLEGIANCE

Council President Liedkie led the Pledge of Allegiance.

III. CITIZEN COMMENTS

Ken Krahn said he missed the discussion regarding the Burrell Ave and 10th Street mini roundabout at the February 13th meeting because the meeting was not published in the Tribune. He questioned if it was a breach of the open meeting law. Mr. Krahn also spoke to the location of the Fire Station, property taxes, and questioned where the money from the water rate increase went from several years ago.

IV. ACTION AGENDA

A. RESOLUTION 2023-18

Parks & Recreation Director Barker (via Zoom) explained that Rettig Park is in the ownership of Nez Perce County and will be used for another purpose related to access to the new courthouse building. The Parks and Recreation Department has an interest in repurposing the bricks that made up a majority of the park area and approached the County to inquire about the use of the bricks. The Board of Nez Perce County Commissioners declared the pavers as surplus property through the approval of Resolution 2023-02-032 with the understanding that Parks and Recreation would remove the needed pavers offsite prior to construction taking place for the courthouse.

Lewiston City Council
WORK SESSION MEETING
March 6, 2023 - 3:00 p.m. - Page 1

Councilors Kleeburg and Tousley moved and seconded, respectively, approval of Resolution 2023-18. ROLL CALL: VOTING AYE: *Liedkie; Kleeburg; Schroeder; Forsmann; Tousley*. VOTING NAY: *None*. EXCUSED: *Spickelmire*

V. DISCUSSION ITEMS

A. BOLLINGER BUILDING UPDATE

Don Brigham, representative of Save the Bollinger Foundation, provided an update on the Bollinger Building and introduced Eric Hasenoehrl to speak to Council regarding the building's structure. Eric Hasenoehrl, Keltic Engineering, provided an inspection report on the Bollinger building, as well as the current damage and techniques available to restore/maintain the building. Continuing, Mr. Brigham explained that it was difficult to form plans and raise money when the building is condemned. He further explained that Council has several choices related to the building and that the Councilors could write a letter requesting City of Lewiston Building Official John Smith review the building and remove the condemnation order.

Building Official Smith explained that when a building is labeled as condemned, it means the building is so unsafe that it needs to be demolished, made safe or fully repaired. Currently, the Bollinger can be considered unsafe because the damaged truss has been stabilized and the building is closed to the public but, if the original problems that caused the rotting truss are not addressed, the building could end up going back to condemned.

Councilors discussed the conditions of the building and questioned if any funds have been raised from the Bollinger Foundation. Matt Weibler, member of Save the Bollinger, explained that they have had people offering donations but they are asking them to wait due to the status of the building. Mr. Brigham further explained that the role of the Save the Bollinger Foundation was not to take over the building but to save the building or find someone else to save it.

After further discussion, Councilor Tousley moved to direct staff to investigate whether the Bollinger can be moved from condemned to unsafe and report back to Council in six months. Councilor Schroeder seconded.

Council President Liedkie offered a friendly amendment to change the timeline from six months to 90 days. Councilors Tousley and Schroeder accepted the friendly amendment and the motion to direct staff to investigate whether the Bollinger can be moved from condemned to unsafe and report back to Council in 90 days carried 5-0.

B. CITY OF LEWISTON FACILITIES

Parks & Recreation Facilities Supervisor Warren provided a detailed overview of the facility maintenance, including each separate building and its needs. All the needs are currently estimated at \$10,065,770 with most needing to be taken care of within the next few years. Ms.

Warren explained that she could save approximately \$1,714,000 if another facilities maintenance staff person was hired.

Councilor Spickelmire joined via Zoom approximately around 4:00 pm.

Councilors expressed appreciation for Ms. Warren's thorough report on the facilities and asked if Parks and Recreation could create a pro and con report of the facilities and recommendations on options at a future work session.

VI. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Kleeburg encouraged Councilors to attend the MPO meeting at 4:15 pm, after the Special Work Session at 3 pm on March 9th.

Councilor Spickelmire invited anyone to join his family on a spring cleaning of Thain Grade on Sunday morning.

B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES

None.

C. MAYOR COMMENTS

None.

D. ADVISORY BOARD OR COMMISSION APPOINTMENTS

None.

E. AGENDA TOPICS

None.

VII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilors Liedkie and Schroeder moved and seconded, respectively adjournment of the March 6, 2023, Work Session at approximately 5:05 p.m. The motion carried 6-0.

March 9, 2023

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Special Work Session in the second floor conference room at Bell Building, 215 D Street. Mayor Johnson called the meeting to order at 3:00 p.m.

City Council meetings are recorded live. To view the full video, go to <https://livestream.com/accounts/11220190>

I. CALL TO ORDER

COUNCIL MEMBERS PRESENT: Mayor Johnson; Council President Liedkie; Councilor Schroeder; Councilor Tousley; Councilor Kleeburg; Councilor Spickelmire; Councilor Forsmann (Zoom 3:04 p.m)

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the pledge of allegiance.

III. DISCUSSION ITEMS

A. FIRE STATION UPDATE

Fire Chief Myklebust provided an update on the Fire Station 4 project, which started about 9 years ago. Phase 1a and 1b are complete, the station is 60% designed, and ready to move forward with permits and construction. While the city budgeted \$6,500,000 for the fire station, the guaranteed max price totaled \$7,871,002 causing a difference of \$1,371,002. Fire Chief Myklebust then outlined the options to approve or deny the project, along with the pros and cons of each option.

After questions and discussion from Councilors, Fire Chief Myklebust expressed appreciation for Council's input. He explained the intent of the special meeting was to provide Council with information so they could be well informed before being asked to take action on the project at a future meeting.

IV. ACTIVE AGENDA

A. PHASE 1B CHANGE ORDER

Councilors Kleeburg and Schroeder moved and seconded, respectively, to remove the change order, as no documents were received for Council to review and take action on. ROLL CALL: VOTING AYE: *Liedkie; Kleeburg; Schroeder; Forsmann; Tousley; Spickelmire*. VOTING NAY: *None*.

Lewiston City Council
SPECIAL MEETING
March 9, 2023 - 3:00 p.m. - Page 1

V. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Spickelmire provided a shout out to the Lewis-Clark State College women's basketball team and wished them luck at the NAIA tournament.

B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES

None.

C. MAYOR COMMENTS

Mayor Johnson thanked Airport Authority Board Chairman Gary Peters and Airport Manager Mike Isaacs for attending the meeting.

D. ADVISORY BOARD AND COMMISSION APPOINTMENTS

None.

E. AGENDA TOPICS - ACTION ITEM

None.

VI. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilors Schroeder and Liedkie moved and seconded, respectively, to adjourn the March 9, 2023, special meeting at 4:16 p.m. The motion carried 6-0.

PARKS AND RECREATION ADVISORY COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY JANUARY 18, 2023

I. CALL TO ORDER

PRESENT: Commissioners Bill Rowland, Jill Carlson-Balmer, Larry Kopczynski, Linda Glines, and Jim Jenkins. Also in attendance were Parks and Recreation Director Tim Barker, and Council Liaison Kasee Forsmann.

ABSENT: Commissioners Jim Kirk and Sammy Andrews

II. CITIZEN COMMENTS

No comments.

III. CONSENT AGENDA

Commissioner Jenkins made a motion for acceptance of the Minutes from November 16, 2022 as presented, Commissioner Rowland seconded the motion, all approved.

IV. PRESENTATIONS, COMMUNICATIONS, AND CORRESPONDENCE

A. Department Staff Reports:

Commissioners were sent the monthly report for November, and December 2022. No follow up questions.

B. Senior Nutrition Update:

There was no update to share regarding the senior nutrition program.

C. Community Park Master Plan Document:

Director Barker handed out a completed Community Park Master Plan to each of the Commissioners present and asked them to become familiar with the document.

D. Living Lewiston Magazine:

Mr. Barker gave the Commissioners a copy of the latest Lewiston Magazine.

V. ACTIVE AGENDA

A. Park and Open Space Master Plan:

Mr. Barker reminded the Commissioners of the neighborhood meetings they started in 2021 for the Park and Open Space Master Plan updates and revisions. They were stopped after three meetings because of Covid. The question to the Commission would be do they want to start the neighborhood meetings back up? Mr. Barker feels that it might get confusing with both the Community Park Master Plan and the Parks and Open Space Master Plan being a topic at the meetings. The Commission felt it would be best to not have the neighborhood meetings this year and concentrate on the Community Park Master Plan and how it will be implemented in the coming year. They will have the Park and Open Space Master Plan on the coming agendas to look at the plans and goals for each neighborhood and discuss if they are still relevant and should continue to be part of the document.

VI. OLD BUSINESS

A. Bryden Canyon Golf Course RFP and Management Selection Process:

The RFP was put out mid-November and closed December 16th. The golf course committee received two proposals for the management of the golf course. One of the proposals was disqualified for not being complete. Course-Co, who is currently managing the golf course

bid was accepted. Mr. Barker and the cities legal department are working on a contract and will start negotiations with CourseCo.

B. Lewiston Parks and Recreation Foundation:

Commissioner Kopczynski is working on the application and will submit it by the end of February.

C. Sunset Park Pickleball Court Project Update:

The Proposal for bid should be out by the end of January and close the end of March.

D. Community Park Parking Lot Phase 2:

The lighting for the basketball court and exercise equipment should be installed sometime this spring.

VII. COUNCIL LIAISON COMMENTS

Counselor Liaison Forsmann said she felt things were moving forward and the Department was doing a great job.

VIII. NEXT MEETING

A. Wednesday, March 16th meet at the Lewiston Community Center

IX. ADJOURNMENT

There being no further business the meeting was adjourned at 6:00 PM

Linda Rape
Recording Secretary

February 22, 2022
Date



**DISABILITY ADVISORY COMMISSION
NOTICE AND MEETING MINUTES**

November 10, 2022 - 12:00-1:00 PM

Zoom Meeting and City Hall Back Conference Room, 1134 F St. Lewiston, Idaho 83501

Members attending: Chairman Ged Randall, Mark Havens, Constance Vance, Eric Peterson, Mike Feeney, and Jessica Grainger.

Members not in attendance: Amy Brogan.

Non-Members attending: Hannah Liedkie, Nikki Province, Dustin Johnson, Tim Barker, OUI community group (Corina, Jennifer, William, Phyllis, Andrew, and Jarom).

I. CALL TO ORDER

A. Meeting called to order at 12:02 pm

II. SELF RECOGNITION AND CURE OF OPEN MEETING LAW VIOLATION

A. Chairman Randall recognizes open meeting law violation from October 10, 2022 Disability Advisory Commission meeting. Commissioner Havens questions if a violation occurred. Commissioner Peterson states that he has spoken to Kayla Hermann, City Attorney, and she will be providing language for the agenda item Commissioner Comments. Chairman Randall asks Ms. Province to schedule training on open meeting in January or February on Commissioner Comments with the City's Legal department.

III. CITIZEN COMMENTS

A. Eric Peterson (as citizen and not member of Disability Advisory Commission) comments that there are two things he is working on with Public Works. He states that priorities come into play on Bryden Avenue where there's a situation and a petition for accessibility issue to get from high density new residential to 10th Avenue. He states that there is a fix, if asphalt window still open, Public Works can do an asphalt path. Then it will be corrected in Phase two of Bryden Ave plan. Second issue is 19th Avenue that intersects with 21st Street there are boulders, light pole, and century link box. Dustin Johnson, Public Works Director, worked with MPO and got money to move these items. If Century Link and Avista move their items people will not have to use the street and can utilize the sidewalk.

IV. DISCUSSION ITEMS

A. City Councilor and President/CEO of Opportunities Unlimited, Inc. (OUI) Hannah Liedkie presented on what services OUI has to offer persons with disabilities. They are a disability services agency to adults and children and will be celebrating their 50th anniversary in 2024. They have grown into several areas and are joined by several OUI employees who provide these areas of services to elderly, adult, and children that need to stay in their own home, adult developmental therapy and supported living, and vocational training. Shawna

*Ged Randall – Term Expires 07/23
Mike Feeney – Term Expires 07/24
Mark Havens – Term Expires 07/24
Constance Vance – Term Expires 07/24*

*Eric Peterson – Term Expires 07/25
Amy Brogan – Term Expires 04/25
Jessica Grainger – Term Expires 09/25*



Springer, OUI employee, speaks regarding children's department who serves ages 3 to 21 years old. Her role transitions the children into the adult program, integrates the children into the community, helps them interact and socialize with peers, listen and follow directions, learn social rules, support safely with behavior in self-regulation, and coping skills. Sheila Felthouser, OUI employee, runs the in home care program from children to elderly, keeping them in their home, shopping, assist with medication, and day to day needs, work on goals such as bathing and eating, and are affiliated with Veterans Care Coordination. Emily Aluisia, OUI employee, who oversees vocational department and provides job assistance, job evaluation and assess strengths and weaknesses, ages 16 to 21 work base learning experience, resume building, mock interviews, and work services. Commissioner Vance, OUI employee, who works for their adult program 24-hour house staffing to learn hygiene, chores, hourly one on one support to learn or develop skills to live independently, center and community based therapy with their peers to learn social skills, relationship skills, communication, integration and visibility in the community. City Councilor Liedkie discusses eligibility factors and their work with Idaho Vocational Rehab and Department of Medicaid. Commissioner Havens asks about blind or visually impaired individuals. City Councilor Liedkie indicates it depends on the level of care needed. If needing in home care or transportation OUI could offer that service, and collaborate with local Commission on the Blind. Commissioner Havens asks about elderly individuals. City Councilor Liedkie says if they are in need of nursing home care they would most likely qualify but due to lack of workforce individuals go onto a wait list. She could not guarantee that anyone seeking services could be provided assistance. Commissioner Havens indicates that individuals over 65 will be advancing from 27% to 33% of the population in the next 5 to 10 years, some of whom have limitations, and asks if OUI would be able to expand their services. City councilor Liedkie indicates she has been advocating to have their workforce recognized nationally describing what employees in their field do and because of that they have difficulty adequately staffing. She indicates they are gaining success with a 12% increase through several Idaho agencies. Commissioner Havens asks what regions OUI services. City Councilor Liedkie states they serve region 2, service Asotin County for vocational services, and can provide contract to Asotin County Community Services for developmental therapy, and some through Veterans Care. It's in their strategic plan to look into Washington Medicare. Commissioner Peterson commends OUI on their communication. He asks how they deal with competencies and families. City Councilor Liedkie indicates its informed choice and depending on their age guardianship can be sought. If fearful of someone's safety they will pursue legal action through guardianship or higher level of care such as certified family homes and supported living. Commissioner Peterson asks about group homes in relation to the homelessness issue. City Councilor Liedkie clarifies that they don't own any homes. OUI links people to housing and living situations. Commissioner Peterson asks about OUI's record keeping. City Councilor indicates they have administrative staff and board of directors. She indicates they have had 7 audits this year including one they paid for, Medicaid, Department of Labor, Licensing and Certification, and State Insurance Fund for their compliance but they do it all in house.

Ged Randall – Term Expires 07/23
Mike Feeney – Term Expires 07/24
Mark Havens – Term Expires 07/24
Constance Vance – Term Expires 07/24

Eric Peterson – Term Expires 07/25
Amy Brogan – Term Expires 04/25
Jessica Grainger – Term Expires 09/25



Ms. Liedkie indicates their goal is to develop a foundation and find venues through the community like retail opportunities that help them move away of billing agencies.

V. ACTIVE AGENDA

A. APPROVAL OF MINUTES - Minutes from October 13, 2022.

- i. Commissioner Peterson makes a motion to approve. Commissioner Vance seconds motion and states she found one error. Commissioner Peterson makes a motion to approve as amended. Commissioner Vance seconds. Motion passes.

B. ADA Playground Equipment –

- i. Tim Barker, Parks & Recreation Director, discusses plans for future ADA playground equipment. He provides a handout of example playground equipment and cost. He states there are 26 parks and 7 playgrounds within the park system. Anytime they put in trails and restrooms they put in portable toilets that provide an accessible restroom and main restrooms all are accessible as well as drinking fountains. As for playgrounds things have become more customizable and there are more options for accessibility. They put platform wheelchair swings in about 20 years ago and had issues with able bodied kids and adults misusing the equipment, the City decided to no longer provide. There is one accessible friendly drum set at Sunset Park, but they have to continue to replace the screen because it gets punctured. He states about two years ago the City created an annual fund for \$100,000 for park improvements. The plan is to replace the necessary playground equipment with accessible equipment and also repaired equipment. Parks and Recreation is looking at synthetic or rubber turf surface material replacement in the next 5 years making it more accessible. Mr. Barker discusses Community Park opportunities. It will have 3 playgrounds and will be incorporating accessible features. A local organization plans to support financially the development of the central playground, costing between \$300,000 and \$500,000 for the project. Mr. Barker states that the Mayor received \$1,000 for the walking challenge and would like to put it toward the park system. Mr. Barker is starting to have conversations with OUI to partner on understanding needed design for equipment. He states they plan to update one park this year and in next 5 years plan to get the other 6. Mr. Barker mentions the pricing for equipment which he notes is not cheap and refers to his handouts. He states they are going to have to look to grants and other funding options. He is currently looking at some state grants to supplement what money is available. Chairman Randall asks what specific parks Mr. Barker is focusing on. He indicates he wants to focus first on the 7 that have playgrounds. Mr. Barker is currently working on Canyon Crest park that will be handed to the City. He indicates he is not sure what the school district is doing but would like to collaborate with them. Chairman Randall asks about priorities. Mr. Barker states he would start with the largest and most active such as Sunset, Hereth, Airport Park, and Kiwanis. Mr. Barker indicates they plan to make the accessible playground information available online. Mr. Barker states he would like to get this on a council work

Ged Randall – Term Expires 07/23
Mike Feeney – Term Expires 07/24
Mark Havens – Term Expires 07/24
Constance Vance – Term Expires 07/24

Eric Peterson – Term Expires 07/25
Amy Brogan – Term Expires 04/25
Jessica Grainger – Term Expires 09/25



session. Commissioner Feeney makes motion for Mr. Barker to come back to DAC for level of recommendation that Mr. Barker can support and would like DAC's support. Commissioner Vance seconds. Motion passes.

C. Snow Removal Partnership with LCSC

- i. Commissioner Vance indicates she believes this concept has not been fully discussed with the Athletic Director. Commissioner Peterson makes motion to table to another meeting. Chairman Randall indicates that all that is needed is a motion so will be put on the next meeting. Motion passes.

VI. FUTURE AGENDA ITEMS

- A. December 8th meeting will be People First Training at City Library.
- B. White Cane discussion at January 12th meeting.
- C. Potential presentation from Suzanne Seigneur, Transit Manager.
- D. DAC Chair election at January 12th meeting. Chairman Randall will not be renewing his seat on the commission.
- E. Dustin Johnson, Public Works Director, to discuss how issues come about and demonstrate challenges that Public Works faces when implementing the ADA improvements at February meeting.

VII. COMMISSIONER COMMENTS

- A. Commissioner Havens will provide link to DAC on rural transportation conference.
- B. Commissioner Havens indicates that Asotin County Community Services will be subcontracting specifically to provide transportation in evenings and weekends.
- C. Commissioner Peterson asks for reasonable accommodation providing zoom. Commissioner Vance states that calling into the meetings is an option. Commissioner Peterson states that will meet the accommodation need.

VIII. STAFF LIASON COMMENTS

- A. None

IX. ADJOURNMENT

- A. Adjourn at 1:16 pm

Vision

Our Vision is a community where people of all abilities and ages are fully integrated and valued.

Mission

To advise city leaders and residents on the reduction of barriers and the promotion of full accessibility through education and advocacy.

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, 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, please contact the ADA coordinator at least 48-hours in advance of the meeting time. [Nikki Province \(208\) 746-3671 x 6211 or nprovince@CityofLewiston.org](mailto:nprovince@CityofLewiston.org).

Ged Randall – Term Expires 07/23
Mike Feeney – Term Expires 07/24
Mark Havens – Term Expires 07/24
Constance Vance – Term Expires 07/24

Eric Peterson – Term Expires 07/25
Amy Brogan – Term Expires 04/25
Jessica Grainger – Term Expires 09/25



**DISABILITY ADVISORY COMMISSION
NOTICE AND MEETING MINUTES**

December 8, 2022 - 12:00-1:30 PM

Lewiston City Library 2nd Floor Meeting Room, 411 D St. Lewiston, ID 83501

Attending: Chairman Ged Randall, Mark Havens, Jessica Grainger, Eric Peterson

Members Not Attending: Constance Vance, Mike Feeney, Amy Brogan

Non-Members Attending: Olivia Levens and Jen Magelky-Seiler (Center for Disabilities and Human Development), General Audience Members for Training

I. CALL TO ORDER

A. Meeting called to order at 12:05pm.

II. CITIZEN COMMENTS

A. None.

III. DISCUSSION ITEMS

A. People First Language Training presented by University of Idaho Center on Disabilities and Human Development.

- i. Olivia Lebens and Jen Magelky-Seiler from the Center for Disabilities and Human Development present a training on People First Language. Mr. Havens asks Jen her opinion on the use of "suffering from" when referring to a condition. She states if a person describes themselves that way, she supports that, but would not consider having a disability "suffering". Mr. Havens speaks to the term "mental illness" and states other disabilities are not referred to that way, for example, people do not use the term "muscular illness." One audience member states "illness" has a negative connotation and she would prefer the term "mental disability." Mr. Peterson asks what the etiquette would be for people that ask "what happened?" when addressing a person with a disability. Jen states she personally does not provide a lot of detail as it is not often relevant to a conversation, but the response to that question is really a personal preference. Mr. Peterson explains the theory of "diagnostic odyssey." Ms. Burris asks about how to handle a young child asking about a person with a disability in a respectful way. Jen states a great response is something like "they have a body that works differently." Ms. Province and Ms. Grainger state they appreciate the conversation and discussion. Ms. Grainger states especially as she advocates for her son and how she can improve her advocacy. Mr. Peterson states in his work with caretakers, one thing you run into a lot, is the proper etiquette when beginning communication. People tend to address the caretaker rather than the person.

IV. ADJOURNMENT

A. Meeting adjourned at 1:11pm.

*Ged Randall – Term Expires 07/23
Mike Feeney – Term Expires 07/24
Mark Havens – Term Expires 07/24
Constance Vance – Term Expires 07/24*

*Eric Peterson – Term Expires 07/25
Amy Brogan – Term Expires 04/25
Jessica Grainger – Term Expires 09/25*



DISABILITY ADVISORY COMMISSION NOTICE AND MEETING MINUTES

January 12, 2023 - 12:00-1:00 PM
City Hall Back Conference Room, 1134 F Street

Members Attending: Chairman Ged Randall, Constance Vance, Mark Havens, Amy Brogan

Members Not Attending: Eric Peterson, Jessica Grainger, Mike Feeney

Non-Members Attending: Kayla Hermann, Brianne Drury, Suzanne Seigneur, Nikki Province, Leah Burris

I. CALL TO ORDER

A. Meeting called to order at 12:00pm

II. CITIZEN COMMENTS

A. None.

III. DISCUSSION ITEMS

A. Open Meeting Training

- i. City Attorney Kayla Hermann introduces herself and Assistant City Attorney Brianne Drury. Ms. Drury presents training on Commissioner Comments as related to Open Meetings Law. In general, an agenda is required for every meeting to provide notice to the public on what will be discussed. It also supports transparency. Ms. Drury reads a portion of the Open Meetings Law which reviews the requirements of an agenda. Ms. Drury states the Legal office's opinion is that there should not be discussion during Commissioner Comments, those comments should be announcements or statements. If there is an item to discuss, include it in the Future Agenda Items section of the meeting or share it with the Staff Liaison or Chairman of the Commission and it can be included on a future agenda. She states if there are any questions the Legal office is always available for questions. Ms. Brogan clarifies that if a topic is listed under the Discussion items, then it is open for discussion. Ms. Drury states that is correct. Chairman Randall also clarifies that action items do not have to have action taken during a meeting, but only an item identified as an action item can have action taken. Mr. Havens states he disagrees with the verbiage of Commissioner "Comments" and states a better title would be "Commissioner Announcements." Ms. Hermann states how the agenda was posted is common practice amongst other City Commissions, Boards, and City Council. Ms. Hermann further explains why discussion should not take place during Commissioner Comments. Mr. Havens asks about responding to public comments and Ms. Hermann explains what other mechanisms the Commission can use to address public comments, such as calling a special meeting. Ms. Province asks Ms. Hermann about an upcoming Open Meetings Law training and Ms. Hermann states

*Ged Randall – Term Expires 07/23
Mike Feeney – Term Expires 07/24
Mark Havens – Term Expires 07/24
Constance Vance – Term Expires 07/24*

*Eric Peterson – Term Expires 07/25
Amy Brogan – Term Expires 04/25
Jessica Grainger – Term Expires 09/25*



they are planning a training for February and will share that date with Ms. Province to share with DAC.

B. Discussion of Lewiston Transit System

- i. Transit Manager Suzanne Seigneur presents on transportation in the LC Valley. She begins by reviewing the partnership between Lewiston Transit and Asotin County Public Transit and their history. Ms. Seigneur states fares only make up about 3% of their funding. Ms. Seigneur describes plans for a new Transit station close to the Lewiston Community Center. She next shows a route map and explains how the route works. There are hour headways and two fixed routes, but a half hour headway would be preferred. There are areas where someone can wave at a bus and the bus will stop and pick them up, but it has to be a safe place for the bus to stop. At least 12% of trips are riders that are elderly or have a disability. Ms. Seigneur also shares there is a smart phone app, RouteShout 2.0, which locates and tracks the buses and is very handy. Ms. Seigneur explains their Dial-A-Ride system, which allows for a ride to be requested but the system does have specific requirements which Ms. Seigneur reviews. There is also same day service available. Next, Ms. Seigneur reviews fare rates. Ms. Vance asks if there is a discounted monthly pass for 62+ and People with Disabilities. Ms. Seigneur states there is not but passes are discounted if purchased in the second half of the month. Mr. Havens asks if ridership has rebounded to pre-COVID numbers and Ms. Seigneur states no, numbers are still down and that is consistent across the country. Ms. Seigneur explains some other changes they are planning to make to improve service.
- ii. Ms. Seigneur opens discussion regarding the bus stop on 19th Ave. She shows two images from 2016 and 2020 showing improvements. Chairman Randall and Mr. Havens state it is unfortunate that the buses can no longer go up WinCo. Ms. Seigneur states where the bus used to stop was on private property, in a fire lane, close to traffic, and got really hot during summer weather which created liability. While WinCo was a great partner, the mall will not allow buses on mall property. This resulted in a bus stop in the right of way on 19th Ave. She adds it would be great if the mall wanted to work with the Transit system.

IV. ADJOURNMENT

- A. Ms. Brogan had to leave the meeting at 12:52 which left the meeting without a quorum so Commissioner Randall asks to have all remaining agenda items to be moved to next month.
- B. Chairman Randall adjourns the meeting at 12:57pm.

Ged Randall – Term Expires 07/23
Mike Feeney – Term Expires 07/24
Mark Havens – Term Expires 07/24
Constance Vance – Term Expires 07/24

Eric Peterson – Term Expires 07/25
Amy Brogan – Term Expires 04/25
Jessica Grainger – Term Expires 09/25

February 22, 2023

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 "D" Street. Chair Busch called the meeting to order at 5:30 p.m.

Planning & Zoning meetings are recorded live. To view the full video, go to <https://livestream.com/accounts/11220190> and select Planning & Zoning.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Michael Busch, Chair; Gabriel Iacoboni, Vice Chair; Kevin Kelly; Cynthia Ball; Kathy Branson; Maureen Anderson

COMMISSIONERS EXCUSED:

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Specialist; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney

II. CITIZEN COMMENTS

None

III. APPROVAL OF FEBRUARY 8, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Iacoboni and Kelly moved and seconded, respectively, approval of the February 08, 2023 meeting minutes with Commissioners Branson and Anderson abstaining. The motion carried 4-0-2.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR ZONE CHANGE APPLICATION ZNC22-000001 BY GRECO LAND DEVELOPMENT, LLC (ACTION ITEM):

Assistant City Attorney Jennifer Tengono recommends tabling the reasoned statement until the Planning and Zoning can have 2nd Public Hearing due to additional information coming to attention.

Commissioners Kelly and Iacoboni moved and seconded, respectively, to table the reasoned statement ZNC23-000001 until after the 2nd public hearing. Motion passed 6-0.

V. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR APPLICATIONS CPA23-000002 AND ZNC23-000002 BY DK HOLDINGS, LLC (ACTION ITEM):

Chair Busch explained the public hearing process, opened the public hearing and asked for a staff presentation.

Assistant Planner Katie Hollingshead provided a verbal summary of the staff report with maps and photos so the commission can get geographically familiar with the area.

Commissioner Ball asked for clarification if the duplex were on the same lot.

Staff Hollingshead stated each unit will have its own lot, the structure will be built on the lot line.

Commissioner Kelly asked for the utilization rate of land.

Staff Hollingshead stated she was not sure what the utilization rate was.

Applicant Dan Yonge, 247 Thain Rd, Lewiston, Id, stated Staff Hollingshead did an amazing job describing the request and wanted to address that these units will be built as townhomes so they will be built on the lot lines, roads will also be built 53 feet wide and he would be happy to get the utilization number if the Commission wanted it. Mr. Yonge also stated they would be giving up 17 feet along Airway to increase the road width.

Joe Hulett, 1807 Clearview Point Drive, Lewiston, Id sent the following statement via email. My wife, Pat, and I live at 1807 Clearview Point Drive, only a short distance north of the parcel Mr. Yonge has asked to be redesignated and rezoned. While we highly respect Mr. Yonge for the work he has done (he built our house, among many others), we are concerned that the proposed changes would unfavorably affect the character of our neighborhood by unduly increasing the population density. We therefore oppose the requested changes.

Applicant Dan Yonge, 247 Thain Rd, Lewiston, Id, stated he built Mr. Hulett's house about 10 years ago. Most of the traffic from this new subdivision is going to be before the road to Mr. Hulett's house. The proposed lots will be very similar in size to Mr. Hulett's.

Commissioner Ball asked if the new proposed subdivision would have alley access.

Staff Hollingshead stated there would not be alley access. Staff also reminded Commission that this public hearing is only for the zone change, comprehensive plan amendment and map amendment. The plat will come before the Commission at a later date.

Commissioners Iacoboni and Branson moved and seconded, respectively, to recommend approval of CPA23-000002 to City Council. Motion passed 6-0

After deliberation and discussion of relevant criteria, commissioners Branson and Kelly moved and seconded, respectively, to direct staff to draft a Reasoned Statement recommending approval of ZNC23-0000002 to City Council. Motion passed 6-0

VI. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for March 08, 2023 meeting.

All current commissioners will be in attendance at the next meeting except Kevin Kelly may not be in attendance.

Staff Hollingshead welcomed the new Commissioner Anderson.

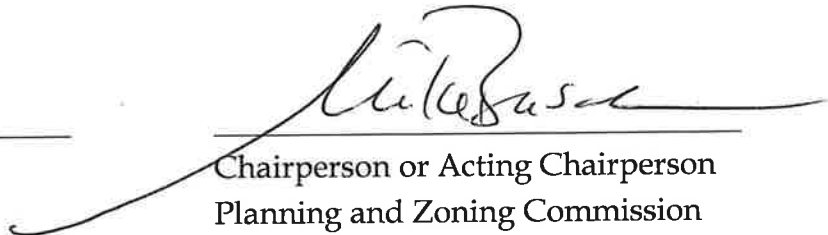
VII. ADJOURN

There being no further business, Commissioners Anderson and Branson moved and seconded, respectively, to adjourn. The motion carried 6-0 and the Planning and Zoning Commission adjourned at approximately 6:20 p.m.

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 8 day of March, 2023.

Lewiston City Library
Library Board of Trustees
Regular Meeting | February 15, 2023
Community Room

1. Call to Order: Meeting was called to order at 5:35 PM by Chair Diana Ames
Trustees Present: Chair Diana Ames, Rebecca Snodgrass, and Trisha Decker
Trustees Absent: Josh Brown and Andy Hanson
Councilor Liaison: Rick Tousley
Library Staff: Library Director Lynn Johnson, Administrative Assistant Bruno Alvino, and Library Assistant Shayla Ryan
2. Recognition of Visitors
 - a. Robanna Brosten, concerned community member.
3. Approval of additions and deletions to agenda, if any - None
4. Public Comment and correspondence
 - a. Robanna Brosten spoke to the board about her concerns regarding draft legislation currently making its way through the Idaho legislature and its negative impact on libraries.
 - b. L. Johnson reported a Tscminicum Club donation for \$700.00.
5. City of Lewiston Council Report
 - a. R. Tousley reported some upcoming construction projects in the downtown area related to infrastructure replacement. .
 - b. Council R. Tousley provided an update on the animal cruelty code, an award of a grant from the FTA and that the council approved moving forward with Clearwater Financial and a bond initiative for Community Park.
6. Library Foundation Report
 - a. No report was given.
7. Consent Agenda - Action Item
 - a. Approval of Minutes of Previous Meetings: January 18, 2023 & Art Committee October 20, 2022
 - b. Review of statistical report
 - c. Approval of statement of expenses
 - i. Trisha moved to approve the consent agenda as listed and Rebecca Snodgrass seconded. All in favor. Motion passed.
8. Committee Reports
 - a. Diana Ames reported that members have been working behind the scenes to prepare for the upcoming art installations. She added that the group has artists lined up through the fall. The committee is planning on coordinating with the Library Foundation and their gala and will host opening receptions for upcoming artists.

9. Director's Report

- a. Introduction of Staff Member
 - i. Lynn Johnson introduced Shayla Ryan, our new library assistant.
- b. Grants
 - i. Director Johnson reported that Brad Glover, Adult & Outreach Services Librarian, was awarded a grant for the purchase of large print books for the outreach service vehicle from the Idaho Commission for Libraries.
 - ii. Director Johnson shared there has been feedback from the Historical Architect of the Idaho Heritage Trust in regards to the building's exterior.
- c. Intellectual Freedom Training Opportunity
 - i. Director Johnson reported that Annie Gaines, from ICFL, has offered open seats for intellectual freedom training to the Board and the library Administrative team in Spokane, Washington. The Idaho Commission for Libraries will provide reimbursement for the trip.
- d. Staffing Update
 - i. L. Johnson reported that a new library assistant has resigned for personal reasons and the library recently hired a new part time library page.
- e. Facilities
 - i. L. Johnson reported that the Facilities department will be offering another RFP for custodial services to the public and that there will be an upcoming city council meeting to discuss all building maintenance requests.
- f. Board & Commission Training Opportunity
 - i. L. Johnson shared that there is an upcoming training opportunity and requested to know if three trustees planned to attend in order to publish a notice of possible quorum.
- g. Communication Platforms
 - i. L. Johnson reported that the library will now offer an e-newsletter which will go live in March. She also shared that library staff will be adding a chatbot to the library website to help patrons with questions they may have.
- h. Donations
 - i. L. Johnson reported some recent donations that the library has received.

10. Unfinished Business

- a. Strategic Plan Update - Action Item
 - i. Director Johnson and the board reviewed the most recent updates to the library strategic plan. Director Johnson asked for feedback on tasks for the one year that is remaining on the plan.
 - 1. Trisha Decker moved to approve the strategic plan update as presented and to allow Lynn to make any adjustments as needed. All in favor. Motion carried.
- b. Items moved from the consent agenda - Action Item
 - i. None

11. New Business

- a. Letter of Intent for Facilities Improvement Grant - Action Item

- i. L. Johnson presented the board with a draft letter of intent for the capital improvement grant that may be made available by the Idaho Commission for Libraries if approved through the Idaho legislative process. With board support, she will complete the letter of intent application requesting that the library be considered for this grant to complete the purchase and installation of the three remaining partitions.
 - 1. Rebecca Snodgrass moved to approve the letter of intent for the ICFL capital facilities improvement grant as written and Trisha Decker seconded the motion. All in favor. Motion carried.
 - b. Memorandum of Understanding with Friends of Lewiston Library - Action Item
 - i. Trisha Decker moved to approve the memorandum of understanding with the Friends of the Lewiston Library and Rebecca Snodgrass seconded the motion. All in favor. Motion carried.

12. Schedule of Upcoming Meetings

- a. Regular Meeting: March 15, 2023
- b. Regular Meeting: April 19, 2023

13. Adjournment

- a. The meeting was adjourned at 6:58 PM
 - i. Trisha motioned to adjourn.

February 09, 2023

THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD OF THE CITY OF LEWISTON, IDAHO, met at its regular meeting Thursday, February 09, 2023 at the Community Development Department Second Floor meeting room. The meeting was called to order at 8:30 a.m.

I. **CALL TO ORDER AND INTRODUCTION**

BOARD MEMBERS PRESENT: Wendy Price, Chair; Tami Meyers, Vice Chair; Dr. Dennis Ohrtman, arrived at 8:31 AM, left at 9:32 AM, and arrived at 10:07 AM; Susie Jones; Garry Bush; Doug Bauer arrived at 8:34 AM;

BOARD MEMBERS ABSENT: Michael Follett;

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant City Planner; Dawn Ortiz, Community Development Specialist; Aaron Butler, IT; Melinda Rose, Grant Manager

OTHERS PRESENT: Brenda Morgan, Executive Director for Beautiful Downtown Lewiston (BDL)

II. **PUBLIC COMMENTS**

None.

III. **APPROVAL OF JANUARY 12, 2023 MINUTES (ACTION ITEM)**

Board members, Meyers and Bush moved and seconded, respectively, the approval of the January 12, 2023 meeting minutes. The motion carried 4-0.

IV. **REPORT ON FOUNDRY NEGOTIATIONS – W. PRICE/D. BAUER (ACTION ITEM)**

Chair Price stated herself, Board member Bauer and Sharon Taylor-Grant were able to get together. They discussed the questions that need to be asked and will be calling the Foundry next week.

V. **FINANCIALS – B. MORGAN (ACTION ITEM)**

A. Review of Bank Statement

Brenda Morgan from Beautiful Downtown Lewiston verbally reviewed the previous month's bank statement and invoices.

Chair Price asked Ms. Morgan how existing events are going to be separated between what BID pays for and what BDL pays for.

BUSINESS IMPROVEMENT DISTRICT (BID) ADVISORY BOARD MINUTES

February 09, 2023

PAGE 1

Ms. Morgan stated she addresses it by if there is any credit going back to the BID, then they are charged. Also if the items are available to the businesses downtown, then it is charged to BID.

Chair Price asked if the BID could be recognized in the advertising of events BID participates in so the participants know BID is assisting.

Board member Meyers recommends advertising on social media and including what BID does to get the word out.

Ms. Morgan offered to send out a press release on projects that the BID is working on and include BID on fliers and advertisements.

B. Review of Invoices

Board members Meyer and Ohrtman, respectively the approval of provided invoices. Motion passed 6-0

VI. DISCUSSION OF STRATEGIC PLAN FOR BID THROUGH CLOSURE ON 12-31-2026 (ACTION ITEM)

Staff Hollingshead lead the discussion in regard to creating a strategic plan for the BID through closure in 2026, focusing on the 4 areas of improvement from the original plan.

Board members discussed and provided ideas on what they would like to see completed at the BID closure date. Staff Hollingshead will provide the Board members a consolidated document with these ideas at the next meeting.

Ms. Morgan stated the downtown directory is complete and will be updated on a yearly basis. They will be moving forward with reaching out to businesses and finding out if they would like to have an ad in the directory. The last step is getting the directory out to the public.

VII. REVIEW 2023 WORK PLAN AND BUDGET – B. MORGAN (ACTION ITEM)

A. Area #2 – Planters for Downtown from Wilbert Precast, cost sharing for transportation of planters before starting bid process

Ms. Morgan stated she has not received any feedback from Wilber Precast to date, but it would be viable to meet their minimum order amount. Ms. Morgan did provide a deadline of next week to Wilbert Precast to respond back.

B. Area #3 – Banner Project Sheet – Update

Ms. Morgan stated she is waiting for feedback on what is in stock and what will need to be ordered. Once she has this information she will be able to create the project form.

C. Area #3 – Town Hall meeting with Incite! Consulting on 5/9/2023. Review and approve Memorandum of Understanding

Ms. Morgan stated the Town Hall meeting is to encourage ratepayers and citizens to provide feedback and voice their opinions on the topics at hand. There would be a planning session to create the agenda of the meeting. This would be partially funded by BDL and BID.

Board member Meyers sees this as an opportunity for ratepayers to come in and make comments and opinions on the strategic plan ideas. Including representatives from the Chamber and Valley Vision would provide an opportunity for collaboration.

Board members Meyer and Bush moved and second, respectively, to approve the Memorandum of Understanding for Incite! Consulting in the amount of \$1000.00. The motion passed 5-0.

D. Soofa Signs

Ms. Morgan and Tim Barker Director from Parks and Rec met with Soofa Sign in regards to installing these signs throughout downtown. There are 4 locations, but if you order 5 or more there is a cost break. Director Barker is looking at if the City could purchase some additional signs to assist with the cost break. These signs would assist with wayfinding in the Downtown, but BDL would not have control over the advertising on the signs.

Board member Bauer stated this could be a tool to promote downtown, but does not agree with not having control over the advertisement. Would hate to see advertisement from out of town.

VIII. BOARD MEMBER COMMENTS

Board member Bush stated there is a new stop at 5th and Main for tourists from the cruise ships. These tourists need some signage or a temporary fix to tell them where they can go for food, shopping or historical locations once dropped off.

Board members discussed options of how to get stores to stay open when these tourist come into town on Sundays.

IX. STAFF COMMENTS

A. Query of Board members to attend the regularly scheduled March 9, 2023 meeting

All board members present will be in attendance.

Staff Hollingshead stated she will add the Historic Preservation Commission's signage project to the next agenda.

X. BID ADMINISTRATOR COMMENTS

Ms. Morgan is working on a newsletter and if anyone has any suggestions, the more news the better.

Board member Ohrtman stated the museum was getting a new roof.

XI. ADJOURNMENT (ACTION ITEM)

There being no further business, Board members Bauer and Bush moved and seconded, respectively to adjourn. The motion carried 6-0 and the Business Improvement District adjourned at approximately 10:20 a.m.

RESPECTFULLY SUBMITTED,

ATTEST:

RECORDING SECRETARY

BID ADVISORY BOARD CHAIR

Approved this ____ day of _____, 2023.



Voucher's Payable

Vendor Name	Ck#	Ck Date	Department	Description	Total
4J ELECTRIC	1E+05	3/9/2023	FIRE	FIRE - 4JELECTRIC - STATION 1 ELECTRICAL	\$1,303.84
			WSTWTR	WW502 2021 LIFT STATION IMPRVMTS CC 7/12/21 IFB-2	\$73,218.59
AG-PRO	1E+05	3/9/2023	TRNSPN	BPO - STREETS - SPLYS	\$20.06
ALANNAH BAILEY	1E+05	3/9/2023	TRNSPN	2023 DESIGN-BUILD FOR WATER/WASTEWATER CONF	\$127.00
AMAZON CAPITAL SERVICES	1E+05	3/9/2023	FINANCE	STANDING DESK, CHAIR, MONITOR ARMS - MCHARGUE	\$511.40
			FIRE	FIRE - AMAZON - PAPER TOWELS	\$69.94
				FIRE - AMAZON - SLING & BATTERIES	\$287.93
			FLTMAINT	BPO/ FLEET REPAIR PARTS & OFFICE SUPPLIES	\$248.56
			LIBRARY	BPO - LIB - ADULT BOOK ORDER	\$59.96
				BPO - LIB - DVD ORDERS	\$219.73
				BPO - LIB - JUVENILE DVD ORDERS	\$132.59
				BPO-LIB-OPERATING SUPPLIES	\$74.84
				LIB - GRANT SUPPLIES	\$109.99
			PARKSFAC	COFFEE SUPPLIES FOR COMMUNITY CENTER	\$75.00
				KITCHEN SUPPLIES FOR GOLF COURSE	\$632.08
			TRANSITOP	BPO - TRANSIT - OPERATING SUPPLIES	\$49.95
			TRNSPN	PW - ENG - LOW ODOR KRYLON SPRAY MATTE FINISH	\$27.44
				PW - ST - GAS CAN HOLDER	\$34.99
				PW - STMW - FY23 SAFETY GEAR: JARRED CROMER	\$75.25
				PW - STMW - HEADSET AND WEBCAM: JEFF WIEMER	\$39.28
				PW - STMW - HEADSET AND WEBCAM: JEFF WIEMER	\$39.28
			WATER	PW - WTR STAIN REMOVER	\$32.15
				PW-WTD LED POD LIGHTS	\$59.99
				PW-WTD-LOCKBOX	\$88.11
			WSTWTR	PW-WWIPT AT-A-GLANCE PLANNER	\$48.64
ANATEK LABS INC	1E+05	3/9/2023	WATER	BPO PW WTP/TOC/COLIFORM SAMPLING ANALYSIS	\$600.00
			WSTWTR	BPO PW WWTP LAB SAMPLE ANALYSIS	\$237.00
ANDREW DICKINSON	1E+05	3/2/2023	FIRE	EMP REIMBURSE FOR NATIONAL REG CERT EMT	\$25.00
ANTHONY H SEUBERT	1E+05	3/2/2023	RECREATION	BPO P&R SENIOR MEAL DELIVERY REIMBURSEMENT 2023	\$125.76
ARROW CONSTRUCTION SUPPLY INC	1E+05	3/9/2023	TRNSPN	BPO - STREETS - SPLYS	\$1,193.24
ARTBEAT INC	1E+05	3/9/2023	RECREATION	2023 BASKETBALL CHAMPIONSHIP SHIRTS	\$335.38
ATLAS COPCO COMPRESSORS LLC	1E+05	3/9/2023	WSTWTR	PW WW FILTER KITS	\$816.06
ATLAS SAND & ROCK	1E+05	3/9/2023	TRNSPN	BPO - STREETS - SAND & ROCK	\$1,109.99
AUSTIN BROWN	1E+05	3/9/2023	FIRE	BPO - FIRE - DR. AUSTIN BROWN	\$2,084.00
B&H FOTO & ELECTRONICS CORP	1E+05	3/9/2023	INFOSYSTMS	ACCCES POINTS	\$478.10



Voucher's Payable

BAINBRIDGE ASSOCIATE LLC DBA BAINBRIDGE ASSOCIATES	1E+05	3/9/2023	WATER	PRV MAINTENANCE PARTS	\$200.00
BEAUTIFUL DOWNTOWN LEWISTON	1E+05	3/2/2023	SPECASSMT	WEEKS ENDING 2/17 & 2/24/2 BBID ASSESSMENT COLLECT	\$8,634.54
	1E+05	3/9/2023	SPECASSMT	WEEKS ENDING 3/3/23 BID ASSESSMENT COLLECTIONS	\$11,322.20
BLUE RIBBON LINEN SUPPLY INC	1E+05	3/9/2023	PARKSFAC	TOILET PAPER AND GARBAGE BAGS	\$2,286.25
			POLICE	BPO - PD - RUGS	\$25.00
BLUEBEAM INC	1E+05	3/9/2023	INFOSYSTMS	BLUEBEAM REVU	\$2,180.00
BRADY COMPANIES LLC DBA BRADY INDUSTRIES OF IDAHO LLC	1E+05	3/9/2023	PARKSFAC	PAPER TOWELS AND ENZYMES	\$570.52
BRETTON S WATSON DBA ABLE LOCKSMITH	1E+05	3/9/2023	PARKSFAC	BPO P&R LOCK REPAIRS	\$28.95
				NEW LOCK TERMINAL BACK DOOR CITY HALL	\$1,620.00
BRIAN E WARD DBA GUMBY ENTERPRISES INC	1E+05	3/9/2023	FLTMAINT	BPO - FLEET - TOOLS & SUPPLIES	\$230.26
BROWN & BROWN OF WASHINGTON INC DBA DIMARTINO ASSOCIATES	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$2,412.02
BRUNO ALVINO	1E+05	3/9/2023	LIBRARY	REIMBURSEMENT FOR PURCHASE OF ART HANGING SUPPLIES	\$45.65
CAMP CABIN & HOME INC	1E+05	3/9/2023	WSTWTR	BPO PW WWTP SUPPLIES	\$21.70
CANON FINANCIAL SERVICES INC	1E+05	3/9/2023	COMDEV	BPO - CD: COPIER RENTAL	\$253.63
CASCADE FIRE EQUIPMENT COMPANY	1E+05	3/9/2023	FIRE	FIRE - CASCADE FIRE - SUSPENDERS	\$778.95
CDW GOVERNMENT LLC	1E+05	3/9/2023	COMDEV	ADOBE PRO DC LICENSE	\$168.35
			FLTMAINT	MONITORS - FLEET	\$363.64
CHS INC DBA PRIMELAND	1E+05	3/9/2023	FLTMAINT	INV/ TWO DRUMS OF MOTOR OIL 5W30 & 0W20	\$1,917.30
CINTAS CORPORATION #606	1E+05	3/9/2023	FLTMAINT	BPO/ FLEET UNIFORM RENT & LAUNDRY	\$234.05
			PARKSFAC	BPO P&R CLEANING SUPPLIES AND UNIFORM CLEANING	\$42.21
CITY OF LEWISTON	1310	3/9/2023	CEMETERY	FEB '23 WATER/GARBAGE/SEWER	\$145.12
			COMDEV	FEB '23 WATER/GARBAGE/SEWER	\$168.20
			LIBRARY	FEB '23 WATER/GARBAGE/SEWER	\$386.55
			PARKSFAC	FEB '23 WATER/GARBAGE/SEWER	\$10,255.99
			SANITATION	FEB '23 WATER/GARBAGE/SEWER	\$1,006.50
			TRNSPN	FEB '23 WATER/GARBAGE/SEWER	\$199.66
			WATER	FEB '23 WATER/GARBAGE/SEWER	\$378.61
			WSTWTR	FEB '23 WATER/GARBAGE/SEWER	\$1,929.56
CITY OF LEWISTON EMPLOYEE BENEFIT-CAFETERIA PLAN	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$8,703.03
CLEARWATER FINANCIAL LLC	1E+05	3/9/2023	PARKSFAC	PUBLIC ENGAGEMENT AND EDUCATION SERVICES	\$6,000.00
CLEARWATER HYDRAULICS LLC	1E+05	3/9/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$60.00
				OSL/ REPLACED DUMP BED CYLINDER ON #320 DUMP TRUCK	\$3,474.92
			WSTWTR	BPO PW WW COLL SHOP PARTS	\$875.06
COAST TO COAST TURF INC	1E+05	3/9/2023	PARKSFAC	ARTIFICIAL BATTERS BOXES	\$817.50



Voucher's Payable

COEUR D'ALENE TRACTOR CO	1E+05	3/9/2023	FLTMAINT	HYDRAULIC FLUID FOR #412 TRACTOR	\$76.73
COLEMAN OIL COMPANY LLC DBA COLEMAN OIL COMPANY	1E+05	3/9/2023	COMDEV	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$165.22
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$44.49
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$75.19
			FIRE	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$1,296.50
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$1,393.60
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$334.38
			FLTMAINT	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$115.02
			FLTMAINT	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	\$49.50
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$10.44
			PARKSFAC	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$689.77
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$276.40
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$397.42
			POLICE	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$2,063.57
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$2,055.82
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$542.36
			RECREATION	CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$69.15
			SANITATION	BPO - TS - FUEL	\$475.14
				BPO - TS - FY23 FUEL HAULING CONTRACT	\$1,442.37
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$41.50
			TRANSITOP	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$1,353.74
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$1,328.20
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$517.95
			TRNSPN	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$1,817.82
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$1,630.67
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$958.09
			WATER	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$155.06
				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$100.84
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$401.02
			WSTWTR	CL56372 02/19/2023 BILL DATE: FUEL CHARGES	\$1,049.06



Voucher's Payable

				CL57254 02/26/2023 BILL DATE: FUEL CHARGES	\$252.67
				CL57254 02/28/2023 BILL DATE: FUEL CHARGES	\$149.85
				PW-WW-BPO LUBE	\$166.01
COLLIER ELECTRIC LLC	1E+05	3/9/2023	RECREATION	LIGHT WORK AT SUNSET BALLFIELD	\$98.00
CONSOLIDATED ELECTRICAL DISTRIBUTORS	1E+05	3/9/2023	PARKSFAC	DOOR BUZZER FOR FIRE STATION 1	\$22.53
CONTROL SYSTEM TECHNOLOGY INC	1E+05	3/9/2023	WATER	WR702 HIGH RESERVOIR RPLCMT - PLC DRAWINGS	\$1,500.00
DAVID EVANS AND ASSOCIATES INC	1E+05	3/9/2023	CAPITAL PROJECTS	TR036 BRYDEN AVE RECONSTRUCTION - FINAL DESIGN	\$25,795.35
DEMCO INC	1E+05	3/9/2023	LIBRARY	BPO - LIB - CATALOGING SUPPLIES	\$940.66
DOG WASTE DEPOT	1E+05	3/9/2023	PARKSFAC	DOG BAGS	\$1,799.90
DUSTIN JOHNSON	1E+05	3/9/2023	TRNSPN	2023 DESIGN-BUILD FOR WATER/WASTEWATER CONF	\$127.00
EARLY BIRD SUPPLY INC	1E+05	3/9/2023	PARKSFAC	PLASTIC BOARDS FOR BACKSTOPS	\$1,936.00
ECMS INC	1E+05	3/9/2023	FIRE	FIRE - ECMS - PPE REPAIR	\$185.73
EFTPS	1308	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$163,920.46
EMERALD SERVICES INC	1E+05	3/9/2023	FLTMAINT	BPO- FLEET ANTIFREEZE/ OIL DISPOSAL	\$447.45
ERB'S ACE HARDWARE LLC	1E+05	3/9/2023	FIRE	BPO - FIRE - ERB HARDWARE	\$45.25
				CREDIT ORG INV H94119	(\$0.49)
				DUPLICATE TRANSACTION	\$0.49
			TRNSPN	BPO - STREETS - SPLYS	\$20.19
			WATER	BPO PW DISTRIB SPLYS	\$13.56
				BPO PW WTP SUPPLIES	\$171.24
			WSTWTR	BPO PW WW COLL SUPPLIES	\$22.08
				BPO PW WWTP SUPPLIES	\$28.34
EXPRESS EMPLOYMENT PROFESSIONALS	1E+05	3/9/2023	PARKSFAC	TEMP EMPLOYEE FOR BELL BLDG/ OCH	\$900.00
FASTENAL COMPANY	1E+05	3/9/2023	TRNSPN	BPO - PW ST SPLYS	\$197.86
			WSTWTR	BPO PW WW COLL SUPPLIES	\$60.09
FATBEAM LLC	1E+05	3/9/2023	LIBRARY	BPO - LIB - PUBLIC INTERNET SERVICES	\$990.00
FERGUSON ENTERPRISES #3011	1E+05	3/9/2023	WATER	BPO PW WTP P/M/M MAINT SPLYS	\$15.19
				NON-INVENTORY BRASS; REISSUE OF 22203042	\$961.08
			WSTWTR	WW034 LOSD LIFT STATION SUPPLIES	\$474.21
FOP LEWIS CLARK LODGE #10	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$1,938.14
FURNITURE WHOLESALERS LTD	1E+05	3/9/2023	POLICE	PD - OFFICE CHAIR FOR BANKS	\$314.99
GATEWAY MATERIALS	1E+05	3/9/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$56.50
			TRNSPN	BPO - STREETS - SPLYS	\$22.95
			WATER	PW-WD-#371 HEADACHE RACK	\$475.45
GEORGE WILLIAM REED	1E+05	3/2/2023	RECREATION	BPO P&R SENIOR NUTRITION MEAL DELIVERY DRIVER	\$170.30
GEORGES LOCK & KEY	1E+05	3/9/2023	FLTMAINT	BPO/ FLEET DUPLICATE KEYS & LOCKSMITH	\$12.72
GMCO CORPORATION	1E+05	3/9/2023	TRNSPN	BPO - STREETS - FY23 LIQUID DEICER; NPC PIGGYBACK	\$7,538.16



Voucher's Payable

GRAINGER	1E+05	3/9/2023	PARKSFAC	CORNER GUARD FOR OLD CITY HALL	\$30.63
			WSTWTR	BPO PW WWTP P/M/M MAINT SUPPLIES	\$2,248.30
GREAT WEST ENGINEERING INC	1E+05	3/9/2023	SANITATION	PW - TS - SCALE BID REVIEW & FLOOR ASSESSMENT	\$4,134.12
HAHN RENTAL CENTER	1E+05	3/9/2023	WSTWTR	BPO PW WWTP SUPPLIES	\$70.98
HAHN SUPPLY	1E+05	3/9/2023	WSTWTR	BPO PW WW COLL SUPPLIES	\$68.40
HENRY SCHEIN	1E+05	3/9/2023	FIRE	BPO - FIRE - HENRY SCHEIN EMS SUPPLIES	\$467.16
HOME DEPOT CREDIT SERVICES	1E+05	3/9/2023	FIRE	BPO - FIRE - HOME DEPOT STATION SUPPLIES	\$199.00
IAFF - LOCAL #1773	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$2,904.00
IAFF LOCAL 1773 PAC	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$481.00
IDAHO CHILD SUPPORT RECEIPTING	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$961.00
IDAHO DEPT OF ENVIRONMENTAL QUALITY	1303	2/27/2023	WSTWTR	DEQ LOAN #WW2001 INTEREST DUE AT CLOSING	\$717,821.50
IDAHO DIVISION OF OCCUPATIONAL AND PROFESSIONAL REGULATION	1E+05	3/2/2023	WSTWTR	J COURSEY WWTIII RETEST #4	\$70.00
				N SMITH WWCIII RETEST #1	\$70.00
IDAHO ICE	1E+05	3/9/2023	FIRE	BPO - FIRE - IDAHO ICE	\$130.13
			LEGAL	BPO-LEGAL-WATER FOR CITY ATTORNEY'S OFFICE FY23	\$17.49
			SANITATION	BPO - TS - IDAHO ICE	\$25.44
IDAHO STATE POLICE	1E+05	3/9/2023	COMDEV	BPO - CD: FINGERPRINTING FEES FOR BUSINESS LICENS	\$33.25
IDAHO STATE TAX COMMISSION	1E+05	3/9/2023	LIBRARY	FEB '23 SALES TAX	\$50.80
			RECREATION	FEB '23 SALES TAX	\$137.51
			SANITATION	FEB '23 SALES TAX	\$1,914.16
	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$26,516.00
	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$423.71
IDAHO TRUCK SALES CO	1E+05	3/9/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & REPAIRS	\$99.35
IDAHO TRUCK SPECIALTIES LLC DBA COBALT TRUCK EQUIPMENT	1E+05	3/9/2023	WATER	SERVICE BODY PACKAGE FOR F-350 SRW; NOT RECD FY22	\$18,906.05
INGRAM LIBRARY SERVICES	1E+05	3/9/2023	LIBRARY	BPO - LIB - ADULT BOOKMOBILE	\$69.29
				BPO - LIB - ADULT FICTION	\$1,152.77
				BPO - LIB - ANF 1ST FLOOR BOOKS	\$341.84
				BPO - LIB - ANF 2ND FLOOR BOOKS	\$413.27
				BPO - LIB - AUDIOBOOKS	\$70.56
				BPO - LIB - JUVENILE FICTION	\$613.08
				BPO - LIB - JUVENILE NON FICTION	\$445.50
				BPO - LIB - LARGE PRINT	\$499.03
				BPO - LIB - TEEN FICTION	\$328.20
INLAND FASTENER INC	1E+05	3/9/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$12.52
INLAND FIRST AID AND SAFETY LLC	1E+05	3/9/2023	SANITATION	BPO - TS - MEDICAL SPLYS	\$64.10
INTERMOUNTAIN CLAIMS INC	1E+05	3/2/2023	INSTRUST	RMB WKRS COMP 2/23 REIMBURSE WORKERS COMP ACCT	\$12,924.89
	1E+05	3/9/2023	INSTRUST	3/9/23 REIMBURSE WORKERS COMP ACCT	\$158,669.83



Voucher's Payable

INTERNATIONAL CITY MANAGEMENT ASSOCIATION DBA MISSIONSQUARE RETIREMENT	1306	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$5,323.76
INTERNATIONAL CODE COUNCIL INC	1E+05	3/9/2023	COMDEV	CD - ICC MEMBERSHIP FOR KEVIN MOFFETT	\$185.00
JASON KUZIK	1E+05	3/2/2023	POLICE	WORKING WITH THE MEDIA: CLASS FOR FRST RESPONDERS	\$90.00
JENNY BOURASSA	1E+05	3/9/2023	POLICE	GRANT WRITING CLASS	\$149.00
JOE HALL FORD	1E+05	3/9/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$781.72
				CRD ORG 497088 REPL TURBO & GASKETS FOR #285 AMB	(\$250.00)
				CREDIT ORG INV 497497	(\$41.72)
JOHN'S SAW SERVICE	1E+05	3/9/2023	WATER	PW-WD-#371 STEPS AND THIRD BK LIGHT	\$299.95
				CEMETERY BACKPACK BLOWER	\$549.99
				PARKSFAC BPO P&R SMALL ENGINE REPAIR	\$14.00
JON ADAMS	1E+05	3/2/2023	RECREATION	FILTERS FOR STRING TRIMMERS AND MOWERS	\$162.72
				BPO P&R SENIOR MEAL DELIVERY REIMBURSEMENT 2023	\$141.48
J-U-B ENGINEERS	1E+05	3/9/2023	TRNSPN	WW505 T05 CONSTRUCTION STANDARDS UPDATE	\$1,526.41
			WATER	WW505 T05 CONSTRUCTION STANDARDS UPDATE	\$763.20
			WSTWTR	WW502 TO13 LIFT STATION CE&I; ADDTL SRV 22300744	\$3,904.06
KAMAN INDUSTRIAL	1E+05	3/9/2023	FLTMAINT	WW505 T05 CONSTRUCTION STANDARDS UPDATE	\$763.20
				BPO/ FLEET REPAIR PARTS & SUPPLIES	\$73.34
KAREN SELDON	1E+05	3/2/2023	RECREATION	BPO P&R SENIO MEAL DELIVERY REIMBURSEMENT 2023	\$151.90
KATHERINE LOUISE CONE	1E+05	3/2/2023	RECREATION	BPO P&R SENIOR MEAL DRIVER REIMBURSEMENT	\$18.34
KENDALL DOTSON	1E+05	3/9/2023	RECREATION	DRILL TEAM INSTRUCTOR 20 HRS @ \$12	\$240.00
KNOX CONCRETE	1E+05	3/9/2023	PROPIMPR	NEW FLOORING FOR BRYDEN CANYON GOLF COURSE	\$18,500.00
LOGAN SIMPSON DBA LOGAN SIMPSON	1E+05	3/9/2023	COMDEV	COMPREHENSIVE PLAN - RFP-22-004	\$3,377.50
LOID	1E+05	3/9/2023	PARKSFAC	1/11/2023 BILL DATE: UTILITY CHARGES	\$329.52
MARK WEIGAND	1E+05	3/2/2023	TRNSPN	MEALS, MILEAGE REIMBURSE CONFERENCE	\$280.30
MCDERMOTT HOLDINGS LLC DBA BRIAN MCDERMOTT CONSTRUCTION	1E+05	3/9/2023	WATER	REFUND FOR NOT STUBBED CHARGE 2867 KNOLLCREST	\$1,498.00
MCVEY ENTERTAINMENT GROUP LLC	1E+05	3/9/2023	POLICE	PD - PRESCRIPTION DRUG TAKE BACK RADIO ADS	\$1,000.00
MIKE'S MECHANICAL SERVICES LLC	1E+05	3/9/2023	WATER	METER CHANGE OUT - 1810 19TH AVE (MALL); MOVING	\$3,182.86
MINERT & ASSOCIATES	1E+05	3/9/2023	HR	BPO - HR - DRUG TESTING SERVICES	\$278.00
MISC AMBULANCE REFUND	1E+05	3/9/2023	ADMSVC	REFUND	\$232.98
	1E+05	3/9/2023	ADMSVC	REFUND	\$140.43



Voucher's Payable

MISC CUSTOMER REFUND	1E+05	3/2/2023	RECREATION	REFUND FOR SOFTBALL SKILLS CAMP	\$40.00
	1E+05	3/2/2023	SANITATION	UB 2000984493 1110 ALDER	\$29.71
	1E+05	3/2/2023	COMDEV	REFUND: APPLICANT WITHDREW BUSINESS LICENSE	\$94.00
	1E+05	3/2/2023	SANITATION	UB 1003009385 105 17TH	\$12,455.33
	1E+05	3/2/2023	RECREATION	REFUND FOR SENIOR TRIP DUE TO MEDICAL REASONS	\$30.00
	1E+05	3/9/2023	SANITATION	UB 2000071684 530 PARK	\$53.16
	1E+05	3/9/2023	SANITATION	UB 1900382752 1210 GRELLE	\$70.26
	1E+05	3/9/2023	RECREATION	REFUND 7-10 YR BASEBALL NOT ENOUGH PARTICIPANTS	\$40.00
	1E+05	3/9/2023	ECONDEV	CDBG-HOME REPAIR PROGRAM	\$3,933.01
	1E+05	3/9/2023	COMDEV	REIMBURSE FOR LUNCH & DRINKS FOR COMP PLAN/PLNNG Z	\$137.65
	1E+05	3/9/2023	COMDEV	WILSON: APPLICANT WITHDRESS BUSINESS LICENSE	\$94.00
	1E+05	3/9/2023	RECREATION	RECEIPT 18835-0010 REFUND FOR CANCELLED EVENT	\$50.00
	1E+05	3/9/2023	SANITATION	UB 0505025267 2413 11TH	\$24.25
			WATER	UB 0505025267 2413 11TH	\$49.94
			WSTWTR	UB 0505025267 2413 11TH	\$49.61
	1E+05	3/9/2023	RECREATION	REFUND FOR 7-10 YR BASEBALL NOT ENOUGH PARTICIPANT	\$40.00
MOTOROLA SOLUTIONS INC	1E+05	3/9/2023	GENERAL FUND	REPEATERS/EQUIPMENT FOR TOWER	\$7,609.60
NAPA AUTO PARTS	1E+05	3/9/2023	FLTMANT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$182.91
			FLTMANT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$458.55
				CREDIT INV 307004	\$48.72
				CREDIT ON ORG INV 306275	(\$48.72)
			WATER	BPO PW DISTRIB SPLYS	\$142.12
				BPO PW WTP SPLYS	\$327.56
				CREDIT ORG INV 305479	(\$36.00)
				PW-WD-#371 HD WORKSHOP VISE	\$251.93
NATIONAL TACTICAL OFFICERS ASSOCIATION	1E+05	3/9/2023	POLICE	REGISTRATION FOR KOEPER, REESE, AND ROBERTS; SUPER	\$1,520.00
NATIONWIDE RETIREMENT	1305	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$6,988.21
NATIONWIDE-RESERVE	1309	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$2,326.08
NCPERS GROUP LIFE INS	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$1,520.00
NEZ PERCE COUNTY	1E+05	3/9/2023	LEGAL	BPO-LEGAL-NPC-COL FY23 PROSECUTION SERVICES	\$9,483.34
NORCO INC	1E+05	3/9/2023	FIRE	BPO - FIRE - NORCO	\$889.60
			TRNSPN	BPO - STREETS - SPLYS	\$14.07
			WATER	PW-WTR-DIS-BPO PERSONNEL SUPPLIES	\$87.93
NORIDIAN HEALTHCARE SOLUTIONS LLC	1E+05	3/9/2023	ADMSVC	OVERPAYMENT ON AMBULANCE CLAIM 26151	\$306.41
NORTH 40 OUTFITTERS	1E+05	3/9/2023	CEMETERY	BACK PACK BLOWER FOR CEMETERY	\$619.99
			FLTMANT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$21.20
			PARKSFAC	BPO P&R IRRIGATION, CONSTRUCTION SUPPLIES	\$59.93
			RECREATION	JENIKA ORTIZ BOOTS NORTH 40	\$175.00



Voucher's Payable

				SAFETY BOOTS FOR MARC KEEFER	\$164.99
				WORK BOOTS FOR PHOENIX PEA	\$109.99
			TRNSPN	BPO - STREETS - SPLYS	\$114.95
			WATER	BPO PW DISTRIB PERSONNEL EQUIP	\$63.99
				BPO PW DISTRIB SPLYS	\$73.55
				BPO PW WTP SPLYS	\$107.97
			WSTWTR	BPO PW WW COLL SUPPLIES/TOOLS	\$46.95
				BPO PW WWTP SUPPLIES	\$51.22
NORTHWEST ENGRAVING	1E+05	3/9/2023	FIRE	FIRE - NW ENGRAVING - NEW TRAINEES	\$200.00
			POLICE	BPO - PD - ENGRAVED NAME PLATES	\$15.00
NUANCE COMMUNICATIONS INC	1E+05	3/9/2023	POLICE	BPO - PD - SOFTWARE LICENSES FOR DRAGON DICTATION	\$1,250.00
ODP BUSINESS SOLUTIONS LLC	1E+05	3/9/2023	LIBRARY	BPO - LIB - OPERATING SUPPLIES	\$35.65
			POLICE	BPO - PD - OFFICE SUPPLIES	\$272.06
ORCHARDS SHOE SHOP	1E+05	3/9/2023	COMDEV	CD - BOOT ALLOWANCE FOR KEVIN MOFFETT	\$230.00
OVERDRIVE INC	1E+05	3/9/2023	LIBRARY	BPO - LIB - JUV OVERDRIVE ORDERS	\$776.15
OXARC	1E+05	3/9/2023	WATER	BPO SODIUM HYPOCHLORITE FOR WELLS	\$2,808.40
			WSTWTR	BPO PW WW COLL PERSONNEL EQUIPMENT	\$54.87
				BPO PW WW COLL SUPPLIES	\$50.40
PAUL SCOTT DRIVER	1E+05	3/2/2023	RECREATION	BPO P&R SENIOR MEAL REIMBURSEMENT 2023	\$82.53
PERFECTION TIRE OF LEWISTON	1E+05	3/9/2023	FLTMANT	OSL/ TRACTION TIRES FOR #365 PICKUP	\$989.96
PERSI	1307	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$213,569.32
PORT OF LEWISTON	1E+05	3/9/2023	INFOSYSTMS	BPO - IT - FIBER	\$756.00
PRINTCRAFT PRINTING	1E+05	3/9/2023	FIRE	FIRE - PRINTCRAFT - PREVENTION	\$300.00
RANDY E BLACK	1E+05	3/2/2023	RECREATION	BPO P&R SENIOR MEAL DELIVERY REIMBURSEMENT 2023	\$68.77
RDK CORPORATION DBA SHADOW TRACKERS	1E+05	3/9/2023	HR	BPO - HR - BACKGROUND CHECK SERVICES	\$152.00
REGENCE BLUE SHIELD OF IDAHO	1E+05	3/9/2023	ADMSVC	OVERPAYMENT ON AMBULANCE CLAIM 26061	\$95.99
	1E+05	3/9/2023	ADMSVC	OVERPAYMENT ON AMBULANCE CLAIM 24316	\$379.89
RELIANCE STANDARD LIFE INSURANCE COMPANY	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$7,228.39
RICK HINES	1E+05	3/9/2023	FLTMANT	BPO/ OSL & REPAIRS FOR FLEET	\$320.00
RICOH USA INC	1E+05	2/27/2023	EXECUTIVE	BPO - EXEC - FY23 C.H. COPIER RENT FOR IMC6000	\$226.83
			FIRE	BPO - FIRE - HQ RENTAL IMC4500	\$193.87
			LEGAL	BPO-LEGAL-RICOH MONTHLY COPIER RENTAL FY23	\$134.77
			LIBRARY	BPO-LIB-MONTHLY LEASE FEES	\$181.20
			PARKSFAC	BPO P&R COPY CONTRACT AND COPIES	\$167.73
			POLICE	BPO - PD - COPIER RENTAL	\$399.74
			TRANSITOP	BPO -TRANSIT - COPIER (RENTAL)	\$134.76
	1E+05	2/27/2023	LIBRARY	BPO-LIB- MONTHLY COPY FEES	\$409.04



Voucher's Payable

	1E+05	3/2/2023	POLICE	BPO - PD - DISPATCH COPIER RENTAL	\$133.65
	1E+05	3/9/2023	LEGAL	BPO-LEGAL-RICOH MONTHLY COPIER RENTAL FY23	\$134.77
			POLICE	BPO - PD - DISPATCH COPIER RENTAL	\$133.65
	1E+05	3/9/2023	LEGAL	BPO-LEGAL-RICOH COPIER-COPY FEES FY23	\$69.63
			SANITATION	BPO - PW - MPC4503 COPIER MAINTENANCE	\$15.85
			TRNSPN	BPO - PW - MPC4503 COPIER MAINTENANCE	\$170.29
			WATER	BPO - PW - MPC4503 COPIER MAINTENANCE	\$1.09
			WSTWTR	BPO - PW - MPC4503 COPIER MAINTENANCE	\$9.46
ROBERT DALE DBA RD ELECTRIC LLC	1E+05	3/9/2023	PARKSFAC	ELECTRICAL WORK AT LIBRARY	\$598.83
ROGERS MOTORS LLC DBA ROGERS CHRYSLER JEEP DODGE RAM LLC	1E+05	3/9/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & REPAIRS	\$937.50
				CREDIT INV 35057165	\$196.16
				CREDIT ORG INV 35057085	(\$196.16)
SHERA S BRYER	1E+05	3/2/2023	RECREATION	SENIOR MEAL DRIVER FOR 2023	\$55.02
SPARKLIGHT	1E+05	3/9/2023	TRNSPN	BPO PW SURVEY STATION	\$38.85
			WATER	BPO PW SURVEY STATION	\$38.85
			WSTWTR	BPO PW SURVEY STATION	\$38.85
SPLASH CARWASH & DETAILING	1E+05	3/9/2023	FLTMAINT	BPO - FLEET - CAR WASHES FOR FLEET	\$45.00
			POLICE	BPO - PD - CAR WASH	\$561.00
ST JOSEPH HOSPITAL LLC	1E+05	3/9/2023	FIRE	FIRE - SJRMC - ACLS CARDS	\$195.00
STANTEC CONSULTING SERVICES INC	1E+05	3/9/2023	WATER	WR700 HIGH EMERGENCY RECOVERY INITIAL ASSESMENT	\$24,993.57
STAPLES CREDIT PLAN	1E+05	3/2/2023	FINANCE	BPO - FIN - OFFICE SUPPLIES	\$116.94
				CREDIT INV 10712	\$11.99
				CREDIT ORG INV 38459	(\$11.99)
			PARKSFAC	BPO - PARKS - OFFICE SUPPLIES	\$107.98
			POLICE	BPO - PD - OFFICE SUPPLIES	\$29.97
				PRINTER FOR LPD	\$649.99
			RECREATION	BPO RECREATION OFFICE SUPPLIES	\$254.94
			WSTWTR	BPO PW WWTP SUPPLIES	\$46.96
STERLING BATTERY COMPANY	1E+05	3/9/2023	FLTMAINT	BPO - FLEET - VEHICLE BATTERIES	\$199.26
SUNSHINE DISPOSAL	1E+05	3/9/2023	SANITATION	BPO - PW - FY23 EXTRA YW & RECY CARTS	\$1,493.47
SUZANN BANKS	1E+05	3/9/2023	POLICE	SPILLMAN APP ADMIN CERT/SNUG MEETING	\$267.00
TANISHA EARL	1E+05	3/2/2023	POLICE	MEALS: HOSTAGE NEGOTIATION/CRISIS; 10/10-14/22	\$75.00
THE GROVE HOTEL	1E+05	3/9/2023	LEGISLATIV	CITY OFFICIALS DAY AT CAPITOL - MAYOR JOHNSON	\$147.00
THE HOME DEPOT PRO	1E+05	3/9/2023	PARKSFAC	TOILET PAPER AND SOAP	\$356.67
THE MASTER'S TOUCH LLC	1E+05	3/9/2023	FINANCE	BPO - UB - STATEMENT PRINTING AND MAILING	\$5,970.73
THOMAS DEAN & HOSKINS OF IDAHO INC	1E+05	3/9/2023	TRANSITCAP	TRANSIT COMMUNITY CENTER BUS STOP DESIGN	\$11,281.70



Voucher's Payable

THOMSON REUTERS - WEST	1E+05	3/9/2023	LEGAL	BPO-LEGAL-WESTLAW CHARGES FOR FY23	\$916.95
TIM BARKER	1E+05	3/2/2023	PARKSFAC	IRPA 2023 CONFERENCE	\$141.00
TRANSUNION RISK AND ALTERNATIVE DATA SOLUTIONS INC	1E+05	3/9/2023	POLICE	BPO PD TLO ACCESS FEES FOR INVESTIGATIONS	\$98.57
TRIBUNE PUBLISHING CO	1E+05	3/9/2023	COMDEV	BPO - CD - P&ZC PUBLISHED NOTICES FOR PUBLIC HEA	\$80.20
			EXECUTIVE	BPO - EXEC - CITY COUNCIL PUBLIC HEARING NOTICES	\$751.04
TW ENTERPRISES INC	1E+05	3/9/2023	WATER	LOAD BANK TESTING - GENERATORS (4)	\$7,497.93
ULINE	1E+05	3/9/2023	POLICE	BOXES FOR EVIDENCE	\$73.88
UNLEASHED MARKETING & DESIGN LLC	1E+05	3/9/2023	PARKSFAC	BUSINESS CARDS FOR RECREATION AND FAC	\$46.50
			RECREATION	BUSINESS CARDS FOR RECREATION AND FAC	\$93.00
URM STORES INC	1E+05	3/9/2023	CEMETERY	COFFEE SUPPLIES FOR CEMETERY	\$85.63
			FLTMAINT	BPO - SRV CTR - BREAK ROOM SUPPLIES	\$51.93
			PARKSFAC	BPO - SRV CTR - BREAK ROOM SUPPLIES	\$52.02
			RECREATION	BPO P&R SENIOR NUTRITION FOODS	\$379.54
			TRNSPN	BPO - SRV CTR - BREAK ROOM SUPPLIES	\$51.93
			WATER	BPO PW WTP SPLYs	\$32.13
US FOODS - SPOKANE	1E+05	3/9/2023	RECREATION	BPO P&R SENIOR NUTRITION FOOD	\$1,826.82
VALLEY CAR SALES INC	1E+05	3/9/2023	RECREATION	VAN RENTAL FOR SKI BLUEWOOD PROGRAM	\$302.50
VERIZON WIRELESS	1E+05	3/2/2023	COMDEV	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$639.71
			EXECUTIVE	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$167.95
			FIRE	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$1,296.71
			FLTMAINT	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$67.97
			HR	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$94.58
			INFOSYSTMS	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$925.01
			LEGAL	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$40.01
			LEGISLATIV	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$237.97
			PARKSFAC	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$751.56
			POLICE	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$2,519.09
			SANITATION	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$33.36
			TRANSITOP	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$61.88
			TRNSPN	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$3,005.05
			WATER	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$2,382.60
			WSTWTR	9927628264 3/4/2023 BILL DATE: UTILITY CHARGES	\$1,509.37



Voucher's Payable

WASHINGTON STATE SUPPORT REGISTRY	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$605.55
WELL CONNECTED ELECTRIC & COMMUNICATION INC	1E+05	3/9/2023	RECREATION	ELECTRICAL WORK FOR THE COMMUNITY CENTER KITCHEN	\$425.37
WELLS FARGO	1304	2/27/2023	WATER	BPO PW WTP SPLYS - PAID WITH WIRE	\$38.93
WESTERN EQUIPMENT	1E+05	3/9/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS	\$154.00
WESTERN RECYCLERS INC	1E+05	3/9/2023	FINANCE	BPO - FIN - WESTERN RECYCLERS - SHREDDING	\$17.34
			FIRE	BPO - FIRE - WESTERN RECYCLERS	\$15.00
			HR	BPO - FIN - WESTERN RECYCLERS - SHREDDING	\$8.66
			LIBRARY	BPO - LIB - SHREDDING SERVICES	\$26.00
			POLICE	BPO - PD - SHREDDING SVCS	\$52.00
			TRNSPN	BPO - PW - SHREDDING SERVICES	\$26.00
WHOLESALE RADIATOR	1E+05	3/9/2023	FLTMAINT	BPO - FLEET - OSL REPAIRS	\$225.00
WPS TRICARE FOR LIFE	1E+05	3/9/2023	ADMSVC	CLAIM 25482 OVERPAYMENT ON AMBULANCE CLAIM	\$54.97
	1E+05	3/9/2023	ADMSVC	OVERPAYMENT FOR AMBULANCE CLAIM 26151	\$78.16
WSCCCE	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$2,206.95
WSCFF EMPLOYEE BENEFIT TRUST	1E+05	3/9/2023	ADMSVC	Payroll Run 1 - Warrant 030923	\$3,750.00
ZIEGLER BUILDING CENTER	1E+05	3/9/2023	PARKSFAC	GLUE FOR GOLF COURSE WALL INSTALLATION	\$160.58
ZOOM VIDEO COMMUNICATIONS, INC	1E+05	3/9/2023	INFOSYSTMS	ZOOM LICENSING UPDATE	\$1,727.03
				ZOOM PHONE LICENSING	\$45.74
Total					\$1,749,391.91



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE 2022 ADA ANNUAL REPORT	AGENDA NO. AGENDA DATE: March 27, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) The City entered into an agreement with Vitruvian Planning, LLC to complete the Americans with Disabilities Act (ADA) Transition Plan on September 19, 2019. The ADA Transition Plan was adopted by City Council on September 14, 2020. The ADA Transition Plan is intended to address the most recent ADA polices and rules. It positions the City's facilities, policies, and design standards to be consistent with draft public right-of-way design guidance (when finalized) and ADA requirements. This plan includes a recommendation for the City to produce an annual report on its progress in implementing the upgrades to policies, programs, and public infrastructure to comply with requirements of the Americans with Disabilities Act. The 2021 Annual Report was presented to City Council and approved on May 11, 2022.	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. The 2022 Annual Report was presented to the Disability Advisory Commission (DAC) at the March 9, 2023 meeting by Director Johnson; the report was reviewed and accepted by DAC. The next step is City Council approval. The 2022 ADA Transition Plan Annual Report is attached. The City will continue to strive for each annual report to be increasingly comprehensive, covering any and all projects, programs, and policies by the City.	
BUDGET IMPACT	
ACTION PROPOSED Staff is requesting City Council review and accept the 2022 Lewiston, Idaho ADA Transition Plan Annual Report.	



Lewiston, Idaho ADA Transition Plan Annual Report – 2022

March 2023

Table of Contents

- **Introduction & Purpose..... 3**
 - Figure 1: Lewiston Population, Disability Characteristics (2021)..... 3
 - Major 2022 Accomplishments 4
- **Disability Advisory Commission 4**
 - Major Issues Addressed in 2022 5
- **Policies & Plans 5**
- **Programs & Services..... 5**
 - Lewiston Transit..... 5
 - Staff Training 5
- **Projects..... 5**
 - Parks & Recreation Facilities..... 6
 - Public Right of Way 6
 - Priority Projects Status..... 6
 - Priority Zone Improvements 7
 - Figure 2: Summary Table of Public Right of Way Projects..... 7
 - Figure 3: ADA Transition Plan Priority Routes – 2022 progress..... 8

● Introduction & Purpose

The Americans with Disabilities Act of 1990, as amended, (ADA) is a comprehensive civil rights law enacted to prohibit discrimination and ensure equal opportunities for individuals with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation.

The 2020 Transition Plan for Lewiston was prepared in accordance with Title II of the ADA, which prohibits discrimination against individuals with disabilities in the provision of state and local government programs, services, and facilities.

Title II requires that public entities identify and evaluate all programs, services and facilities and review all policies, practices and procedures governing their administration. These are summarized in this report in sections on: Policies and Plans; Programs and Services; and Projects.

This 2022 annual report describes the progress the City of Lewiston achieved during the calendar year and is a continuation of the groundwork laid out with the 2020 Annual Report. These annual reports are an extension of the ADA Transition Plan which was approved by the Lewiston City Council on September 14, 2020. The 2022 report is intended to serve as both a report to satisfy the requirements of Title II, as well as a tool to assist the City in identifying internal methods necessary to streamline documentation and reporting of progress on ADA compliance.

Lewiston will continue to experience changes in population, physical size, public building, streets, sidewalks, curb ramps, and policies, just as it has in the past. The purpose of the ADA Transition Plan is to ensure this change occurs in a manner that both corrects barriers to accessibility identified in the plan and prevents new barriers from emerging.

Figure 1 shows United States Census Bureau data on Lewiston's population who report having a type of disability. Nearly 1 in 5 residents report some type of disability. Additional data provides more details on the type of disability, recognizing that some people may have more than one disability.

Figure 1: Lewiston Population, Disability Characteristics (2021)

Disability Type	Number	% of Total Pop.
City Population	33,312	
Population with a disability	6,045	18.1%
Hearing difficulty	1,828	5.5%
Vision difficulty	1,630	4.9%
Cognitive difficulty	2,771	8.3%
Ambulatory difficulty	3,050	9.2%
Self-care difficulty	1,346	4.0%
Independent living difficulty	2,124	6.4%
Disability by Age Group	Number	% of Total Pop.
Age 5-17 with disabilities	452	1.4%
Age 18-64 with disabilities	3,251	9.8%
Age 65+ with disabilities	2,327	7.0%

Source: US Census American Community Survey, 2021 5-year Estimates (Table S1810)

Major 2022 Accomplishments

It is estimated that more than \$0.5 million worth of infrastructure and programmatic investments were applied in Lewiston to make the city more accessible.

The public right of way infrastructure in the City of Lewiston was subject to more than \$190,000 in upgrades to existing sidewalks and curb ramps or new ramps and sidewalks, as well as other features such as pedestrian push buttons and crosswalk upgrades.

- **\$190,505 in curb ramps and new/improved sidewalks, inclusive of:**
 - \$77,630 in curb ramp projects; and
 - \$112,875 in sidewalk projects
- **ADA Transition Plan priority corridors were incorporated into the City's 2023 Transportation Capital Improvements Plan and prioritized among 144 overall projects.**

In response to COVID, the City of Lewiston moved several meetings, including those of the Disabilities Advisory Commission (DAC) to an online format. This helped improve accessibility as well as allow members to attend meetings when either travel or quarantine would not allow them to be at the meetings in-person.

● Disability Advisory Commission

The Disability Advisory Commission (DAC) provides advice and recommendations to the Lewiston City Council on a wide array of disability matters within the City of Lewiston. Identified needs in the rights-of-way have been prioritized by the City of Lewiston's Disability Advisory Commission and reviewed by the Lewiston City Council in the form of an ADA Transition Plan. This plan was adopted on September 14, 2020. The DAC meets monthly on the second Thursday of each month. The DAC met 11 times during 2022; one meeting was canceled due to lack of quorum.

The powers and duties of the DAC are defined by the City as follows:

- Advise and make recommendations to the city council and city staff on matters related to Title II of the Americans with Disabilities Act (ADA). Title II of the ADA specifically relates to city of Lewiston programs, activities, and services.
- Become familiar with Title II of the ADA and the status of existing city of Lewiston programs, services, and facilities related to the ADA.
- Consider concerns and/or issues brought before the disability advisory commission by citizens related to accessibility in the city or the ADA, as related to the city of Lewiston.
- Seek opportunities to discuss accessibility issues with citizens and become familiar with citizens' opinions on accessibility issues.
- Direct ADA complaints to the appropriate city of Lewiston staff.
- Develop relationships with organizations that serve individuals with disabilities, as defined by the ADA.
- Assist and actively engage in educational efforts and outreach activities related to Title II of the ADA that are led by the city of Lewiston or its partners.
- Develop a work plan that consists of goals and objectives for the disability advisory commission on an annual basis.

Disabilities Advisory Commission members for 2022 include:

- Ged Randall (Chair); Term Expires January 2023
- Eric Peterson; Term expires July 2025
- Constance Vance; Term expires July 2024

- Amy Brogan; Term expires April 2025
- Jessica Grainger, Term expires September 2025
- Mark Havens (Member); Term Expires July 2024
- Mike Feeney (Member); Term Expires July 2024

Major Issues Addressed in 2022

- People First Language Training
- Discussed ADA in City playgrounds with Parks and Recreation

DAC meeting agendas can be accessed at: <https://www.cityoflewiston.org/AgendaCenter>

● Policies & Plans

Policies and plans comprise a variety of efforts that collectively help guide how the city invests in ADA-related upgrades. Policies include city code related to discrimination policies and land development. The City's engineering standards are also considered a policy, as are changes to construction zone practices for accessibility.

Plans may consist of direct compliance efforts like the ADA Transition Plan or a specific corridor, neighborhood, transit, and facilities plans/studies.

● Programs & Services

Lewiston provides a variety of programs and services through efforts such as its communications via the City website and other emergency service dispatches. Lewiston Transit is also a city program that provides transportation to the city's population, including people with disabilities. Changes to human resources policies and access such as online City Council meetings would constitute programs and services efforts.

Lewiston Transit

The Transit Department received four (4) new, ADA accessible buses - two buses for the fixed route and two for Dial-A-Ride services for a total cost of \$487,000. These buses were replacements and the Dial-A-Ride buses have enhanced liquid spring suspension and noise dampening materials to improve the experience of passengers with disabilities and/or elderly passengers.

Staff Training

"People First Language" training was provided by the University of Idaho's Center on Disabilities and Human Development (CDHD) staff in December 2022. People First Language is inclusive language which focuses on defining individuals as multifaceted people rather than defining them by the perceived limitations of a disability. For example, People First Language uses terms like "people with disabilities" instead of "disabled people". Trainees were advised that People First Language is a good baseline to adopt when interacting with the disability community but that it's important to keep in mind that not everyone identifies the same way and preference should be asked for and respected.

● Projects

Projects consist primarily of capital infrastructure improvements that occur within the City-owned and managed streets facilities.

- City-owned building projects may include new construction or rehabilitation projects related to internal infrastructure such as restroom and drinking fountain upgrades, along with projects such as access ramps, parking spaces, and on-site walkway.

- Parks and recreation facilities projects may include new or upgraded facilities such as restrooms, playground equipment, accessible picnic tables, parking, pathways in parks, and building upgrades.
- Pathway system projects may include new or upgraded shared use pathways and natural surface trails.
- Public right of way improvements consist of upgrades to existing streets to include things such as sidewalk and curb ramp replacement, construction of new sidewalks and curb ramps, and other accessibility features such as pedestrian push buttons, crosswalk upgrades, and pedestrian refuge islands.

Parks & Recreation Facilities

Public right of way improvements occur either through city-specific projects which are designed and constructed through city funds or private development which adds or rebuilds sidewalks, curb ramps, and other accessible features as a result of the City's land development requirements.

In 2022, it is estimated that the public right of way in the City of Lewiston was subject to approximately \$190,505 ADA-related investments. This includes:

The Parks and Recreation Department installed a new ADA ramp at the Orchards Pool, installed van accessible parking signs as needed on all City building parking lots, and completed an ADA restroom remodel at the Community Center.

Parks and Recreation Director Tim Barker and Mayor Daniel Johnson evaluated existing playgrounds in City parks for ADA improvements. This topic was discussed with DAC during a monthly meeting.

Public Right of Way

Public right of way improvements occur either through city-specific projects which are designed and constructed through city funds or private development which adds or rebuilds sidewalks, curb ramps, and other accessible features as a result of the City's land development requirements.

In 2022, it is estimated that the public right of way in the City of Lewiston was subject to approximately \$190,505 ADA-related investments. This includes:

- \$77,630 in curb ramp projects; and
- \$112,875 in sidewalk projects

This resulted in 11 new or upgraded curb ramps and 1,587 lineal feet of new or upgraded sidewalks.

Approximately \$137,405 of this \$190,505 is from public sector funding, consisting of City of Lewiston expenditures, as well as Lewiston School District and Lewis-Clark State College funds that were a part of the site improvements at the Tri-Partnership Complex.

Approximately \$53,100 of private development funding was applied to public right of way projects consisting of sidewalks and curb ramps.

Figure 2 on the following page includes a summary and estimated value of these improvements, as well as approximate location.

Priority Projects Status

Figure 3 includes a status of the 10 priority corridors adopted in the ADA Transition Plan. The right hand column includes any improvements that occurred in 2022 that are shown in Figure 2.

On February 27, 2023 the City Council adopted the 2023 Transportation Capital Improvement Plan (CIP) with amendments to the project rankings which staff implemented accordingly. The CIP includes several projects generated from the ADA Transition Plan. The CIP is a planning document and not a funding document; it identifies and prioritizes major transportation capital projects but does not reflect funding or budgeting for project execution, thus timelines are ultimately unknown. Figure 3 shows the priority projects and how they rank among the 144 overall projects and 13 plans and/or studies intended to review ADA accessibility included in the CIP.

Priority Zone Improvements

In addition to the priority corridors, the ADA Transition Plan identified priority zones that may be subject to future ramp-specific projects other than what is identified in the 10 priority projects.

Figure 2: Summary Table of Public Right of Way Projects

Project Name	Type of Upgrade	# of Ramps	Linear Feet of Sidewalk	Street, From/to (or address)	Source (Public/Private)	Total Ramp Cost	Total Sidewalk Cost	Total Other Cost	Total Combined Cost
	(Ramp, Sidewalk, Other - specify)	(if available)	(if applicable)	(general location)	(Who did the project?)	(if known)	(if known)	(i.e. push buttons)	(For ADA elements Only)
Intersection of 21st Street & 19th Avenue	ADA Ramps, Sidewalk	6	301 LF	Intersection NW, SW, NE, SE Corners	Public	\$57,630	\$31,375		\$89,005
Zip's Drive-in	Sidewalk	0	351 LF	156 Thain Road	Private		\$17,500		\$17,500
LC Auto*	ADA Ramp, Sidewalk	1	387 LF	1400 Block of 21st Street	Public	\$6,000	\$36,000		\$42,000
Lewis-Clark Credit Union	ADA Ramps, Sidewalk	3	322 LF	17th Street, 17th Ave	Private	\$9,000	\$16,000		\$25,600
J & J Auto	Sidewalks	0	200 LF	Frontage Road	Private		\$10,000		\$10,000
Orchards Pool	ADA Ramps, Sidewalk	1	16 LF	Airway Ave	Public	\$5,000	\$1,400		\$6,400
Totals		11 ramps	1,587 LF (0.3 miles)			\$77,630	\$112,875	\$0	\$190,505

*This project was submitted to the City by the public.

The 2020 ADA Transition Plan identified a list of the City's Top 10 priority corridors for ADA-related investments. These corridors are incorporated into the City's 2023 CIP which was adopted by City Council on February 27, 2023. The CIP ranked 144 different projects. Their rankings are shown in the table below.

The recommendations in the Transition Plan are for the City to pursue a variety of strategies to bring these corridors into compliance with ADA. They are listed in order of priority as determined through factors such as DAC priority, exposure to traffic, proximity to health, social service, and grocery stores, proximity to Census tracts with a high disabled population, proximity to a bus route, and ease of implementation. These routes have a combination of compliant sidewalks, older non-compliant infrastructure, and missing sidewalk segments. This table is intended to denote any progress made on these corridors through public or private actions in the reporting year, where applicable.

Figure 3: ADA Transition Plan Priority Routes – 2022 progress

Routes, by Priority	Notes
1. Main, 1st to 21st	● Main: Interstate Bridge to Jefferson and D St: 1st to Temple Lane ranked #1 in the 2023 CIP. ● City contracted with Horrocks Engineers, Inc. in 2022 to combine numerous studies of the downtown Lewiston area over the years into a single scoping study to chart a path forward for future wastewater, water, stormwater, and transportation facilities in Downtown Lewiston.
2. Thain/21st, 7th to Powers	● 21st Street, 7th to Nez Perce Grade ranked #2 in the 2023 CIP. ● 21st & 19th intersection - Improvements completed in 2022 with additional sidewalk infill scheduled for 2023. ● 21st Street; 7th to 19th Ave – Public Works has scheduled to move forward with a project which would include ADA improvements along this section of 21st Street. ● 21st Street, 14th to 16th Ave - sidewalk and ADA improvements were completed in 2022. ● Thain Road; Stewart Ave to Powers Ave - The Lewis Clark Valley Metropolitan Planning Organization (LCVMPO) is planning a Corridor Study which is scheduled to kick off in 2023.
3. 9th St/8th, D to Bryden	● 8th Street, 5th to 11th, ranked #7 in the 2023 CIP. ● 9th Street, Idaho to 5th, ranked #8 in the 2023 CIP.
4. Idaho St, 9th St to 21st St.	● Idaho Street, 9th to 21st, ranked #47 in the 2023 CIP.
5. Bryden, 4th to Thain	● Sections from 4th to 7th and 7th to Thain listed as priorities #3 and #4 respectively in the 2023 CIP. ● The Bryden Avenue Reconstruction Phase I (4th Street - 7th Street) final design, environmental document, and right-of-way plans contracted with David Evans and Associates, Inc. began in 2022.
6. 18th/17th/5th, Main to Bryden	● 17th St. and 13th Ave; 11th Ave to 13th Ave to 14th St. ranked #23 in the 2023 CIP. Secured a grant to install sidewalk and ADA ramps along this section. ● 17th, Vineyard to Stewart, ranked #24 in the 2023 CIP. ● 18th/17th/5th, Main to Bryden ranked #27 in the 2023 CIP. ● 17th and 23rd intersection ranked #63 in the 2023 CIP.
7. D St, 1st St to 11th St	● Main St and D St from Interstate Bridge to Jefferson St, ranked #1 in the 2023 CIP. ● City contracted with Horrocks Engineers, Inc. in 2022 to combine numerous studies of the downtown Lewiston area over the years into a single scoping study to chart a path forward for future wastewater, water, stormwater, and transportation facilities in Downtown Lewiston.
8. Southway/16th Ave, Snake River Ave to 21st	● Southway/16th, Snake River Avenue to 8th Street, ranked #12 in the 2023 CIP. ● Currently scheduled to receive funding for improvements from Southway/16th to 11th Street in 2025.

Routes, by Priority	Notes
9. 11th Avenue, Snake River Ave to 21st	• 11th, Prospect to 8th, ranked #40 in the 2023 CIP.
10. Warner, 10th/Thain to 14th	• Warner, 13th to 16th ranked #10 in the 2023 CIP. • The City hired T.O. Engineers to complete a network study of the streets around the 10th/Thain/Warner intersection and possible improvements to the intersection as well as improving the surrounding street network. • The City partnered with the County to install a gravel pathway north of Warner between 13th Street and 15th Street.

RESOLUTION 2023-20

A RESOLUTION ACCEPTING A DONATION OF BROWN LANDSCAPE EIGHT INCH (8”) STACKABLE STONES FROM NEZ PERCE COUNTY

WHEREAS, Nez Perce County is the owner of brown landscape eight inch (8”) stackable stones located around the Nez Perce County Prosecutor’s Office;

WHEREAS, through Resolution 2023-03-049, the Board of Nez Perce County Commissioners declared such brown landscape eight inch (8”) stackable stones to be surplus property;

WHEREAS, through Resolution 2023-03-050, the Board of Nez Perce County Commissioners authorized the donation of such brown landscape eight inch (8”) stackable stones to the City of Lewiston; and

WHEREAS, the City of Lewiston is authorized to accept such donation, pursuant to Idaho Code § 50-301.

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

SECTION 1: The Lewiston City Council hereby accepts the donation of brown landscape eight inch (8”) stackable stones located around the Nez Perce County Prosecutor’s Office from Nez Perce County.

SECTION 2: This resolution shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____ 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE PROGRESSIVE DESIGN-BUILD AGREEMENT AMENDMENT NO. 02	AGENDA NO. AGENDA DATE: March 27, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) The City of Lewiston has been under contract with CORE Construction for the Fire Station 4 Project. Phase 1a was completed, and a contract plan amendment was approved in April of 2022 to complete Phase 1b.	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. Due to holidays and the availability of contractors to bid on the station to establish the GMP, CORE was placed outside of the required timeline established in the contract plan amendment for Phase 1b. They are asking for a 45-calendar-day extension for Phase 1b to adequately provide the GMP. They have delivered this document well under the 45 calendar days they are requesting.	
BUDGET IMPACT This has no financial impact on the city if approved.	
ACTION PROPOSED The staff is recommending the council approve the change order to adjust the Phase 1b services by 45 calendar days.	



Progressive Design-Build Agreement Amendment No. 02

Amendment Number: 02	Amendment Effective Date: March 13, 2023
Project: Fire Station 4 Project 3338 5 th St., Lewiston ID 83501	Design-Builder's Project No: 21-10-015
	Date of Agreement: December 13, 2021
Owner: City of Lewiston, an Idaho Municipal Corp. P.O. Box 617, 1134 F Street Lewiston, Idaho 83501	Design-Builder: CORE West, Inc, a Nevada Corporation 7150 Cascade Valley Court Las Vegas, Nevada 89128

Scope of Amendment: Time extension of Phase 1B Scope of Services.

This amendment is for time to be added to the existing contract to extend Phase 1B Scope of Services. There is no change in Contract Price related to this extension.

The existing contract included time to run though December 20th, 2022. This amendment is to add 45 calendar days to the to extend the contract to February 3rd, 2023.

By executing this Amendment, Owner and Design-Builder agree to modify the Agreement as stated above. Upon execution, this Amendment becomes a Contract Documents. There is no change in the Contract Price. Contract Time is extended by 45 Calendar Days.

Signature page to follow

DATED this _____ day of _____ 2023

CITY OF LEWISTON, OWNER

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

DATED this 15 day of March 2023

CORE WEST INC., DESIGN-BUILDER

By: Seth Maurer
Seth Maurer, President

STATE OF Nevada)
) ss.
County of Washoe)

On this 15 day of March 2023, before me, a Notary Public, personally appeared Seth Maurer, known or identified to me as the President of CORE West, Inc., and stated he has the authority to execute this instrument on behalf of CORE West, Inc., and did execute this instrument on behalf of CORE West, Inc.

Kathleen Mary Doyle

Notary Public for the State of Nevada

Commission Expires June 27, 2025





CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE TRANSIT GRANT FUNDING AGREEMENT ADDENDUM	AGENDA NO. AGENDA DATE: March 27, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) The original grant funding agreement of \$127,981 was approved by City Council and signed by the Mayor in November 2020.	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. Lewiston Transit is constructing a bus pull-out and transfer stop at the Lewiston Community Center. The original funding agreement provided federal funding of \$127,981 and required a local match of \$31,996. The MPO and I.T.D. located additional funding of \$156,934 at the end of FY22, as construction costs had soared and given Transit could cover the extra local match of \$39,234 due to unspent FY22 capital funds. This addendum updates the federal funding to \$284,915 and requires a local match of \$71,229, which will be covered by both the FY23 budget and in the unspent FY22 capital funds that were rolled over. This request is not asking for additional funds, this is a request to sign the updated amendment to the agreement.	
BUDGET IMPACT There will be no budgetary impact.	
ACTION PROPOSED The Transit Department requests the City Council approve the funding agreement addendum with I.T.D. and authorize the Mayor to sign the agreement.	



Idaho Transportation Department

Public Transportation Office

FTA 5339 Small Urban

Funding Agreement

Agreement #: 2020-09

Amendment 1

ITD Public Transportation Office
11331 W Chinden Boulevard
Boise, ID 83714
<http://itd.idaho.gov/pt>



Pass-Through Awarding Agency:	ITD – Public Transportation Office
Awarding Official: (Grants Officers)	
Name:	Sam Carroll
Phone:	208 334-8139
Name:	Shauna Miller
Phone:	208 334-8533
Email:	PTCapital@itd.idaho.gov
Term of Grant:	October 1, 2020 – September 30, 2023
Agreement Total:	\$284,915
Funding Program:	FTA 5339 Small Urban Bus & Bus Facilities Program
CFDA:	20.526
Federal Award Identification Number (FAIN):	ID-2020-025
Agreement Number:	2020-09

Subrecipient Organization Name:	City of Lewiston/Lewiston Transit System
Subrecipient Director or Equivalent:	Suzanne Seigneur
Subrecipient Address:	215 D Street, PO Box 617, Lewiston, ID 83501-1930
Subrecipient Phone:	208 298-1344
Subrecipient E-mail:	sseigneur@cityoflewiston.org

Scope of Work:

Amendment 1:

Increase federal award amount from \$127,981 to \$284,915. Additionally, extending grant agreement to September 30, 2023.

Original Scope of Work:

Engineering/design and construction of a portion of the Lewiston Community Center parking lot and public right of way located on the eastside of Lincoln St between F and G Streets. This facility will be dedicated solely to the boarding and de-boarding of bus passengers and will include but is not limited to the engineering/design and construction of:

- Shelters
- Pre-Fab Bathroom
- Concrete boarding and platform for passengers to access buses.

Responsible Individuals Signatures of Agreement

This Agreement, together with the Attachments, and documents incorporated herein by reference, set forth the entire Agreement between the parties with respect to the subject matter. There are no understandings, agreements, amendments, or representations, oral or written, not specified herein.

Authorized Signature for Subrecipient:

Name	Title	Phone	E-mail
Daniel G. Johnson	Mayor	208-746-3671	mayorjohnson@cityoflewiston.org
Signature and Date:			

Name	Title	Phone	E-mail
Ron Duran	Public Transportation Manager	208-334-4475	Ron.Duran@itd.idaho.gov
Signature and Date:			



AGREEMENT CONDITIONS

GRANT AGREEMENT BETWEEN THE IDAHO TRANSPORTATION DEPARTMENT

AND

CITY OF LEWISTON/LEWISTON TRANSIT SYSTEM

This Agreement is between the **Idaho Transportation Department** (hereinafter called the STATE) and **City of Lewiston/Lewiston Transit System** (hereinafter called the Subrecipient). The STATE and the Subrecipient are entering into this Agreement. This Agreement is effective when signed by both parties.

The 5339 Bus & Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) makes federal resources available to states and direct recipients to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities.

WHEREAS the Governor of the State of Idaho has designated the Idaho Transportation Department to administer this grant;

The parties mutually agree as follows:

1. SCOPE OF WORK:

Assumption of Responsibility: The Subrecipient agrees to assume all responsibility for this Project. The Subrecipient further agrees to abide by the appropriate mutual covenants, promises, and representations included in the Federal Transit Administration (FTA) Master Agreement, with special emphasis on the sections pertaining to the particular funding source.

- 2. COMPLIANCE WITH LAWS AND REGULATIONS, FEDERAL CHANGES:** The Subrecipient agrees to comply with all applicable laws, regulations, and codes of the State of Idaho, the United States Government, and local governments. The Subrecipient shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the most current FTA Master Agreement included with, and incorporated into, this overall Grant Agreement, as they may be amended or promulgated from time to time during the term of this contract. Subrecipient's failure to comply shall constitute a material breach of this contract.

<https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/sample-fta-agreements>

3. SUBRECIPIENT CAPACITY:

- A. Subrecipient Legal, Financial, and Managerial Capacity:** The Subrecipient assures that it has the necessary legal, financial, and managerial capability to apply for, receive, and disburse FTA funds awarded in this grant agreement. The Subrecipient also assures that it will implement and manage this project and project funds in keeping with the intent and provisions of the Subrecipient's grant application and the grant agreement.
- B. Subrecipient Legal Authority to Accept This Sub-Grant:** The Subrecipient certifies that it has the legal authority to accept grant funds for this project.



C. Subrecipient Debarment/Suspension Certification: the Subrecipient entity certifies, to the best of its knowledge and belief, that it and its principals:

- i. are not currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency, per the U.S. General Services Administration (GSA) monthly "Lists of Parties Excluded from Federal Procurement or Non-procurement Programs," available on the GSA web site:
<http://www.sam.gov>
- ii. have not, within the past three years, been convicted of or had a civil judgment against them for: a criminal offense or fraud in connection with obtaining, attempting to obtain, or performing a Federal, state, or local public transaction; a violation of Federal or state antitrust statutes; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- iii. are not presently indicted for or otherwise criminally or civilly charged by any governmental entity with commission of any of the offenses listed in the paragraph above; and
- iv. have not within the last three years had any Federal, state, or local public transaction terminated for cause or default.

If the Subrecipient later becomes aware of any information contradicting these Suspension/Debarment statements, it will promptly provide that to the State who will forward it to FTA.

If the Subrecipient cannot certify for all the Suspension/Debarment statements above, the Subrecipient shall so indicate in a transmittal letter or message of explanation, to be returned with the signed grant agreement (Per 49 CFR Part 29).

D. Administrative and Accounting Systems: The Subrecipient certifies it has or will establish a proper accounting system, per generally accepted accounting principles (GAAP) and any Federal or State directives. It further agrees to administer the project, retain all project records, and grant access to project records and personnel as specified in the applicable Federal Uniform Guidance (2 CFR 200).

4. FEDERAL REQUIREMENTS

A. Buy America

For purchases over \$150,000, the Subrecipient agrees to comply with 49 CFR Parts 661 and 663, which provide that Federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver. In regards to the purchase of vehicles, all materials and supplies purchased with these funds, will be manufactured in the United States and have:

FY 16 & FY17: more than 60% domestic content
FY18 & FY19: more than 65% domestic content
FY20 & beyond: more than 70% domestic content

The Subrecipient will provide the appropriate certification to verify this.

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Buy_America_Fact_Sheet.pdf



- B. Intelligent Transportation System (ITS) Architecture:** If this grant will be used to fully or partially fund acquisition of individual or systems of technologies that support ITS user services as defined in the "National ITS Architecture," the Subrecipient assures it will comply and require its contractors and its subrecipients to comply with all applicable requirements imposed by Section V Regional ITS Architecture and Section VI Project Implementation of the FTA National ITS Architecture Policy on Transit Projects to the extent required by FTA and the State.

http://www.ops.fhwa.dot.gov/its_arch_imp/policy.htm

- C. Charter Service Operations -** The Subrecipient agrees to only provide charter service with written consent from the STATE. If consent is given, the Subrecipient agrees to comply with 49 U.S.C. 5323(d) and 49 CFR Part 604, which provides that recipients and subrecipients of FTA assistance are prohibited from providing charter service using federally funded equipment or facilities if there is at least one private charter operator willing and able to provide the service, except under one of the exceptions at 49 CFR 604.9. Any charter service provided under one of the exceptions must be "incidental," i.e., it must not interfere with or detract from the provision of public transportation.

<http://www.gpo.gov/fdsys/granule/CFR-2012-title49-vol7/CFR-2012-title49-vol7-part604/content-detail.html>

D. School Transportation:

- i. The Subrecipient assures that it will not engage in school bus operations exclusively for the transportation of students and school personnel, in competition with private school bus operators, per provisions of 49 CFR Part 605.
<http://www.gpo.gov/fdsys/granule/CFR-2011-title49-vol7/CFR-2011-title49-vol7-part605>
- ii. If the Subrecipient is a public transportation system, it may provide "School Tripper Service" that is regularly scheduled public transportation service open to the public but designed or modified to accommodate the needs of school students and personnel (must be open to the public, must serve regular transit stops, and must be shown on transit route schedules and maps) and schools signs may NOT be displayed on the vehicle.

E. Clean Water

- i. The Subrecipient agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. The Subrecipient agrees to report each violation to the State, and understands, and agrees that the State will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.
- ii. The Subrecipient also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

https://one.nhtsa.gov/nhtsa/whatsup/tea21/grantman/html/03_dotcomrul_49cfr18.html

F. Clean Air

- i. The Subrecipient agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. §§ 7401 et seq. The Subrecipient agrees to report each violation to the State and understands and agrees that the State will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.
- ii. The Subrecipient also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

https://one.nhtsa.gov/nhtsa/whatsup/tea21/grantman/html/03_dotcomrul_49cfr18.html



G. Lobbying Prohibition: None of the funds paid under this agreement shall be used for the purpose of lobbying activities before the Idaho State Legislature or the U.S. Congress.

If this grant is \$100,000 or more:

- i. the Subrecipient *certifies* that it has not and will not use Federal appropriated funds to pay for influencing or attempting to influence an officer or employee of any Federal department or agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal grant, cooperative agreement, or any other Federal award.
- ii. the Subrecipient assures that it will require its contractors and subcontractors each to report use of non-Federal funds for any of the lobbying activities for which use of Federal funds is prohibited, at the end of each calendar quarter on Federal Standard Form LLL (49 CFR Part 20), and that the Subrecipient will forward all these forms to the State.

<http://www.gpo.gov/fdsys/pkg/CFR-2006-title49-vol1/content-detail.html>

H. Nondiscrimination Requirements: The Subrecipient assures that no person in the United States will, on the basis of race, color, national origin, creed, sex, or age be excluded from participating in, denied the benefits of, or otherwise be subject to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Subrecipient receives Federal assistance from FTA or USDOT. The Subrecipient agrees to comply with all requirements of US DOT Civil Rights Act implementing regulations (49 CFR 21), and the Title VI Program Guidelines for Federal Transit Administration Recipients (FTA Circular 4702.1) and other applicable nondiscrimination directives.

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Title_VI_FINAL.pdf

- i. Per 49 USC 5332 (prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and in employment or business opportunity), Title VI of the Civil Rights Act of 1964 as amended, USDOT implementing regulations (49 CFR 21), 42 USC 2000d (prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin)
- ii. The Subrecipient assures that project and project facility operations, as well as property acquisitions, will be in accordance with the civil rights requirements and understands that this assurance extends to its entire facility, to all facilities operated in connection with this project, and to property acquisitions. The Subrecipient assures:
 1. Its FTA-assisted benefits and related services are made available and are equitably distributed without regard to race, color, creed, national origin, sex, age, or disability;
 2. The level and quality of its FTA-assisted transit services are sufficient to provide equal access and mobility for any person without regard to race, color, creed, national origin, sex, or age;
 3. Opportunities to participate in the transit planning and decision making processes are provided to persons without regard to race, color, creed, national origin, sex, or age;
 4. Decisions on the location of transit services and facilities are made without regard to race, color, creed, national origin, sex, or age;
 5. Corrective and remedial action is taken to prevent discriminatory treatment of any user of services based on race, color, creed, national origin, sex, or age;



6. Any contracts or sub agreements fully or partly funded through this project will contain language to extend civil rights assurances to contractors and subcontractors; and the Subrecipient will also include such language in any deeds and documents which record the transfer of real property, structures, and improvements.

- I. **Nondiscrimination on the Basis of Disability:** The Subrecipient assures that no person with a disability shall be, by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance. The Subrecipient assures it will comply with 49 CFR Parts 27, 37, 38, and 39, which implement the Americans with Disabilities Act (ADA) and amend Section 504 of Rehabilitation Act of 1973. The Subrecipient understands that it also has responsibilities under ADA in the areas of employment, public accommodations, and telecommunications.

<http://www.gpo.gov/fdsys/pkg/CFR-2006-title49-vol1/content-detail.html#1000>

The Subrecipient assures that any vehicle purchased or acquired through this project will be ADA accessible, except as exempted in by the State. If the Subrecipient is awarded funds to purchase a non-ADA vehicle for use in demand responsive service, the Subrecipient assures that this demand responsive service provides or will provide equivalent service to disabled persons that meet ADA requirements in keeping with 49 CFR 37.

The Subrecipient assures that *all* new or renovated facilities to be used for the provision of public transportation services will be ADA accessible, including facilities such as maintenance facilities, garages, building access facilities (sidewalks need curb cuts), etc.

<http://www.gpo.gov/fdsys/pkg/CFR-2007-title28-vol1/content-detail.html>

The Subrecipient assures that any construction contract funded through this project will include ADA requirements.

- J. **Equal Employment Opportunities (EEO):** The Subrecipient assures it will:
Treat employees or job applicants fairly, without regard to race, color, creed, national origin, sex, age, or disability;

Take affirmative action to ensure job applicants are employed and employees are treated without regard to race, color, creed, national origin, sex, or age (such action includes but is not limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship);

Post notices setting forth agency EEO policy in conspicuous places and make these available to employees and job applicants;

Assure that any contracts or sub-agreements fully or partly funded through this project will contain language to extend EEO assurances to contractors and subcontractors.

If the Subrecipient received \$1,000,000 or more of Federal assistance in the previous Federal fiscal year and had 50 or more public-transit-related employees, it agrees to submit to the State an EEO program, which meets FTA requirements.



- K. Discrimination Complaints:** The Subrecipient assures that it will notify the public that complaints of discrimination in the provision of transportation or transportation-related services or benefits may be filed with the State, FTA, or USDOT. The Subrecipient assures it will promptly report to the State any civil rights complaints it receives.
- L. Disadvantaged Business Enterprises (DBE):** The Subrecipient assures Disadvantaged Business Enterprises will have the maximum opportunity to compete for and perform contracts and subcontracts financed under this project, as specified in 49 CFR 26 and per the following:
- i. If the Subrecipient will purchase one or more transit vehicles (excluding unmodified mass-produced vans or unmodified pop-top vans), it assures that it will obtain from each transit vehicle manufacturer a TVM certification, to show that the manufacturer complies with DBE requirements.
 - ii. The Subrecipient is subject to the State's DBE program filed with the Federal Highway Administration and the State's annual DBE goal with FTA. Additionally, the Subrecipient will report its DBE activity and results to the State semi-annually every year of the Subrecipient agreement.
<https://itd.idaho.gov/civilrights/>
 - iii. The Subrecipient assures it will not discriminate on the basis of race, religion, color, gender, age, marital status, ability, or national origin in implementation of the project, in award or performance of any third-party contract or sub-agreement supported with this grant, or in administration of its DBE program and 49 CFR 26. If the State receives a complaint regarding discrimination by the Subrecipient, the Subrecipient will cooperate fully in the investigation of the complaint by the State.
<http://www.gpo.gov/fdsys/pkg/CFR-2006-title49-vol1/content-detail.html>
- Technical assistance pertaining to DBE is available at the following link or at (208)-334-8567.
<https://itd.idaho.gov/civilrights/>
- M. Audits:** The Subrecipient certifies that it will be audited annually as required by the Federal Single Audit Act Amendments of 1996 (per 2 CFR 200). The Subrecipient recognizes FTA's, USDOT's, and the State's authority to monitor project activities, to conduct reviews and inspections, and to conduct additional audits in keeping with 2 CFR 200, to verify compliance with grant requirements and assurances. The Subrecipient agrees to make the necessary records available to any of the above parties upon request.
https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/circulars/A133/2017/Compliance_Supplement_2017.pdf
- N. Commercial Driver's License (CDL) Requirement:** The Subrecipient, if not a recipient of Section 5311 funds, assures that if it operates a vehicle that requires a CDL, including a vehicle capable of transporting 16 or more persons (including the driver), will have a USDOT Federal Motor Carrier Safety Administration drug and alcohol testing program.
<http://www.fmcsa.dot.gov/overview-drug-and-alcohol-rules>
- O. Drug and Alcohol Testing:** If this grant is funded by either Section 5309, 5311, or 5339 the Subrecipient agrees to establish and implement a drug and alcohol testing program that complies with 49 CFR Parts 40 and 655, produce any documentation necessary to establish its compliance with Parts 40 and 655, and permit any authorized representative of the United States Department of Transportation or its operating administrations, and ITD, to inspect the facilities and records associated with the implementation of the drug and alcohol testing program as required under 49 CFR Parts 40 and 655 and review the testing process. The Subrecipient agrees further to submit the Management Information System (MIS) reports to the State annually, as requested by the State.
<https://damis.dot.gov/Login/>



P. Employee Protections, Public Transportation Employee Protective Arrangements: The Subrecipient agrees to comply with the applicable transit employee protective requirements as follows:

- i. Standard Public Transportation Employee Protective Arrangements** - If this grant is funded by either Section 5309 or Section 5316, to the extent that the Project involves public transportation operations and to the extent required by Federal law, the Subrecipient agrees to implement the Project in accordance with the terms and conditions that the U.S. Secretary of Labor has determined to be fair and equitable to protect the interests of any employees affected by the Project and that comply with the requirements of 49 U.S.C. § 5333(b), in accordance with U.S. DOL guidelines, “Section 5333(b), Federal Transit Law,” 29 C.F.R. Part 215, and any amendments thereto. The Subrecipient agrees to implement the Project in accordance with the conditions stated in that U.S. DOL certification. That certification and any documents cited therein are incorporated by reference and made part of the Grant Agreement for the Project.
- ii. Public Transportation Employee Protective Arrangements for Projects in Non-urbanized Areas Authorized by 49 U.S.C. § 5311** - The Subrecipient agrees to comply with the terms and conditions of the Special Warranty for the Non-urbanized Area Program that is most current as of the date of execution of the Grant Agreement for the Project, and any alternative comparable arrangements specified by U.S. DOL for application to the Recipient’s project, in accordance with U.S. DOL guidelines, “Section 5333(b), Federal Transit Law,” 29 C.F.R. Part 215, and any revisions thereto.

Q. Incorporation of Federal Transit Administration (FTA) Terms - The preceding provisions include, in part, certain Standard Terms and Conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All contractual provisions required by DOT, as set forth in FTA Circular 4220.1 are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The Subrecipient shall not perform any act, fail to perform any act, or refuse to comply with any requests which would cause the State to be in violation of the FTA terms and conditions.

<https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance>

R. Conflicts of Interest Prohibited: The Subrecipient certifies that it will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of personal or organizational conflict of interest or of being motivated by desires for personal gain for themselves or others, particularly those with whom they have family, business, or other ties.

5. STATE REQUIREMENTS:

A. Indemnification and Insurance: In this section, "Subrecipient" includes the Subrecipient's employees, agents, and contractors.

The Subrecipient agrees to indemnify, hold harmless, and defend the State of Idaho, its officers, agents, and employees from and against any claim of or liability for error, omission, or negligent act of the Subrecipient arising out of the Subrecipient’s assumption of the responsibilities for the Project set forth in this agreement.

The Subrecipient is not required to indemnify the State of Idaho for a claim of or liability for the independent negligence of the State. If there is a claim or liability for joint negligent error or omission of the Subrecipient and the independent negligence of the State, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. The term "independent negligence" is negligence other than in the State's selection, administration, monitoring, or controlling of the Subrecipient.



Nothing contained herein shall be deemed to constitute a waiver of the State's sovereign immunity, which immunity is hereby expressly reserved. Moreover, all of the rights, defenses, or protections provided in Idaho Code and or in the Idaho Administrative Procedural Rules are expressly reserved.

B. Independent Contractor Status

Unless otherwise expressly stated, vendors and/or non-state entities acting pursuant to this grant shall be that of an independent contractor and not that of an agent or employee of the state. Such parties shall be responsible for paying all employment-related taxes and benefits, such as federal and state income tax withholding, social security contributions, worker's compensation and unemployment insurance premiums, health and life insurance premiums, pension contributions and similar items. Furthermore, such parties shall indemnify the State and hold it harmless from any and all claims for taxes (including but not limited to social security taxes), penalties, attorneys' fees and costs that may be made or assessed against the State arising out of the party's failure to pay such taxes, fees or contributions.

The Subrecipient shall maintain the policies of insurance listed below, to cover losses that may be incurred as a result of the operation and maintenance of project vehicles and/or equipment throughout their period of required use or as a result of other activities under this agreement.

Where specific limits are shown, they shall be the minimum acceptable limits. If the Subrecipient's policy contains higher limits, the State shall be entitled to coverage to the extent of such higher limits.

- i. **Automobile Liability:** ITD-PT imposes minimum insurance coverage of \$500,000 on all transit vehicles procured with or rehabilitated with federal or state funds. Additionally, Sub-recipients must be in compliance with Federal Motor Carrier Safety Administration (FMCSA) insurance thresholds. The policy shall provide all damage arising out of personal injury to or destruction of property in any one occurrence on any revenue vehicle not covered by 49 CFR Part 387. Furthermore, ITD-PT subrecipients must be at all times in compliance with Idaho Administrative Rule 11.13.01.

The policy shall name the Idaho Transportation Department as "loss payee" of the property damage portion of the policy.

The Subrecipient shall provide *certificate of insurance to the State, annually* and at other times if requested. Each certificate must provide for a 30-day prior notice of cancellation, non-renewal, or material change of conditions.

The Subrecipient shall use any insurance proceeds relating to items purchased under this grant to repair or replace the covered item(s) that has been damaged, destroyed or stolen or; where specific items are not involved, to cover other liability related to this grant project. The title to any replacement vehicle must show the State of Idaho as lien holder.

- C. **Performance Requirement:** The failure of the State to insist upon strict performance by the Subrecipient of any provision or covenant in this Agreement, in any one or more instances, may not be considered as a waiver or relinquishment of the provision or covenant for the future. The waiver by the State of any provision or covenant in this Agreement cannot be enforced or relied upon by the Subrecipient unless the waiver is in writing and signed on behalf of the State.



6. TERMINATION PROVISIONS:

- A. Failure to Perform:** If, through any cause, the Subrecipient shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the Subrecipient shall violate any of the covenants, agreements or stipulations of this Agreement, and if after notification by the State of such failure or violation, the Subrecipient fails to take proper corrective action within a reasonable amount of time, the State shall have the right to terminate this Agreement by giving written notice to the Subrecipient of such termination and specifying the effective date thereof. Such notice shall be given at least 15 days before the effective date of such termination. In that event, all finished and unfinished documents, data, studies, surveys, drawings, maps, models, photographs, reports, construction materials, and any construction completed by the Subrecipient under this Agreement shall, at the option of the State, become the State's property and the Subrecipient shall be entitled to receive just and equitable compensation for any satisfactory work completed. Failure to adhere to Project Schedule and any reporting requirements may be deemed by the State to be a "failure to perform" and may result in the loss of the award, at the option of the State.
- B. Convenience Termination:** If, due to changed circumstances, the State or the Subrecipient wishes to terminate this Agreement prior to its completion, the initiating party shall notify the other party in writing of its reasons for requesting the early termination. This request must be made at least 15 days prior to the proposed termination date. If both parties agree that it is in their mutual best interests to terminate this Agreement early, all finished or unfinished documents and other materials as described in the Failure to Perform paragraph above shall, at the option of the State, become the State's property. If the Agreement is terminated as provided herein, the Subrecipient shall be reimbursed for actual expenses not otherwise reimbursed under this Agreement which were incurred by the Subrecipient during the contract period and which are directly attributable to the Subrecipient's performance of this Agreement. The State shall also reimburse the Subrecipient for any costs properly incurred by the Subrecipient in honoring convenience termination clauses in its Agreements with its contractors as long as these clauses conform to the standard convenience termination clause used by the State for similar types of contracts.

7. NONCOMPLIANCE; DISPUTES; REMEDIES

- A. Recovery of Funds:** In the event of a default or violation of the terms of this Agreement, the State is entitled to recover all or part of the project funds paid to the Subrecipient. If Subrecipient does not promptly remit the funds in response to a demand, the State may collect the debt by:
- Making an administrative offset against payments that would be due under other grant awards or appropriations,
 - Withholding advance payments that would otherwise be due,
 - Instituting civil action, or
 - Taking any other action permitted by law.

All remedies conferred on the State by this Agreement or any other instrument or agreement are cumulative, not exclusive, and may be exercised concurrently or consecutively at the State's option.

- B. Enforcement:** The State may take one or more actions in the event Subrecipient fails to comply with the terms of the award. Upon written notification explaining the basis of the action, the State may suspend the grant pending corrective action or terminate the grant. The State may impose conditions requiring correction of noncompliance or deficiency. If conditions are imposed, the State will inform Subrecipient of the conditions and corrective action sought, the reason for imposition, and the time allowed for completing corrective actions.



- C. Rights and Remedies:** The duties and obligations imposed by the Agreement and accompanying documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the State or Subrecipient shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach there under, except as may be specifically agreed in writing.

8. GRANT REQUIREMENTS:

- A. Billing Procedure and Reimbursements:** The Subrecipient agrees to formally request reimbursement by submitting to the State an itemized invoice(s) for allowable project costs. Each invoice shall clearly identify each cost being billed and shall be in a format acceptable to or specified by the State, with supporting documentation of cost and payment as required below, and other documentation as may be required by the State.
- B.** Requests for reimbursement must be submitted based on the following timeline:

<i>Monthly Billing Schedule</i>		
<i>Billing Due By</i>	<i>Period Beginning</i>	<i>Period Ending</i>
<i>December 31</i>	October 1	October 31
<i>January 31</i>	November 1	November 30
<i>February 28</i>	December 1	December 31
<i>March 31</i>	January 1	January 31
<i>April 30</i>	February 1	February 28
<i>May 31</i>	March 1	March 31
<i>June 30</i>	April 1	April 30
<i>July 31</i>	May 1	May 31
<i>August 31</i>	June 1	June 30
<i>September 30</i>	July 1	July 31
<i>October 31</i>	August 1	August 31
<i>November 30</i>	September 1	September 30

Invoices for operating, vehicles, equipment, or facilities shall be accompanied by documentation of the formal obligations or expenses incurred, as well as the source of the match. Supporting documentation shall be copies of vendor invoices, unless alternate documentation accompanied by a viable written explanation is acceptable to the State. Supporting documentation must clearly tie to the itemized costs on the invoice (annotations to facilitate easy review are encouraged). For vehicles, other documents related to the vehicle purchase are also required prior to payments. Please reference the ITD Capital Site for the Vehicle Reimbursement Packet.

<http://itd.idaho.gov/pt>

The State reserves the right to mandate alternate or specialized billing procedures in any of the following instances:

- when a particular project is split-funded (includes grant funds from more than one source), or;
- when irregular documentation or special timing is needed by the State for some other reason.

Such alternate procedures may be issued separately, but will be provided to the Subrecipient in writing.

Payments may be withheld if the quarterly report(s) have not been received as required.

Final billing must be submitted within 60 days of the termination date listed on this grant agreement or as amended.

The State shall reimburse funds to meet formal obligations or expenses only with satisfactory documentation.



If required documentation is determined to be incomplete, incorrect, and/or in conflict with the scope of the project, the Subrecipient will be notified that payment of project funds is being withheld until the incomplete, incorrect, and/or conflicting items are resolved to the State's satisfaction.

- C. Local Match Available:** If this grant is for a vehicle(s) and/or equipment, the Subrecipient has or will have the required local cash match for the project by the time of delivery. If this grant is for other items, the local match will be met as grant funds are spent.
- D. Operating and Maintenance Funds Available:** The Subrecipient, by the time of vehicle and/or equipment delivery, will have or have guarantee of funds necessary to operate and maintain the project vehicle and/or equipment in safe, clean, and mechanically sound condition through the required period of performance (useful life). The State reserves the right to require transfer of the vehicle and/or equipment to another entity if the Subrecipient fails to meet this requirement.
- E. Indirect Costs:** If a federally approved indirect cost rate is negotiated between the subrecipient and the Federal government, this rate must be used. If no such rate exists, the subrecipient may either negotiate a rate with the pass-through entity and the subrecipient (in compliance with this part), or elect the de minimus indirect cost rate as defined in §200.414 Indirect (F&A) costs, paragraph (f), if eligible.
- F. Vehicle and Equipment Maintenance Requirements:** The Subrecipient agrees to develop a written maintenance program and assures that it assumes responsibility to maintain and operate the vehicles and/or equipment obtained under this project at a high level of cleanliness, safety, and mechanical soundness, following at a minimum, the original equipment manufacturers' (OEM) recommended maintenance and inspection procedures and schedules, for at least the useful life of each item, to retain warranties and meet life expectancy of the items. The Subrecipient further assures that it will maintain ADA accessibility features in good working order, removing vehicles with nonworking accessibility features from service and repairing them within 5 days. The Subrecipient agrees to document all maintenance completed and all maintenance expenditures. The State and FTA shall have the right to conduct periodic inspections for the purpose of confirming proper maintenance.
- G. Vehicle and Equipment Use and Disposition:** Use and disposition of project vehicles and equipment shall be subject to restrictions set forth by the State.
- The Subrecipient assures that it will not lease or contract the operation of project vehicles without prior written approval from the State.
- If a vehicle or equipment purchased with these funds can no longer meet project needs, the Subrecipient agrees to notify the State, indicate its condition, and follow the State's instructions.
- H. Reports:** The Subrecipient is required to submit quarterly reports in a format specified or provided by the State, per instructions provided by the State. The Subrecipient will certify the accuracy of each report.
- I.** A grantee must submit quarterly reports under the following schedule:

Quarterly Schedule		
Period Beginning	Period Ending	Report Due By
January 1	March 31	May 31
April 1	June 30	August 31
July 1	September 30	November 30
October 1	December 31	February 28



- J. Capital Inventory and Agency Profile:** The Subrecipient agrees to participate fully in the inventory of publicly funded vehicles, transportation equipment, and transportation-related facilities and other transportation related data.
- K. Changes and Amendments:** The Subrecipient shall not execute any amendment or change order to this Agreement without the prior written concurrence of the State. This Agreement may only be modified or amended by a written agreement signed by both parties.
- L. Reimbursement of Grant Funds:** Within sixty (60) days of issuance of a final audit report to the State or, if no audit is required, then within sixty days after acceptance by the State that the Subrecipient has met the requirements of this grant agreement, the Subrecipient's remaining grant balance will return to the State.
- M. Travel Requirements:** Subrecipient must follow State of Idaho travel guidelines for reimbursement or your agency's travel rules, whichever is more restrictive.
- N. Program Fraud and False or Fraudulent Statements and Related Acts:** The Subrecipient certifies that any statement it has made, it makes, it may make, or causes to be made about this grant project is or will be true and accurate. Provision of untrue or inaccurate information may constitute fraud.

9. ASSIGNMENT OF WORK TO THIRD PARTIES:

- A. State Consent Required:** No portion of work to be performed under this agreement shall be assigned by the Subrecipient to any third party without written consent of the State.
- B. No Federal or State of Idaho Government Obligation to Third Parties:** The Subrecipient agrees that the Federal and State governments have no liability under this agreement. The Subrecipient assures that it will include language in any contract under this agreement that states the Federal and State governments have no liability under the contract and require the contractor to include language to this effect in any subcontract, except if the Subrecipient has specific written consent from the Federal and/or State governments that it/they will accept liability.
- C. Subcontracting Rules:** In the event the Subrecipient subcontracts any work covered by this Agreement, the Subrecipient shall require compliance by its subcontractors with applicable provisions, statutes or regulations governing their legal responsibilities in public contracts.

In addition, the Subrecipient shall require compliance with all Federal, State, and local laws and regulations and include required Federal clauses in contracts and purchase orders.



10. Procurement Requirements:

All procurements for contracted services (complementary paratransit, cabs, etc.) must go through a bidding process.

A. Procurement System:

- i. **The Subrecipient**, assures it has or will establish a procurement system in compliance with FTA procurement requirements in FTA Circular 4220.1 third party contracting requirements as well as any other implementing requirements of Federal, State, or local government, including:
 1. a five-year limitation on rolling stock;
 2. requirement for full and open competition;
 3. a prohibition against geographic preferences;
 4. the use of Brooks Act procedures for procurement of architectural engineering services if the state has not adopted a statute governing procurement of such services;
<https://www.acec.org/advocacy/qbs/brooks2/>
 5. inclusion in its contracts all Federal clauses required by Federal laws, executive orders, or their implementing regulations, as required by FTA Circular 4220.1;
 6. inclusion in its subcontracts and sub agreements all Federal clauses required by Federal laws, executive orders, or their implementing regulations, as required in FTA Circular 4220.1;
 7. written protest procedures;
 8. ethical standards of conduct;
 9. use of appropriate procurement method.
<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Third%20Party%20Contracting%20Guidance%20%28Circular%204220.1F%29.pdf>

- B. Required Provision in Procurement Notices:** The following required provision shall be included in any advertisement or invitation to bid for any procurement under this Agreement:

Statement of Financial Assistance: "Statement of Financial Assistance: This Procurement is subject to a financial assistance grant agreement between the State of Idaho and the U.S. Department of Transportation."

- C. Procurement Requirements:** Subrecipient will follow the following procurement guidelines:

Subrecipients are subject to their own procurement policies, and IDAPA Title 38 when applicable. If not applicable at a **MINIMUM** FEDERAL thresholds issued in OMB issued memorandum [OM-18-18](#) must be followed. Note: Circulars may not be updated to reflect the new procurement thresholds issued by OMB through OM-18-18.

- D. Bus and Van Testing:** The Subrecipient will comply with FTA bus testing requirements applicable to heavy-duty large and small buses; medium-duty buses; light-duty mid-size buses; and light-duty small buses, cutaways, or modified vans (does not apply to unmodified mass-produced vans). If testing is not required, the Subrecipient will instead obtain the manufacturer's certification that the vehicle is exempt from FTA bus testing requirements and also obtain a list of recent purchasers of the vehicle (with contact information), to aid evaluation prior to vendor selection.

<http://www.gpo.gov/fdsys/pkg/CFR-2005-title49-vol1/content-detail.html>

- i. For Equipment Purchases - The Subrecipient will provide the same equipment specifications to each prospective vendor and seek at least three bids or price quotes. The Subrecipient will submit price quotes or bids received to the State with its preferred vendor selection noted, for State approval to purchase. For more information see FTA Best Practices Procurement Manual,
<https://www.transit.dot.gov/funding/procurement/third-party-procurement/best-practices-procurement-manual>



- E. Pre-Award and Post-Delivery Review of New Vehicles:** The Subrecipient assures it will conduct a pre-award and/or post-delivery reviews for all new vehicles purchased under this project, as specified below. The Subrecipient assures it will conduct these reviews per the formats and instructions provided by the State. Pre-Award Reviews must be submitted to the State for approval
- F. Vehicle Identification Numbers to State:** The Subrecipient will provide each vehicle's identification number (VIN) to the State with the first payment invoice for the particular vehicle.
- G. Titles to Vehicles/Equipment & Liens:**
- i. Title to Project equipment other than vehicles shall rest with the Subrecipient.
 - ii. The Subrecipient hereby agrees that the State of Idaho is lien holder for each vehicle purchased under this Project. The Subrecipient shall arrange with the Idaho Division of Motor Vehicles (DMV) to issue the certificate of title in the name of the Subrecipient with the State of Idaho Transportation Department as lien holder. The Subrecipient shall arrange with DMV to send the original title to the State's Public Transportation Office for this project.
 - iii. The State will hold a lien on the title of any vehicle purchased under this project. The Subrecipient may request a clear title after the vehicle reaches its useful life.

The Subrecipient gives the State Power of Attorney limited to applying for a Vehicle Title from the Idaho Division of Motor Vehicles and to requesting the Idaho Division of Motor Vehicles remove the State's lien from the vehicle title.



CERTIFICATION REGARDING FEDERAL LOBBYING:

Certification for Contracts, Grants, Loans, and Cooperative Agreements:

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with FTA and/or State general funds as it pertains to this agreement from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Authorized Signature for Subrecipient:

Name	Title	Phone	E-mail
Daniel G. Johnson	Mayor	208-746-3671	mayorjohnson@cityoflewiston.org
Signature and Date:			



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE IFB-23-006 19TH AVENUE SIDEWALK INFILL; 15TH TO 16TH, TR065	AGENDA NO. AGENDA DATE: March 27, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) This project will construct concrete sidewalk, curb and gutter, and retaining wall on the south side of 19th Avenue with ADA compliant pedestrian ramps at intersections. Council approved the LHTAC/Local Agreement for this project in August 2022 with an estimated total project cost of \$290,000.	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. This sidewalk is the sole missing link to provide continuous connectivity between McSorley Elementary School and the adjacent residential neighborhood, government offices, and shopping centers. This sidewalk is identified as a multimodal gap in the 2020 Transportation Plan, included in the 2023 Transportation CIP (ID#2020-091), and is an identified priority in the 2020 ADA Transition Plan.	
BUDGET IMPACT This project was not included in FY23 appropriations, but will be funded with a \$250,000 Child Pedestrian Safety grant (LHTAC/Local Agreement) and \$40,000 ADA local funds. The competitive grant was awarded due in part to community and agency support from McSorley Elementary School, Disability Advisory Commission, Lewis-Clark Valley Metropolitan Planning Organization, Transit System, and Lewiston Police Department.	
ACTION PROPOSED Public Works recommends awarding the bid to the lowest responsive bidder, Knox Concrete, LLC (Knox), from Lewiston Idaho for a total bid of \$285,250.	

Memo



Prepared For: Katrina Sharp, Purchasing Coordinator

Prepared By: Alannah Bailey, PE, Project Engineer Director

Copy: Dustin Johnson, PE, Public Works
Jason Thompson, Street Maintenance Manager
Wendy LaVoie, Public Works Financial Analyst

Date: March 15, 2023

Subject: **RECOMMENDATION TO AWARD**
IFB-23-006 19TH AVE SIDEWALK INFILL; 15th TO 16th (TR065)

I have reviewed the single bid received for this project on March 9, 2023 and found it to be responsive. The itemized bid and Engineer's estimate are presented on the attached Bid Tabulation.

Public Works recommends awarding the bid to the lowest responsive bidder, Knox Concrete, LLC (Knox), from Lewiston Idaho for a total bid of \$285,250. Knox's bid is 15% more than the Engineer's estimate of \$248,685. After review of the bid tab, it was determined that market conditions contributed to the increased pricing reflective in the bid. The Knox bid compared to the Engineer's estimate is notably higher for clearing & grubbing (\$8,500), removal of storm drain manhole (\$4,500), Seeding (\$6,000), traffic control (\$7,000), and surveying (\$10,000).

This project will construct concrete sidewalk, curb and gutter, and retaining wall on the south side of 19th Avenue with ADA compliant pedestrian ramps at intersections. This sidewalk is the sole missing link to provide continuous connectivity between McSorley Elementary School and the adjacent residential neighborhood, government offices, and shopping centers. This sidewalk is identified as a multimodal gap in the 2020 Transportation Plan, included in the 2023 Transportation CIP (ID#2020-091), and is an identified priority in the 2020 ADA Transition Plan.

The City Public Works Department designed this project and intends to provide construction engineering, inspection, and administrative services. Council approved the LHTAC/Local Agreement for this project in August 2022 with an estimated total project cost of \$290,000. This project was not included in FY23 appropriations, but will be funded with a \$250,000 Child Pedestrian Safety grant (LHTAC/Local Agreement) and \$40,000 ADA local funds. The competitive grant was awarded due in part to community and agency support from McSorley Elementary School, Disability Advisory Commission,

Subject 19th Ave Sidewalk Infill; 15th to 16th
Date March 15, 2023
Page No. 2

Lewis-Clark Valley Metropolitan Planning Organization, Transit System, and Lewiston Police Department.

The draft contract has been updated with the bid for your use. Please prepare the final construction contract, then send the final contract to Knox for signature. Upon receiving the signed contract forward to Public Works to request City Council approval.

G:\Shared drives\Public Works CAPITAL\Sidewalks\TR065 19th Ave Sidewalk Infill; 15th to 16th\Bidding\TR65 Recommend Award Memo WL comments.docx

Attachments: Bid Tab Results

PROJECT: 19TH AVE SIDEWALK INFILL; 15TH TO 16TH (TR065) (IFB-23-006)
BID TABULATION -- Bid Opening: March 9, 2023 - 2:00 p.m.

NO.	ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	Engineer's Estimate		Knox Concrete LLC Lewiston, ID	
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	201.4.1.B.1	Clearing and Grubbing	LS	1	\$1,500.00	\$1,500.00	\$10,000.00	\$10,000.00
2	201.4.1.D.1	Removal of Asphalt	SY	144	\$14.00	\$2,016.00	\$45.00	\$6,480.00
3	201.4.1.D.1	Removal of Concrete (sidewalk/curb/other)	SY	56	\$32.00	\$1,792.00	\$110.00	\$6,160.00
4	201.4.1.E.1	Removal of Fence	LF	83	\$5.00	\$415.00	\$22.00	\$1,826.00
5	201.4.1.E.1	Removal of Retaining Wall	LF	54	\$30.00	\$1,620.00	\$85.00	\$4,590.00
6	201.4.1.F.1	Removal of Tree / Stump	EA	4	\$1,500.00	\$6,000.00	\$600.00	\$2,400.00
7	201.4.1.F.1	Removal of Storm Drain Manhole (includes bypass pumping and piping)	EA	1	\$2,000.00	\$2,000.00	\$6,500.00	\$6,500.00
8	201.4.1.F.1	Removal of Cistern (@ 1512 19th Ave by tree)	EA	1	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
9	202.4.1.A.1	Excavation	CY	480	\$30.00	\$14,400.00	\$45.00	\$21,600.00
10	206.4.1.K.1	Seeding, Class 3	LS	1	\$2,000.00	\$2,000.00	\$8,000.00	\$8,000.00
11	303.4.1.C.1	Potholing	EA	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
12	601.4.1.A.17	18" Storm Drain Pipe, Type S, Corrugated Polyethylene (CPP)	LF	47	\$90.00	\$4,230.00	\$65.00	\$3,055.00
13	602.4.1.A.1	Storm Drain Manhole - City of Lewiston Std (Type 1)	EA	1	\$7,000.00	\$7,000.00	\$7,250.00	\$7,250.00
14	602.4.1.F.1	Catch Basin - City of Lewiston Std (Type 1)	EA	1	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00
15	602.4.1.S1	Sidewalk Cross Drain (Std Dwg. 6-12)	EA	1	\$1,000.00	\$1,000.00	\$1,800.00	\$1,800.00
16	703.4.1.B.1	Retaining Wall	SF	372	\$100.00	\$37,200.00	\$95.00	\$35,340.00
17	706.4.1.A.5	6" High Back Curb and Gutter (Std. Dwg. 2-7)	LF	426	\$65.00	\$27,690.00	\$65.00	\$27,690.00
18	706.4.1.A.13	Pedestrian Curb	LF	21	\$47.00	\$987.00	\$55.00	\$1,155.00
19	706.4.1.E.1	Concrete Sidewalk (4" Thick) (Std. Dwg. 2-8) (excludes Ped Ramp)	SY	201	\$110.00	\$22,110.00	\$110.00	\$22,110.00
20	706.4.1.F.1	Concrete Driveway Approach (6" Thick) (Std. Dwg. 2-16)	SY	53	\$130.00	\$6,890.00	\$160.00	\$8,480.00
21	706.4.1.H.1	Pedestrian Ramp w/ Detectable Warning Domes, Type 1 (Std. Dwg. 2-11)	EA	4	\$3,000.00	\$12,000.00	\$1,600.00	\$6,400.00
22	802.4.1.A.1	Crushed Aggregate for Base Type 1	CY	200	\$115.00	\$23,000.00	\$55.00	\$11,000.00
23	810.4.1.A.3	Plant Mix Pavement (3" thick), SP-3, PG64-28, 1/2" Agg Plus 0.5% Anti-Strip Add.	SY	521	\$35.00	\$18,235.00	\$34.00	\$17,714.00
24	1103.4.1.A.1	Construction Traffic Control	LS	1	\$8,000.00	\$8,000.00	\$15,000.00	\$15,000.00
25	1105.4.1.E.1	Remove & Reset Sign	EA	4	\$625.00	\$2,500.00	\$800.00	\$3,200.00
26	2010.4.1.A.1	Mobilization	LS	1	\$26,000.00	\$26,000.00	\$30,000.00	\$30,000.00
27	2030.4.1.D.1	Misc. Utility, Adjust to Grade, Water Meter	EA	6	\$1,200.00	\$7,200.00	\$500.00	\$3,000.00
28	2030.4.1.D.1	Misc. Utility, Adjust to Grade, Irrigation Box	EA	1	\$1,200.00	\$1,200.00	\$300.00	\$300.00
29	2040.4.1.A.1	Fence, Reset 4' Hog Wire	LF	60	\$20.00	\$1,200.00	\$45.00	\$2,700.00
30	SP-1	Construction Surveying	LS	1	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00
TOTAL CONSTRUCTION					\$248,685.00		\$285,250.00	

AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

This Agreement is by and between City of Lewiston ("Owner") and Knox Concrete, LLC ("Contractor").

Terms used in this Agreement have the meanings stated in the General Conditions and the Supplementary Conditions.

Owner and Contractor hereby agree as follows:

ARTICLE 1—WORK

- 1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows: 19th Ave Sidewalk Infill; 15th to 16th, TR065 (IFB-23-006).

ARTICLE 2—THE PROJECT

- 2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: Construction of concrete sidewalk, curb and gutter, retaining wall, and pedestrian ramps.

ARTICLE 3—ENGINEER

- 3.01 Alannah Bailey, P.E., City of Lewiston Engineering Project Supervisor ("Engineer") will be the Owner's representative, assume all duties and responsibilities of Engineer, and have the rights and authority assigned to Engineer in the Contract.
- 3.02 The part of the Project that pertains to the Work has been designed by the City of Lewiston.

ARTICLE 4—CONTRACT TIMES

- 4.01 *Time is of the Essence*
- A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.
- 4.02 *Contract Times: Dates*
- A. The Work shall begin on or after June 12, 2023. Work will be substantially complete on or before August 18, 2023, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before August 25, 2023.
- 4.03 *Liquidated Damages*
- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the Contract Times, as duly modified. The parties also recognize the delays, expense, and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):

1. *Substantial Completion:* Contractor shall pay Owner \$500 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for Substantial Completion, until the Work is substantially complete.
2. *Completion of Remaining Work:* After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$500 for each day that expires after such time until the Work is completed and ready for final payment.
3. Liquidated damages for failing to timely attain Milestones, Substantial Completion, and final completion are not additive, and will not be imposed concurrently.

ARTICLE 5—CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents, the amounts that follow, subject to adjustment under the Contract:

- A. For all Unit Price Work, an amount equal to the sum of the extended prices (established for each separately identified item of Unit Price Work by multiplying the unit price times the actual quantity of that item).

Unit Price Work						
Item No.	ISPWC Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Price
1	201.4.1.B.1	Clearing and Grubbing	LS	1	\$10,000	\$10,000
2	201.4.1.D.1	Removal of Asphalt	SY	144	\$45	\$6,480
3	201.4.1.D.1	Removal of Concrete (sidewalk/curb/other)	SY	56	\$110	\$6,160
4	201.4.1.E.1	Removal of Fence	LF	83	\$22	\$1,826
5	201.4.1.E.1	Removal of Retaining Wall	LF	54	\$85	\$4,590
6	201.4.1.F.1	Removal of Tree / Stump	EA	4	\$600	\$2,400
7	201.4.1.F.1	Removal of Storm Drain Manhole (includes bypass pumping and piping)	EA	1	\$6,500	\$6,500
8	201.4.1.F.1	Removal of Cistern (@ 1512 19th Ave by tree)	EA	1	\$2,000	\$2,000
9	202.4.1.A.1	Excavation	CY	480	\$45	\$21,600
10	206.4.1.K.1	Seeding, Class 3	LS	1	\$8,000	\$8,000
11	303.4.1.C.1	Potholing	EA	1	\$1,000	\$1,000
12	601.4.1.A.17	18" Storm Drain Pipe, Type S, Corrugated Polyethylene (CPP)	LF	47	\$65	\$3,055
13	602.4.1.A.1	Storm Drain Manhole - City of Lewiston Std (Type 1)	EA	1	\$7,250	\$7,250
14	602.4.1.F.1	Catch Basin - City of Lewiston Std (Type 1)	EA	1	\$3,500	\$3,500
15	602.4.1.S1	Sidewalk Cross Drain (Std Dwg. 6-12)	EA	1	\$1,800	\$1,800

Unit Price Work						
Item No.	ISPWC Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Price
16	703.4.1.B.1	Retaining Wall	SF	372	\$95	\$35,340
17	706.4.1.A.5	6" High Back Curb and Gutter (Std. Dwg. 2-7)	LF	426	\$65	\$27,690
18	706.4.1.A.13	Pedestrian Curb	LF	21	\$55	\$1,155
19	706.4.1.E.1	Concrete Sidewalk (4" Thick) (Std. Dwg. 2-8) (excludes Ped Ramp)	SY	201	\$110	\$22,110
20	706.4.1.F.1	Concrete Driveway Approach (6" Thick) (Std. Dwg. 2-16)	SY	53	\$160	\$8,480
21	706.4.1.H.1	Pedestrian Ramp w/ Detectable Warning Domes, Type 1 (Std. Dwg. 2-11)	EA	4	\$1,600	\$6,400
22	802.4.1.A.1	Crushed Aggregate for Base Type 1	CY	200	\$55	\$11,000
23	810.4.1.A.3	Plant Mix Pavement (3" thick), SP-3, PG64-28, 1/2" Agg Plus 0.5% Anti-Strip Add.	SY	521	\$34	\$17,714
24	1103.4.1.A.1	Construction Traffic Control	LS	1	\$15,000	\$15,000
25	1105.4.1.E.1	Remove & Reset Sign	EA	4	\$800	\$3,200
26	2010.4.1.A.1	Mobilization	LS	1	\$30,000	\$30,000
27	2030.4.1.D.1	Misc. Utility, Adjust to Grade, Water Meter	EA	6	\$500	\$3,000
28	2030.4.1.D.1	Misc. Utility, Adjust to Grade, Irrigation Box	EA	1	\$300	\$300
29	2040.4.1.A.1	Fence, Reset 4' Hog Wire	LF	60	\$45	\$2,700
30	SP-1	Construction Surveying	LS	1	\$15,000	\$15,000
Total of all Extended Prices for Unit Price Work (subject to final adjustment based on actual quantities)						\$285,250

The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

ARTICLE 6—PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 Progress Payments; Retainage

- A. Owner shall make progress payments on the basis of Contractor's Applications for Payment up to twice each month during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured

by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract.
 - a. Ninety Five (95) percent of the value of the Work completed (with the balance being retainage).
 - b. Ninety Five (95) percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).

6.03 *Final Payment*

- A. Upon final completion and acceptance of the Work, Owner shall pay the remainder of the Contract Price in accordance with Paragraph 15.06 of the General Conditions.

6.04 *Consent of Surety*

- A. Owner will not make final payment, or return or release retainage at Substantial Completion or any other time, unless Contractor submits written consent of the surety to such payment, return, or release.

6.05 *Interest*

- A. This article is reserved.

ARTICLE 7—CONTRACT DOCUMENTS

7.01 *Contents*

- A. The Contract Documents consist of the following and shall govern in the following order in case of conflict among them:
 1. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Change Orders.
 - b. Work Change Directives.
 - c. Field Orders.
 - d. Notice to Proceed.
 2. This Agreement (2020 ISPWC Section 520)
 3. Addenda (1 to 2).
 4. Drawings consisting of 11 sheets with each sheet bearing the following general title: **19th Avenue Sidewalk Infill (TR065) 15th Street to 16th Street**
 5. Special Provisions and Supplementary Technical Specifications (2020 ISPWC Section 820).
 6. Supplementary Conditions (2020 ISPWC Section 800).

7. Instructions to Bidders (2020 ISPWC Section 200).
8. General Conditions (2020 ISPWC Division 100).
9. Standard Specifications and Drawings – 2020 Idaho Standards for Public Works Construction (ISPWC).
10. Contractor's Bid (2020 ISPWC Section 410 and all attachments thereto).
11. Documentation submitted by Contractor prior to Notice of Award.
12. CONTRACTOR'S Affidavits, including Non-Collusion Affidavit (ISPWC Section 450), Contractor's Affidavit Concerning Taxes (ISPWC Section 951), and Contractor's Affidavit Concerning Alcohol and Drug-Free Workplace (ISPWC Section 460).
13. Bonds:
 - a. Performance bond (2020 ISPWC Section 610 together with power of attorney).
 - b. Payment bond (2020 ISPWC Section 615 together with power of attorney).
- B. The Contract Documents listed in Paragraph 7.01.A are incorporated by reference to this Agreement.
- C. There are no Contract Documents other than those listed above in this Article 7.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the Contract.

ARTICLE 8—REPRESENTATIONS, CERTIFICATIONS, AND STIPULATIONS

8.01 *Contractor's Representations*

- A. In order to induce Owner to enter into this Contract, Contractor makes the following representations:
 1. Contractor has examined and carefully studied the Contract Documents, including Addenda.
 2. Contractor has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 3. Contractor is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
 4. Contractor has carefully studied the reports of explorations and tests of subsurface conditions at or adjacent to the Site and the drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, with respect to the Technical Data in such reports and drawings.
 5. Contractor has carefully studied the reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, with respect to Technical Data in such reports and drawings.

6. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (c) Contractor's safety precautions and programs.
7. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
8. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
9. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and of discrepancies between Site conditions and the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
10. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
11. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.
12. The Contractor is an appropriately licensed public works contractor per Idaho Code Section 54-1902.
13. Contractor shall comply with all Laws and Regulations applicable to the performance of the Work. Except where otherwise expressly required by applicable Laws and Regulations, neither Owner nor Engineer shall be responsible for monitoring the Contractor's compliance with any Laws or Regulations.

8.02 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 8.02:
 1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.
- B. Anti-Boycott Against Israel Act: If this Agreement: (1) Is to acquire or dispose of services, supplies, information technology, or construction; (2) has a potential value of One Hundred Thousand Dollars (\$100,000) or more; and (3) Contractor is a company with ten (10) or more employees, then, pursuant to Idaho Code § 67-2346, Contractor certifies that Contractor is not currently engaged in, and will not for the duration of this Agreement engage in, a boycott of goods or services from Israel or territories under Israel's control. The terms "company" and "boycott Israel" shall have the meanings ascribed to them in Idaho Code § 67-2346.
 - C. No Public Funds for Abortion Act: Pursuant to Idaho Code § 18-8703, Contractor certifies that it is not, and will not for the duration of the Agreement, become an abortion provider or an affiliate of an abortion provider, as those terms are defined in the "No Public Funds for Abortion Act," Idaho Code §§ 18-8701 et seq.

8.03 *Standard General Conditions*

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are ISPMC Division 100 EJCDC® C-700, Standard General Conditions for the Construction Contract (2018), published by the Engineers Joint Contract Documents Committee, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

ARTICLE 9—OTHER (CITY) PROVISIONS

9.01 Other (City) Provisions

- A. **Independent Contractor.** The Parties agree that CONTRACTOR is an independent contractor, with no employment relationship with the City of Lewiston.
- B. **Contracting Authority.** CONTRACTOR warrants that the signatory to this Agreement has the authority to fully bind CONTRACTOR to enter into and be obligated to perform the duties set forth herein.
- C. **Indemnification.** CONTRACTOR shall defend, indemnify, and hold OWNER, its officers, agents, and employees harmless for all claims, losses, actions, damages, judgments, costs, expenses, and/or injuries to persons or property arising out of or in connection with any activities, acts, or omissions of CONTRACTOR, its officers, agents or employees. In the event OWNER is alleged to be liable on account of any activities, acts, or omissions of CONTRACTOR, its officers, agents or employees, then CONTRACTOR shall defend such allegations through counsel chosen by OWNER; and CONTRACTOR shall bear all costs, fees, and expenses of such defense, including, but not limited to, all attorney fees and expenses, court costs, and expert witness fees and expenses. This duty shall survive the termination or expiration of this Agreement.

- D. **Notices.** All notices required to be given pursuant to this Agreement shall be in writing and shall be deemed delivered immediately if hand-delivered or forty-eight (48) hours after depositing the same in the U.S. mail, certified or registered, postage prepaid, addressed to the respective addresses set forth on the signature page.
- E. **Choice of Law.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Second Judicial District, State of Idaho.
- F. **Performance/Waiver.** The failure of a Party hereto to insist upon strict performance or observance of the terms of this Agreement shall not be a waiver of any breach of any terms or conditions of this Agreement by the other Party.
- G. **Third Party Beneficiaries.** Nothing contained herein shall create any relationship, contractual or otherwise, with, or any rights in favor of, any third party. Nothing contained herein shall extend the liability of either Party beyond that provided by governing law.
- H. **Attorney Fees.** In the event a controversy, claim, or action arises between the Parties to this Agreement regarding the enforcement of its terms and conditions, or the breach of any of its provisions, the prevailing Party shall be entitled to recover from the other Party all costs and expenses incurred by the prevailing Party, including reasonable attorney fees, regardless of whether such controversy, claim, or action is prosecuted to judgment or appealed.
- I. **Public Records.** The Parties herein understand and acknowledge that this Agreement and its attachments are subject to the Idaho Public Records Act, I.C. §§ 74-101, et seq., the Idaho Open Meetings Act, I.C. §§ 74-201, et seq., and other applicable federal and state laws, and might be public records.
- J. **Use of City Name.** CONTRACTOR shall not include the name, logo, or any identifying marks of the City of Lewiston in any advertising, sales promotion, or other publicity matter.
- K. **Non-Discrimination.** CONTRACTOR shall not refuse to hire any person, including any subcontractor, because of such person's race, creed, sex, color, national origin, ancestry, religion, physical or mental disability, marital or familial status, sexual orientation, or gender identity/expression, unless based on a bona fide occupational qualification.
- L. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.
- M. **Force Majeure.** Neither Party shall be liable for any failure to perform as required by this Agreement to the extent that such failure to perform is caused by any reason beyond the Party's control, or by reason of any of the following: labor disturbances or disputes, accidents, failure of any required governmental approval, civil disorders, acts of aggression, acts of God, failure of utilities, mechanical shutdowns, material shortages, disease, or similar occurrences.
- N. **Merger and Integration.** This writing embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement. All previous and contemporaneous communications, representations, or agreements, either verbal or written, between the Parties are superseded by this Agreement.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on the _____ day of _____, 2023 (which is the Effective Date of the Contract).

Owner:

City of Lewiston

By: _____

(individual's signature)

Date: _____

(date signed)

Name: _____

(typed or printed)

Title: _____

(typed or printed)

(If Owner is a corporation, attach evidence of authority to sign. If Owner is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

Attest: _____

(individual's signature)

Title: _____

(typed or printed)

Address for giving notices:

Public Works Director

P.O. Box 617

Lewiston, Idaho 83501

Designated Representative:

Name: Alannah Bailey, P.E.

Title: Engineering Project Supervisor

Address:

215 D Street

P.O. Box 617

Lewiston, Idaho 83510

Phone: 208-798-8809

Email: abailey@cityoflewiston.org

Contractor:

Knox Concrete, LLC

By: _____

(individual's signature)

Date: _____

3/16/23

(date signed)

Name: _____

Geoff Eldridge

(typed or printed)

Title: _____

Project Manager / Estimator

(typed or printed)

(If Contractor is a corporation, a partnership, limited liability company, or a joint venture, attach evidence of authority to sign.)

Attest: _____

Helsey Eldridge

(individual's signature)

Title: _____

Assistant Project Manager

(typed or printed)

Address for giving notices:

913 Snake River Avenue

Lewiston, ID 83501

Designated Representative:

Name: _____

Geoff Eldridge

(typed or printed)

Title: _____

Project Manager / Estimator

(typed or printed)

Address:

913 Snake River Avenue

Lewiston, ID 83501

Phone: _____

208-798-5669

Email: _____

geoff@knoxconcrete.net

Idaho License

No.: _____

PWC-C-16917-B-4

(where applicable)

RESOLUTION 2023-19

A RESOLUTION DECLARING THAT AN EMERGENCY EXISTS AND THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE IMMEDIATE EXPENDITURE OF PUBLIC MONEY FOR THE DESIGN AND CONSTRUCTION OF AN INTERIM SOLUTION FOR WATER STORAGE IN THE HIGH ZONE OF THE CITY OF LEWISTON'S WATER SYSTEM

WHEREAS, pursuant to Idaho Code §§ 67-2808(1)(a)(i) and 67-2808(1)(a)(iii), the Lewiston City Council may declare that an emergency exists and that the public interest and necessity demand the immediate expenditure of public money if there is a great public calamity, such as an extraordinary fire, flood, storm, epidemic, or other disaster; or it is necessary to do emergency work to safeguard life, health, or property;

WHEREAS, pursuant to Idaho Code § 67-2808(1)(b), upon the Lewiston City Council's declaration of an emergency, any sum required in the emergency may be expended without compliance with formal bidding procedures;

WHEREAS, on January 18, 2023, a rupture of a water holding reservoir located near 16th Avenue in the City of Lewiston (hereafter "High Reservoir") resulted in the flooding of multiple homes and businesses and compromised potable water for over Twenty-Four Thousand (24,000) City of Lewiston residents, which resulted in an emergency Boil Water Alert Order to be issued by the City of Lewiston and a Declaration of Local Disaster Emergency to be issued by the Mayor of the City of Lewiston;

WHEREAS, on January 19, 2023, the Lewiston City Council approved Resolution 2023-6, declaring that an emergency exists and that the public interest and necessity demand the immediate expenditure of public money for the purchase of materials and services to repair or replace the water system infrastructure to mitigate the rupture of the High Reservoir, which work has since been completed;

WHEREAS, also on January 19, 2023, said Boil Water Alert Order was lifted for some areas within the City of Lewiston, but the remaining areas within the City of Lewiston remained subject to said Boil Water Alert Order;

WHEREAS, on January 23, 2023, the Lewiston City Council passed Resolution 2023-8, consenting to the continuance of the Declaration of Local Disaster Emergency beyond seven (7) days of its inception, if necessary;

WHEREAS, on January 26, 2023, said Boil Water Alert Order was lifted for the remaining areas within the City of Lewiston and, thus, fully lifted;

WHEREAS, on February 7, 2023, the Mayor of the City of Lewiston issued an Order Terminating Local Disaster Emergency;

WHEREAS, since the rupture of the High Reservoir occurred, City of Lewiston staff and consultants have been analyzing interim solutions for water storage in the high zone of the City of Lewiston's water system;

WHEREAS, if an interim solution for water storage in the high zone of the City of Lewiston's water system is not completed before peak irrigation season water usage, which begins increasing in April and peaks in the late spring and summer months, then the City of Lewiston's water system capacity is likely to be exceeded, which may result in: (1) negative pressures within the water system; (2) collapsed pipes; (3) complete loss of water service for over Twenty-Four Thousand (24,000) City of Lewiston residents served by the water system; (4) another emergency Boil Water Alert Order; and/or (5) the City of Lewiston being required to implement strict irrigation elimination regulations;

WHEREAS, if the water system capacity is exceeded, then the City of Lewiston's fire protection measures would also be hindered or incapacitated, limiting the fire suppression capabilities of the City of Lewiston's Fire Department;

WHEREAS, if irrigation is restricted or eliminated, then the fire danger within the City of

Lewiston limits will increase;

WHEREAS, a clean, reliable, consistent source of water is critical for the health and wellbeing of the citizens, occupants, and travelers within the City of Lewiston, and its use is essential to basic life functions;

WHEREAS, there is insufficient time for formal bidding procedures to be followed for the design and construction of an interim solution for water storage in the high zone of the City of Lewiston's water system prior to peak irrigation season water usage; and

WHEREAS, the City of Lewiston needs to immediately expend money for the design and construction of an interim solution for water storage in the high zone of the City of Lewiston's water system prior to peak irrigation season water usage in order to safeguard life, health, or property.

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

SECTION 1: The foregoing recitals are hereby incorporated into and made part of this Resolution 2023-19.

SECTION 2: The Lewiston City Council hereby declares, pursuant to Idaho Code §§ 67-2808(1)(a)(i) and 67-2808(1)(a)(iii), that an emergency exists and that the public interest and necessity demand the immediate expenditure of public money for the design and construction of an interim solution for water storage in the high zone of the City of Lewiston's water system in order to meet peak irrigation season water usage, and it is necessary to do such emergency work to safeguard life, health, or property.

SECTION 3: The City of Lewiston is hereby authorized to expend up to Two Million Dollars (\$2,000,000) for the design and construction of an interim solution for water storage in the high zone of the City of Lewiston's water system without compliance with formal bidding procedures. The Mayor

and City of Lewiston staff are hereby authorized to take any and all steps necessary to make such purchase(s) without compliance with formal bidding procedures, pursuant to Idaho Code § 67-2808(1)(b).

SECTION 4: The Mayor and City Clerk are hereby authorized to execute and attest, respectively, contracts that are equal to or in excess of One Hundred Thousand Dollars (\$100,000), but not more than Four Hundred Thousand Dollars (\$400,000) without prior approval from the Lewiston City Council, and related to the design and construction of an interim solution for water storage in the high zone of the City of Lewiston's water system.

SECTION 5: This resolution shall become effective upon its passage.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 3-1-2023

Commissions/Boards applying for: Disability Advisory Commission

Name: Ruth Matthew W.
Last First MI

Telephone (Home): (208) 816-3668

Work Telephone: (208) 746-8881

E-Mail Address: mruth@addus.com

Address 1037 Suite A 21st Ave Lewiston Id 83501
Number Street City State Zip

If residing in Lewiston, for how long? 4+ years

Employer: Addus Homecare

Occupation: Director

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? No

Comments: I don't know, yet as I have not seen a calendar. That said, I should be able to attend.

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

I taught @ Northwest Children's Home for 5 years, I was a direct staff @ Snake River Counseling/Rehab, I run a Homecare Agency now.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

I'm articulate. I read and write well. I am a natural presenter having taught for 15 years.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

<u>Constance Vance</u>	<u>(208) 503-9692</u>
Name	Telephone
<u>Jodi Smith, RN</u>	<u>(208) 791-9629</u>
Name	Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

RECEIVED
3-6-2023

JB

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 2/6/23

Commissions/Boards applying for: Public Works Committee

Name: Rehder Ryan J
Last First MI

Telephone (Home): 208-553-5507

Work Telephone: _____

E-Mail Address: rrehder@mountainwtr.com

Address 708 Park Ave. Lewiston ID 83501
Number Street City State Zip

If residing in Lewiston, for how long? 2005-2013, 2017-current

Employer: Mountain Waterworks / Merrick

Occupation: ~~EA~~ Civil Engineer

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? No

Comments: _____

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

My day job is primary working on public works projects for
municipal clients in Idaho. I am also an AWWA subsection board member.
(American Waterworks Assoc.)

What strengths do you feel you could bring to the boards/commissions for which you are applying?

Strategic planning experience, stakeholder engagement, technical
expertise through education and experience, history of local involvement.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Josh Thueson 208-553-8912
Name Telephone

Corey Long 509-552-1217
Name Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: January 28, 2023

Commissions/Boards applying for: Public Works Advisory Committee/Commission

Name: Wright , Laura L.
Last First MI

Telephone (Home): 925-383-1590

Work Telephone: Same

E-Mail Address: Lwright@3bridgesent.com

Address 1522 Stable Court, Lewiston, ID 83501
Number Street City State Zip

If residing in Lewiston, for how long? 2 years

Employer: Self-Employed

Occupation: Consultant

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? No

Comments: _____

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).
See Supplemental attached.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

See Supplemental attached.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

<u>Jake Greco</u>	<u>(208) 790-0664</u>
Name	Telephone
<u>Bobby Joaquin</u>	<u>(925) 382-7508</u>
Name	Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

SUPPLEMENTAL

Date: January 28, 2023

Commissions/Boards applying for: Public Works Advisory Committee/Commission

Name: Wright, Laura L.
Last First MI

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

I worked twenty-four years in the public sector working within Administrative Services Department, Public Works Department, Pittsburg Power Company, and City Manager's Office. I managed the Environmental Services Department and four other divisions. In addition, I worked six years in the private sector with extensive experience in hazardous waste industry. I am now self-employed as a consultant working with cities on special projects.

Areas of expertise that could support the Public Works Advisory Committee/Commission:

- Reported directly to Public Works Director for six years overseeing solid waste, environmental compliance and safety, special projects, energy efficiency programs, street lighting, training, recognition programs, grants, policies, budgeting, etc. for all divisions. Continued managing many programs after transfer back to City Manager's Office.
- Oversaw Emergency Operations Center as Coordinator for City Manager.
- Managed Environmental Services Department overseeing Local Enforcement Agency and Register Environmental Health Specialist, Marina Operations, Waterfront Operations and Solid Waste divisions.
- Oversaw and managed many of the City's Franchise Agreements including solid waste, energy, cable, wireless, etc.
- Worked within the City Manager's Office overseeing special projects and committees such as Neighborhood Improvement Team, Code Enforcement Committee, Citywide Safety Committee, Energy Efficiency Grants, school programs, Street Safety Committee, Keller Canyon Landfill liaison, and various Ordinances and staff reports. Also assisted with programs and projects for Mayor and Councilmembers.
- National Pollution Discharge Elimination System (NPDES) Coordinator for the City.
- Hazardous Waste and Materials experience in private and public sector.

I was fortunate as my position within the city allowed me to work with every department from Police, Finance, Engineering, Planning, Building, Housing, Public Works, etc. In addition, I managed confidential information for managers and staff being trusted by many within the organization. I have managed various committees, presented formally and informally before

City Council, Board of Supervisors, Special Districts, State Committees, regional organizations, community groups, and service organizations. I understand the importance of excellent Customer Service both internally to staff and departments and externally to residents, businesses, schools, other agencies and organizations.

I have also owned my own businesses over the years (DW Trucking, DW Ranch - Goat & Hay, Galene Marina LLC – commercial fishing, Three Bridges Enterprises LLC) and understand the challenges the private sector and small business encounter.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

I have experience working on many committees and boards and understand the process of listening to different opinions, facilitation as necessary for inclusion of ideas, and gaining trust and concurrence to present the best outcomes. I have been chair, member, and staff to various over the years. I believe because of my abilities, I was appointed to many by my managers or referred by colleagues.

I am technical in nature and can read engineering drawing and plans. I took drafting and architecture classes which aided in this ability. I am also very creative with ideas as well as with marketing having created many programs from scratch.

I have extensive experience with regulations, permits, technical documents, legal documents, etc. which allows me to understand facts presented to me as well as to ask appropriate questions. In addition, I can process the information and be able to explain this information to various audiences from citizens, managers, and colleagues.

I understand the process and conditions of bidding, budgeting, grants as well as the Capital Improvement Projects (CIP) process for infrastructure improvements having had to oversee and implement many of these.

Lastly, I am curious by nature and ask many questions to learn about people, things, and processes. By doing so over the years, I have been exposed to so many topics, items, people, etc. which has expanded my knowledge base, exposing me into areas I never thought possible, providing resources to understand topics better to be able to make well-rounded decisions and responses.

Public Works, and the work the entire team is responsible for 24/7, has always made me appreciative and thankful as the caretakers of the vast infrastructure they are responsible for in the city and the community's health and safety.

It would be an honor and pleasure to be on the Public Works Committee/Commission.

EXPERIENCE

Twenty-four years public sector working in all aspects and responsibilities as a management analyst, program and community outreach coordinator, and manager within Administrative Services Department, Public Works Department, Pittsburg Power Company, and City Manager's Office managing Environmental Services Department and other divisions. Six years private sector experience in hazardous waste industry. Owner and Managing Director or Consulting Business. Owned and managed other private businesses.

EDUCATION

San Francisco State University - 1989 – Bachelor of Science degree in Marketing/Business Management
Diablo Valley College - Hazardous Waste Materials Management – 1993

PROFESSIONAL PROFICIENCY

Principal/Managing Director, [Three Bridges Enterprises LLC] 12/2021 to Present

- ✦ Managing special projects, researching and writing Ordinances, advising on Environmental Compliance, advising on Emergency Operations, advising on Solid Waste Operations

Environmental Services Manager, [City of Pittsburg, City Manager's Office, Environmental Services Department] 3/2016 to 12/2021

- ✦ Manage Environmental Services Department overseeing four divisions supervising a staff of eleven ranging from a Registered Environmental Health Specialist, Administrative Analyst, Harbormaster, Maintenance Workers and Administrative staff members
- ✦ Monitor, manage, negotiate, and write Franchise Agreements and Amendments for local transfer station and curbside trash and recycling hauler (Recycling Center and Transfer Station, Mt. Diablo Resource Recovery) and rate increase requirements
- ✦ Manage Local Enforcement Agency; one of only nine cities in state to oversee solid waste inspections, enforcement, and permitting of landfills, transfer stations, chipping and grinding operations, and waste tires
- ✦ Emergency Operations Center (EOC) coordinator; work in partnership with Police Department representative to implement EOC team, training, exercises, Emergency Operations Plan, Hazard Mitigation Plan, Debris Management Plan, infrastructure preparedness, EOC budget, Functional Assessment Service Team member and regional steering committee member, cost recovery member, liaison coordinator for FEMA recovery fund; Everbridge Emergency Alert System manager; COVID response and coordination as well as representative on County Municipal Advisory Committee; established emergency radio station AM1670 for community information
- ✦ Marina Operations – Manage Harbormaster, administrative and maintenance staff for City's 575 berth marina; updated daily operations and compliance along with logo, letters, website, new formal policies and forms; updated end of life marina management software, end of life gate system and hardware, new lighting and security and Wi-Fi system; executed eviction process with Sheriff's Office with Writ of Execution through Superior Court through City Attorney Office; researched new crossover pump system and oversaw installation to move 10,000 gpm of water from Marina into a waterway channel; oversaw contractor for \$500,000 dredging operation; Oil Spill Response Equipment Staging Grant from Office of Spill Prevention and Response
- ✦ Waterfront Operations – Managed staff and oversight of granted tidelands and submerged lands to the City of Pittsburg as trustee per SB551 and per public trust doctrine on behalf of California State Land Commission; lease operations for commercial and residential documents and payments, surveys,

appraisals, etc. for docks with City waterways; Proposition 68 Grant funding for Marina launch ramp, restroom, and park upgrades

- ✦ Environmental Compliance – Regulation oversight and implementation at City facilities such as Hazardous Materials/Waste Inspections and compliance; AB 2185 Hazardous Materials Business Plans for ten facilities; DTSC reporting; Air regulations; California Accidental Release Program (CalARP) at water treatment plant, underground and aboveground storage tanks regulations and requirements, etc.
- ✦ Supervise, create, inspect, implement and participate safety programs for Public Works and City; training courses and policies for programs such as Heat Illness, Confined Space, Lock Out Tag Out, Respiratory Protection and fit testing, Hearing Conservation and testing, Asbestos/Lead Policies, Hot Work, Fall Protection, Blood Borne Pathogen, 24-hour HAZWOPER, 8- hour Emergency Response Refresher, Uniform Manifest, Hazard Communication [GHS], Flagging and Traffic Control, etc
- ✦ Manage and oversee compliance for state mandated programs – AB 939 recycling & solid waste programs, SB 1383 short lived climate pollutants, organic recycling, AB341 and AB1826 mandatory commercial recycling, household hazardous waste, oil recycling, etc. within the community, businesses, and schools
- ✦ NPDES Outreach Coordinator and Management Committee Alternate– oversight and responsibility for permit compliance, program outreach, budget, Solid Waste Pollution Prevention Plan for maintenance and training, pesticide reduction program with the creation of an Integrated Pest Management demonstration garden
- ✦ Oversee Cable Franchises and Digital Video and Infrastructure and Video Competition Act of 2006(DIVCA), Public Education and Government (PEG) funding, programs and budget for city broadcasting on Delta TV, and Wireless Franchises/Agreements on cities facilities
- ✦ Coordinate, implement and manage Sustainability and Energy Efficiency efforts and programs; Greenhouse Gas Inventory and reduction, Climate Action Plan, school sustainability programs (Green Challenge – Battle of the Classes, reThink, Green Teams, etc.), school district Sustainability Committee member, first City in PG&E territory to have all LED streetlights, implement energy efficiency projects for City Hall and water treatment plant
- ✦ Franchises and Mitigation Funding oversight – Recycling Center and Transfer Station Franchise, Mt. Diablo Resource Recovery/Pittsburg Disposal Franchise, PG&E Franchise, Keller Canyon Mitigation Funds, Pipeline Franchises, Comcast Franchise, AT&T Franchise as well as various programs and responsibilities provide oversight and management of \$6 million in revenue funds
- ✦ Continual monitoring of local, state and federal regulations and assessing the impact of new regulations on the Department as well as implementing the mandated programs
- ✦ Participate on various regional and internal policy committees such as Neighborhood Improvement Team, Code Enforcement, Homeless Committee, Safety Committee, East County Disaster Coordinators, East Bay Energy Watch, Street Safety Committee, etc.
- ✦ Review and comment on Environmental Impact Reports and Conditional Use Permits as well as participate in Plan Check Review Process
- ✦ Prepare and present staff reports to City Council at open and closed sessions as well as speak formally and informally at Board of Supervisors, state boards, community events, organizations, panels, and schools
- ✦ Prepare various types of reports and documents as needed and required; technical, sensitive, confidential, investigation, complex, factual, reviews, and promotional

Prior positions at City of Pittsburg: Hazardous Waste/Waste Reduction Coordinator, [Public Works Department and Administrative Services Department] 10/04 - 11/97; Senior Administrative Analyst, [Public Works Department and City Manager's Office] 06/10 - 10/04; Administrative Officer [Pittsburg Power Company and City Manager's Office] 02/16 - 07/10

SPECIAL PROJECTS & ACCOMPLISHMENTS

- ✦ **Wrote and implemented** various Ordinances: Plastic Bag Ban, Polystyrene Ban, Digital Video and Infrastructure and Video Competition Act of 2006, Construction and Demolition (C&D), and other ordinance amendments.
- ✦ **Coordinated and participated** in a local *regional program* to establish a Confined Space Rescue Unit within Contra Costa County Fire Protection District stations to service public and private agencies in East Contra Costa County in emergency rescue. Co-chaired program with representative at Delta Diablo Sanitation District. Program involved local fire department, cities agencies, private agencies such as USS POSCO and GWF Power Systems and the County Supervisor's Office.
- ✦ **Wrote and negotiated** residential and commercial solid waste collection franchise agreements and amendments for City of Pittsburg and coordinated new single stream/variable rate system for the local transfer station as well as the curbside collection program.
- ✦ **Created and coordinated** festivals such as annual Green Footprint Festival coordinating 18 vendors and educating 400 kids and parents on sustainable issues and Public Works Day 'Open House' educating 800 students, teachers and parents on the various responsibilities and services delivered to the community.
- ✦ **Spear headed, coordinated and secured start up funding** for vocational program for young at-risk adults to prepare them for work in the building and construction trades. Program evolved into a non-profit, Future Build, that has had over 18 cohorts, placing graduate students within the trades or apprenticeship programs.
- ✦ **Coordinating** watershed team (Delta Waters Program - public and private partners) to create a hands-on environmental educational program for elementary students to learn about the Delta at the Dow Wetlands with high school and college students as mentors.
- ✦ **Prepared and completed** multiple special projects: Aquatic Pesticide Permit; Illegal Dumping Program; Mercury Reduction Program (Joint Project); Storm Water Pollution Prevention Plans; Underground Storage Tank Program.
- ✦ **Prepared** Climate Change Inventory in association with International Council for Local Environmental Initiatives (ICLEI) and Climate Action Plan; completed a greenhouse emission inventory and presently **assessing and establishing** benchmarks to develop an action plan as part of a local, state and worldwide effort to reduce greenhouse emissions.
- ✦ **Created Integrated Pest Management Garden**, Living Green Gardens, the only interpretive garden in East Contra Costa County with signage, drought tolerant plants, drip irrigation, fertigation tanks, and other special features to assist residents and businesses with converting lawn and spaces to attractive gardens that uses less water and chemicals. Living Green Gardens allowed for the contract of workshops and classes, using the garden as a classroom for residents.

GRANTS

- ✓ American Recovery and Reinvestment Act [ARRA] of 2009 – Energy Efficiency Conservation Grant (\$565,000) ~ 2009-2011
- ✓ Water Use Efficiency Grant, Prop. 50 funding from the Water Security Clean Drinking Water Coastal and Beach Protection Act of 2002 ~ 2004

- ✓ Battery Backup System for Traffic Signals, California Energy Commission ~ 2003
- ✓ Waste Tire Enforcement Grant, California Integrated Waste Management Board ~ 2000-02; 2013-14
- ✓ Department of Conservation, Division of Recycling, Beverage Container Grant ~ 2000
- ✓ Annual Grants ~ On-going: Department of Conservation Division of Recycling City/County Payment Fund; CalRecycle Oil Payment Program Grant; CalRecycle Local Enforcement Agency Funding.
- ✓ Other departmental and staff grants with various public and private agencies.

ADDITIONAL SKILLS/EXPERIENCE

- ✦ **Emergency Operations** training classes through California Specialize Training Institute; Earthquake Training, Action Planning (G626), EOC Planning /Intelligence, ISC/EOC Interface (G191), EOC Management & Operations (G775), EOC Finance & Administration – Cost Recovery, SEMS/NIMS, Essential EOC Management Section, tabletop trainings and exercises
- ✦ Co-Chaired **Economic Development/Waterfront Subcommittee** for two Councilmembers and City Manager.
- ✦ Completed management training program **Passport to Renewed Leadership** and **Targeted Selection** (behavior-based selection process) at the City of Pittsburg by Development Dimensions International as well as other management programs such as Facilitation, Harassment, Drug/Alcohol, etc.
- ✦ Developed and facilitated **Department and Citywide Safety Training** Policies, Programs and Training. Assisted with writing and implementing programs and conducting training.
- ✦ **Initiated** and received funding approval to **manage** and oversee three-year Special Study on measuring the difference in surface runoff using organic verses synthetics fertilizers on municipal golf courses.

CURRICULUM VITAE

Sustainable Contra Costa Award – received Leadership in Sustainability Award. 2013 Advisory Council member for Certified Sustainability Advisors program.

Beacon Spotlight Awards – Platinum Level for Best Practices and Energy Savings

League of California Cities - Selected and appointed to the Community Services Department of the League as a representative on the Environmental Quality Policy Committee to review environmental regulations and policies. Presided on specialty workgroups and at conferences. 2000 to 2011

Contra Costa Clean Water Program – Public Information and Participation Committee (PIP) - Member of committee to review, design and implement programs promoting clean water and watershed management at schools and within the community. I am presently Chair of this committee. 1998-2018

Los Medanos College – Workforce & Education Advisory Board ~2005 – 2010; and Community Services Learning Program ~ 2005

California Integrated Waste Management Board - Panel member: Special Waste at Board Hearing;
California Recycling Resources Association (CRRA) - Panel member: School District Recycling Program ~ 2000.

Bachelor of Science Degree - Business Management/Marketing - San Francisco State University, 1989.

PRIOR EMPLOYMENT

Sales Representative, [Philip Services Corporation; 21st Century Environmental Management, Inc., a Philip Services Corp] 5/96 - 11/97

Logistics Coordinator, [Laidlaw Environmental Services, Inc. (On-site Project - Lockheed Missiles & Space Company)] 6/95 - 4/96

Customer Service Representative, [Laidlaw Environmental Services, Inc.] 11/92 - 6/95

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 12/18/2022

Commissions/Boards applying for: Parks and recreation - But, interested in any vacancy

Name: Philippi, Kayleigh, M

Last

First

MI

Telephone (Home): (208) 866 9314

Work Telephone: _____

E-Mail Address: kayleighphilippi04@gmail.com

Address 4946 N. Starry Night Ave. Meridian, ID 83646

Number

Street

City

State

Zip

If residing in Lewiston, for how long? I am a Freshman at LC state. I will be residing in Lewiston for the next 4 years. _____

Employer: Fred Meyer - Currently on LOA for school.

Occupation: Grocery Clerk

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? N/A

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

I was on the Solid Waste Advisory Commission for the City of Meridian for 1 year/term. I served as the youth commissioner and represented the youth of Meridian on SWAC.

I volunteer for Ada County Elections as a poll worker every municipal, general, and local election. I'm very involved in my communities.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

- A young person/ student outlook and input on change in the city.
- Courtesy and respect when deliberating topics, keeping the best interests of Lewiston residents in mind.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Name: Steve Cory - SWAC Chairman

Telephone (email): stcory@q.com

Name: Sayard Schultz - Solid Waste Coordinator

Telephone: (208)606-2036

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 3-9-2023

Commissions/Boards applying for: Public Works

Name: Kelly Kenner P
Last First MI

Telephone (Home): 208-816-2705

Work Telephone: 509-758-7892

E-Mail Address: Kpkelly4@gmail.com

Address 1117 9th St Lewiston ID 83501
Number Street City State Zip

If residing in Lewiston, for how long? 15 yrs.

Employer: Autopro Technologies

Occupation: Service Advisor

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? NO

Comments: Not at This Time

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

City Council 20-21 P42-18-19, 22 to Present

What strengths do you feel you could bring to the boards/commissions for which you are applying?

My experience on Council & P42 Shows how I can
work well with a group and communicate my thoughts.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Name Cheryl Garm Telephone 208-816-3334

Name Cari Miller Telephone 208-305-5507

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 3/15/23
Commissions/Boards applying for: Parks & Recreation Commission
Name: Kirk James F.
Last First MI

Telephone (Home): (208) 553-5425

Work Telephone: _____

E-Mail Address: jfkirk1979@gmail.com

Address 1979 Sagegrouse Ln Lewiston ID 83501
Number Street City State Zip

If residing in Lewiston, for how long? 12 years

Employer: Emerson Electric

Occupation: Regional Sales Manager

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? NO

Comments: _____

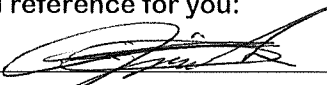
Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

Returning Commissioner, Sports, golf

What strengths do you feel you could bring to the boards/commissions for which you are applying?

Leadership, Organization, Presentation Skills,
Listening, Active in community

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Name	<u></u>	Telephone	<u>(208) 553-5425</u>
	<u>Scott Corbitt</u>		<u>(208) 413-3110</u>
Name	<u>Travis Myklebust</u>	Telephone	<u>(208) 791-2083</u>

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

Memo



To: Council Members | City of Lewiston
Mayor Johnson | City of Lewiston
CC: Library Board of Trustees | City of Lewiston
From: Lynn Johnson, Director | Lewiston City Library
Date: March 16, 2023
Re: Request to Appoint Library Board of Trustee Candidate, Josh Brown

Josh Brown joined the library board of trustees upon council approval in the spring of 2022 to complete a term that had been vacated due to the retirement of board member Mrs. Pam Howard. Josh has recently submitted his application in order to be considered for reappointment to the board. Mr. Brown, a long time employee of Les Schwab and the Orchards location manager, continues to be interested in local government and helping the community through serving on the library board. Mr. Brown is also active in the LC Valley Kiwanis, helping with community service throughout the valley and brings with him previous experience as a member of local government boards from other communities where he resided.

Mr. Brown has faithfully attended library board meetings, giving thoughtful consideration to the topics that come before the board. I am submitting his request for your consideration for reappointment. Biographical information is also available on the library website at <https://www.lewistonlibrary.org/501/Who-We-Are>.

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: March 15, 2023

Commissions/Boards applying for: Library Board

Name: Brown Joshua M
Last First MI

Telephone (Home): 208.553.7199

Work Telephone: 208.746.2948

E-Mail Address: josh.m.brown@lesschwab.com

Address 3032 May Fair Dr Lewiston ID 83501
Number Street City State Zip

If residing in Lewiston, for how long? 4 yrs 6 mth

Employer: Les Schwab Tire Center Lewiston Orchards

Occupation: Manager

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? No

Comments: _____

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

Currently on Library board - Kiwanis board member

What strengths do you feel you could bring to the boards/commissions for which you are applying?

Current experience on issues and diversity

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Jared Royer 208.746.2948
Name Telephone

Rik Warden 208.743.1594
Name Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!