Lewiston Public Works Advisory Commission
REGULAR MEETING AGENDA
July 12, 2023 - 12:00 PM
Bell Building 2nd Floor Meeting Room - 215 D Street
Lewiston, Idaho 83501

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

I. CALL TO ORDER

II. CITIZEN COMMENTS

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, please contact Public Works Specialist Haley Kelley at least 48-hours in advance of the meeting time at (208) 553-2662 or publicworks@CityofLewiston.org.

III. CONSENT AGENDA

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

A. APPROVAL OF JUNE 14, 2023 MEETING MINUTES: - Action Item

IV. DIRECTOR'S REPORT

A. HIGH RESERVOIR UPDATE

B. PWAC VACANCIES: Next steps following interviews with applicants Chelsea Blewett, Gabe Iacoboni, Darlene Lambert, Justin Merwin, and Brent Bourassa.

V. DISCUSSION ITEMS

A. AMENDED PUBLIC WORKS ADVISORY COMMISSION BYLAWS: Approval of amended bylaws. - Action Item

B. FY2024 BUDGET PROPOSAL: Soliciting feedback on the Fiscal Year 2024 Budget Proposal for Public Works presented at the June 27, 2023 Special Meeting. Commission members are encouraged to watch the livestream recording of the presentation from timestamp 4:34 to 1:49:46 at https://www.youtube.com/watch?v=lqyqTum0ft0&t

VI. ITEMS MOVED FROM THE CONSENT AGENDA

VII. UPCOMING EVENTS/MEETINGS

A. REGULAR MEETING: AUGUST 9, 2023: Query of Commissioners to attend the next regularly scheduled meeting.

VIII. UNFINISHED & NEW BUSINESS

A. BOARD MEMBER COMMENTS: Comments should not be related to an item currently before the Commission or an item that may come before the Commission in the foreseeable future, and should be limited to comments, not discussion.

B. STAFF LIAISON COMMENTS

C. FUTURE AGENDA ITEMS:

IX. 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, please contact Public Works Specialist Haley Kelley at least 48-hours in advance of the meeting time at (208) 553-2662 or publicworks@CityofLewiston.org.

The PUBLIC WORKS ADVISORY COMMISSION met in the Bell Building 2nd Floor Meeting Room at 215 “D” Street. Council Liaison and Chair Kathy Schroeder called the meeting to order at approximately 12:01 p.m. with all members present except Councilor Forsmann.

Public Works Advisory Commission meetings are recorded live. To view the full video, go to https://www.youtube.com/live/tMmGZ20NCt0?

I. <u>CALL TO ORDER</u>

COMMISSIONERS PRESENT: Laura Wright; Vice-Chair Kevin Kelly; Kayleigh Philippi; Ryan Rehder

CITY COUNCIL LIAISON PRESENT: Councilor Kassee Forsmann, Councilor and Chair Kathy Schroeder

STAFF MEMBERS PRESENT: Dustin Johnson, Public Works Director; Haley Kelley, Public Works Specialist; Aaron Butler, IT; Jeff Wiemer, Stormwater Coordinator

II. <u>CITIZEN COMMENTS</u>

None.

III. <u>CONSENT AGENDA</u>

Chair Schroeder explained that all items on the Consent Agenda are considered routine by the Commission and will be enacted by one motion. There will be no separate discussion on these issues unless a Commissioner so requests, in which case the item will be removed from the Consent Agenda and considered under "Items Moved From the Consent Agenda".

Commissioners Rehder and Wright moved and seconded, respectively, approval of the Consent Agenda. The motion carried 4-0.

A. <u>APPROVAL OF MAY 10, 2023 MEETING MINUTES</u>: - Action Item

IV. <u>DIRECTOR'S REPORT</u>

A. <u>ORDINANCE NO. 4882 UPDATE</u>

Director Johnson said that the commission’s feedback at the last meeting was forwarded to staff for consideration and implementation and an amended ordinance was presented to and adopted by Council. Ordinance No. 4882 establishes a Stormwater Division and the creation of a Stormwater Drainage System Utility but does not set rates.

Mr. Johnson discussed the 50-year storm event on June 9, 2023 and the ongoing evaluation of damages to apply for relief through Mark Hurd, Director of Emergency Management. Mr. Johnson emphasized that infrastructure isn’t typically designed for 50 or 100-year events and that the creation of the utility and subsequent improvement of the City’s stormwater drainage system better prepares the City for such events but will not prevent localized flooding. Mr. Johnson also shared that the National Oceanic and Atmospheric Administration (NOAA) had been tracking the storm and alerted Nez Perce County and the City to expect damages.

Councilor Forsmann questioned if the Blue Bridge flooding could be mitigated. Mr. Johnson stated that the Blue Bridge is shared between the Idaho Transportation Department (ITD) and the Washington State Department of Transportation (WSDOT) with WSDOT leading maintenance. He said that the scuppers that drain into the river are undersized but that he is unsure if additional drainage would impact structural integrity. Commissioner Wright expressed concern over the maintenance schedule and suggested sending a letter; Mr. Johnson said that he would follow up with the representatives from ITD, Nez NPC, and WSDOT on the Lewis-Clark Valley Metropolitan Planning Organization's (LCVMPO) Technical Advisory Committee about the issue.

Ms. Wright asked when the damages information would be finalized. Mr. Johnson explained that ground penetrating radar discovered voids beneath the roadway which have not come to the surface yet and require ongoing evaluation; he provided the examples of 21st Street where stormwater went under the pavement in one area and shot out from another area and 13th Street in front of Bert Lipps pool where a split in the roadway expanded due to stormwater undermining the subgrade beneath the road and collapsing asphalt into the trench. Mr. Kelly asked if voids beneath roadways coming to the surface created sinkholes. Mr. Johnson said yes and went on to share that borings were completed along 21st Street that discovered is no sub base only river cobble, with 3" to 12" of asphalt along the corridor.

B. <u>HIGH RESERVOIR AND IRRIGATION RESTRICTIONS UPDATE</u>:

Director Johnson said that the repairs are on schedule with onsite work nearing completion and the liner and floating lid arriving soon. The target date continues to be July 31st but staff are continuously evaluating for efficiencies that can be taken advantage of but it will still take time to get the reservoir operational, filled, and tied back into the system.

Chair Schroeder asked how long it would take to fill the High Reservoir. Commissioner Rehder and Mr. Johnson explained that the water treatment plant's design capacity is eight to twelve million gallons of water and once the High Reservoir is online, it would take less than 48 hours to fill. Mr. Johnson clarified that under the irrigation restrictions, the water treatment plant is able to supply less than 500,000 gallons without the High Reservoir. Ms. Schroeder asked if there were any advantages to keeping the restriction in effect once the High Reservoir is repaired; Mr. Johnson said no and the City needs the revenue from that irrigation usage.

Mr. Johnson shared that there are currently 175 approved alternative watering schedules and the vast majority are elderly residents and/or residents with disabilities. He pointed out that the irrigation under public scrutiny for Lewis-Clark State College (LCSCL) and the School District's properties have been approved because it's not feasible to hand water landscaping of that size. Mr. Johnson reiterated that the issue is not a lack of water but a lack of surge capacity in the system - water cannot be distributed fast enough.

Councilor Forsmann asked when the City website would be updated and suggested posting the criteria for applying for an alternative watering schedule. Mr. Johnson said that the criteria is already posted and that he provides weekly updates to the Public Information Officer (PIO) for dissemination.

Mr. Kelly referred to the flow of water as a result of the rupture and asked if it will inform future stormwater projects. Mr. Johnson answered that staff reviewed the drainage pattern into the storm system. Mr. Kelly requested clarification on Ordinance No. 4882 as a means to fund improvements for this drainage to which Mr. Johnson replied affirmatively and said that the City's storm drainage system must be maintained in order to handle routine operations as well as 50-year storm events and discharge from a reservoir which takes money to maintain and has thus far been property taxes.

Ms. Forsmann said that the public is confused on the funding mechanism but that the utility allocates funds for the specific purpose of stormwater operations and maintenance. Mr. Johnson said that like water, sewer, and sanitation, stormwater drainage is a service and the cost of labor and materials to maintain that system is what the utility is for.

C. DOWNTOWN CONSTRUCTION PROJECTS:

Director Johnson spoke about the Downtown Transmission Main Replacement project along Main Street and that minimum control measures for stormwater, traffic control, and impacts to businesses would be taken into greater consideration for future projects.

V. DISCUSSION ITEMS

A. DRAFT STORMWATER DRAINAGE SYSTEM UTILITY FEE STRUCTURE AND CREDIT POLICY

Jeff Wiemer, Stormwater Coordinator, presented the draft *Stormwater Drainage System Utility Fee Structure and Credit Policy*; the accompanying slideshow is located in Appendix A of the June 14, 2023 Minutes. The commission provided the following feedback:

Reference	Public Works Advisory Commission Comments
Section Two – Fee Structure, Residential Properties	Commissioner Wright suggested reviewing how mobile home parks, condos, and condo associations are classified by utility billing i.e. residential account or commercial account.
Section Two – Fee Structure, Residential Properties	Commissioner Rehder requested clarification on how home occupations would be treated.
Section Two – Fee Structure, Residential Properties	Councilor Forsmann requested clarification on how homeowner associations (HOAs) would be impacted.
Section Three – Credit Eligibility Criteria, Commercial Non-Use	Commissioner Rehder asked for clarification in regards to option (3) in the *Amount* column and said that the parameter of "indirectly hydraulically connected" would be hard to determine.
Section Three – Credit Eligibility Criteria, Commercial On-Site Gravel Areas	Commissioner Wright suggested reviewing this in light of the 50-year storm event that washed gravel into public areas which the City then had to clean up. She also questioned how the 15% credit was determined.
Section Three – Credit Eligibility Criteria, Commercial On-Site Retention/Treatment Equivalent	Commissioner Rehder asked if the proof of proper ongoing operation and maintenance would be checklist submitted annually
Section Three – Credit Eligibility Criteria	Councilor Forsmann and Commissioner. Rehder requested clarification on whether residential customers would be eligible for a waiver and/or credit
Section Three – Credit Eligibility Criteria, Public Parks, Open Space, Trails, & Paths	Commissioner Wright suggested applying the same credits as "Vacant Undeveloped Property" category.

VI. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

None.

VII. UPCOMING EVENTS/MEETINGS

A. REGULAR MEETING: JULY 12, 2023: *Query of Commissioners to attend the next regularly scheduled meeting.*

B. FISCAL YEAR 2024 BUDGET SESSION #5: JUNE 27, 2023: *This is the fifth in a series of budget sessions between City Council and City Department heads which will be held in-person and livestreamed at 3pm in the Bell Building 2nd Floor Meeting Room. This session is* *dedicated to Public Works.*

Director Johnson corrected the time to 5:15pm and invited the commission to attend or watch the livestream.

C. PWAC INTERVIEWS

Director Johnson asked members to participate in the interviews for the two vacancies; Vice-Chair Kelly, Chair Schroeder, and Commissioner Wright asked to participate.

VIII. UNFINISHED/NEW BUSINESS

A. BOARD MEMBER COMMENTS: *Comments should not be related to an item currently before the Commission or an item that may come before the Commission in the foreseeable future, and should be limited to comments, not discussion.*

Commissioner Wright expressed appreciation for the Public Works Expo, thanked City staff for their efforts, and suggested inviting senior centers next year. Director Johnson explained that the Public Works Expo was traditionally tailored towards schools but attendance has decreased and it was possible to expand invites next year.

B. STAFF LIAISON COMMENTS

Director Johnson reminded the commission that the meeting duration was their decision should they wish to extend it. Public Works Specialist Kelley pointed out that the bylaws needed revision to reflect the increased members and the meeting duration could be adjusted at that time.

C. FUTURE AGENDA ITEM – Action Item

Councilor Forsmann questioned how speed limits and signal timing are determined and Director Johnson answered that speed limit is determined by ordinance and advanced warning signs and signal timings are adjusted by Public Works.

Mr. Johnson said that he would solicit feedback from the commission for final budget preparation at the next meeting.

Commissioner Rehder referenced the previous meeting's discussion of the commission coordinating and planning projects and asked if future meetings could be dedicated to a particular topic. Mr. Johnson stated that staff would work on forecasting these focused meetings for Fall/Winter.

IX. ADJOURNMENT - Action Item

There being no further business, Vice-Chair Kelly and Commissioner Rehder moved and seconded, respectively, to adjourn the meeting. The motion carried 5-0 and the Public Works Advisory Commission adjourned at approximately 1:37 p.m.

RESPECTFULLY SUBMITTED,

Haley Kelley, Recording Secretary	Chairperson or Acting Chairperson Public Works Advisory Commission

Approved this ____ day of ________________, 2023

APPENDIX A

Draft Stormwater Drainage System Utility Fee Structure & Credit Policy

Public Works Advisory Commission

June 14, 2023

This Agenda Item can be founds at https://lewistonid.portal.civicclerk.com/event/252/

How is my bill calculated?

Based on Service Area

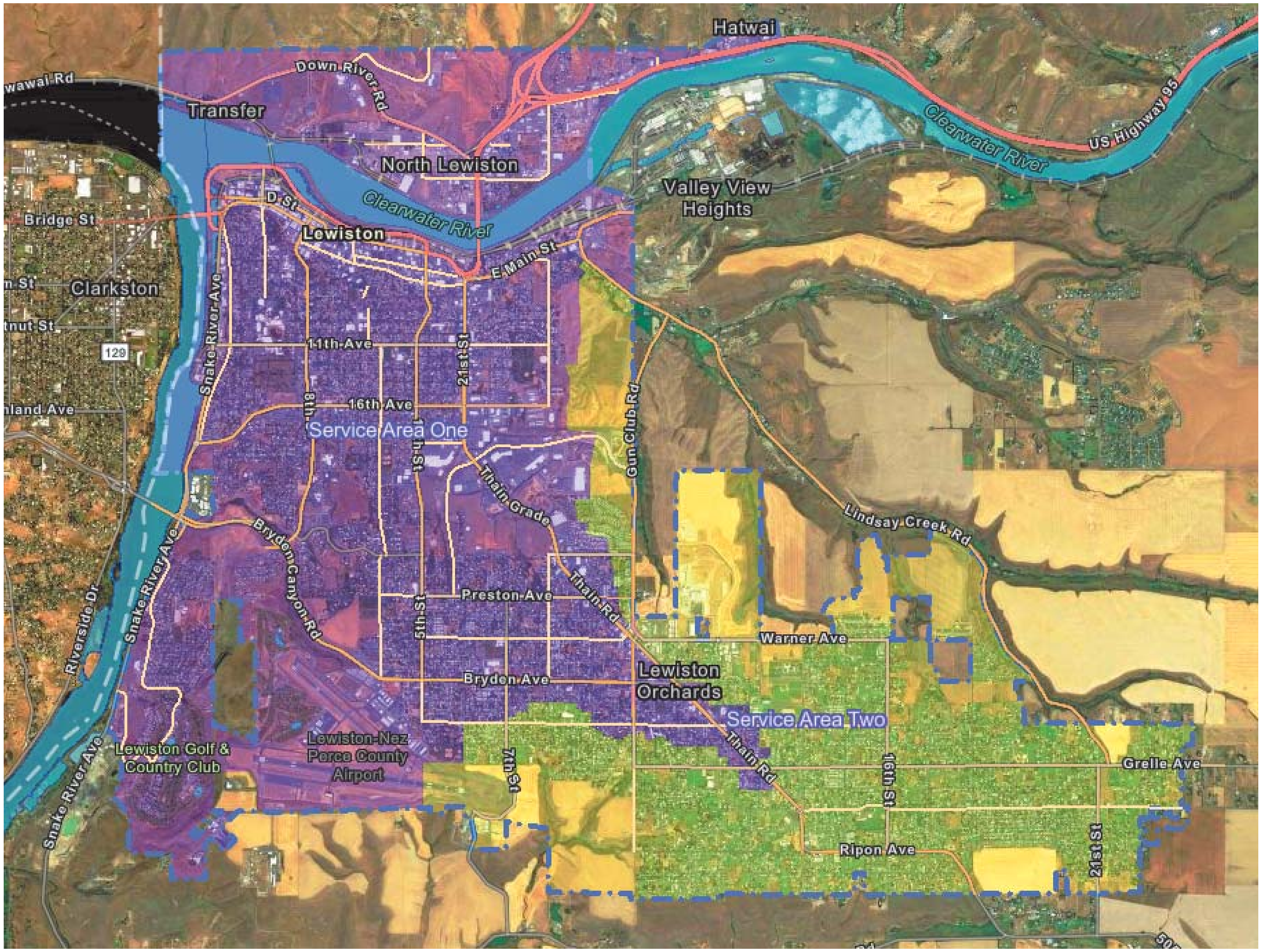
Rates are determined by Council

ERU = Equivalent Residential Unit

ERU for Lewiston is 4,500 square feet of Impervious Surface Area (ISA)

ISA = roofs, driveways, patios, etc. which cannot absorb water

Utility Assistance Program available for eligible citizens



What is a Commercial Property?

All commercial properties, hotels, dwellings larger than a fourplex, industrial properties, public properties and facilities, etc. are to be defined as "Commercial Properties".

Commercial Property - ERU's

The number of ERU's a Commercial Property is billed each month is determined by the total amount of ISA on the property.

Credits are available once certain criteria are met and maintained.

Example:

City Hall has 17,250.95 square feet of ISA on the property. The City would be billed 4 ERU's.

What is a Residential Property?

Single Family Residential (SFR); Multi-Residential (MR) which includes Duplexes, Triplexes, and Fourplexes; Mobile Home Parks; Condos; and Condo Associations are to be defined as "Residential Properties".

Residential Properties - ERU's

Type of Residential Property	Number of ERU's
Single Family Residential (SFR)	1
Multi Residential (MR)	0.5 per dwelling (Duplex = 1 ERU, Triplex = 1.5 ERU, Fourplex = 2 ERU)
Mobile Home Parks	Total ISA determines ERU's
Condo	0.5 per dwelling
Condo Association	Total ISA determines ERU's

CITY OF LEWISTON
PUBLIC WORKS
DEPARTMENT
1861

cityoflewiston.org/dsu

PUBLIC WORKS ADVISORY COMMISSION MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE	AGENDA NO. 4
Amended Public Works Advisory Commission Bylaws	AGENDA DATE: July 12, 2023

ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)

The previous bylaws were approved and adopted by the commission during the April 12, 2023 meeting.

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.

Ordinance No. 4881 was approved by City Council and increases the number of voting members from five (5) to seven (7). The bylaws must be amended to reflect this change.

BUDGET IMPACT

ACTION PROPOSED

Staff recommends that the Commission approves the amended bylaws.

City of Lewiston
Public Works Advisory Commission Bylaws

Article I. Name

The name of this advisory board or commission is the Public Works Advisory Commission, hereafter referred to as the Commission.

Article II. Membership

The Commission shall consist of seven (7) voting members and one (1) non-voting student member.

Article III. Officers

A. The officers of the Commission shall be a chairperson and vice-chairperson elected from among the Commission members at the first regularly scheduled meeting, or at such other time as the Commission deems feasible.

B. Officers shall serve a term of two (2) years from the meeting at which they are elected and until their successors are duly elected.

C. The chairperson shall preside at all meetings of the Commission, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Commission, serve as an *ex officio* voting member of all committees, and generally perform all duties associated with that office.

D. The vice-chairperson, in the event of the absence or disability of the chairperson or of a vacancy in that office, shall assume and perform the duties and functions of the chairperson.

E. In the event of the absence of the chairperson and vice-chairperson, those Commission members present shall elect, by majority vote, a temporary chairperson for that meeting. Should the chairperson or vice-chairperson arrive, the temporary chairperson shall relinquish the chair upon the conclusion of the item of business then in consideration before the Commission.

F. As provided in City Code 2-45, Commissioners shall not be absent from three (3) consecutive commission meetings without an excuse acceptable to the commission. Commissioners shall attend at least seven (7) of the Commission's preceding twelve (12) regular meetings. In the event a member fails to attend meetings as required, the Commission may vote to recommend removal of such member from the Commission to the Mayor and City Council.

Article IV. Meetings and Minutes

A. All Commission meetings shall be governed by the Idaho Open Meetings Law, I.C. §§ 74-201 *et seq.*; and all Commission records shall be subject to the Idaho Public Records Act, I.C. §§ 74-101 *et seq.*, and the City of Lewiston records retention schedule.

B. Regular meetings shall be held on an as-needed basis on the second Wednesday at noon at the Bell Building upstairs conference room or at such other location or time as shall be designed in advance. If a day fixed for a regular meeting falls on a holiday recognized by the City of Lewiston, then such meeting shall be cancelled.

C. Special meetings may be called by a consensus of the Commission, the chairperson, or the staff liaison. If the time and place of a special meeting has not been determined at a regular meeting with all Commission members present, then a notice of the time and place of the special meeting shall be sent to all Commission members as soon as practicable.

D. Unless otherwise provided by law, a quorum for the transaction of business at any meeting shall consist of a majority of the currently appointed voting members of the Commission.

E. Meeting minutes of the Commission shall comply with Idaho Code Title 74, Chapter 2. Meeting minutes shall be maintained in accordance with the City of Lewiston records retention schedule.

Article V. Rules of Debate

A. *Recognition by chairperson and interruptions prohibited.* A Commission member desiring to speak at a meeting shall address the chairperson and, upon recognition by the chairperson, shall confine himself or herself to the question under debate. A Commission member, once recognized by the chairperson, shall not be interrupted when speaking.

B. *Call for the question.* A Commission member may call for the question upon being recognized by the chairperson. If the motion to call for the question is seconded, debate shall not be allowed, and the motion must be approved by two-thirds (2/3) of the Commission members present. If the motion is so approved, the Commission shall immediately vote on the underlying question without further debate.

Article VI. Committees

A. As authorized by the Commission, the chairperson may appoint committees of one (1) or more Commission members and/or members of the community at large, each for such specific purposes as the business of the Commission may require from time-to-time. A committee shall be considered to be discharged upon completion of the purpose for which it was appointed and after a final report is made to the Commission.

B. All committees shall make a progress report to the Commission at each Commission meeting.

C. No committee shall have other than advisory powers unless, by suitable action of the Commission, it is granted specific power to act.

D. All committee meetings shall be governed by the Idaho Open Meetings Law, I.C. §§ 74-201 *et seq.*; and all committee records shall be subject to the Idaho Public Records Act, I.C. §§ 74-101 *et seq.*, and the City of Lewiston records retention schedule.

Article VII. General

A. *Voting.* An affirmative vote of the majority of all Commission members present at the time shall be necessary to approve any action before the Commission. A motion shall fail if votes upon such motion are tied. The chairperson may vote upon and may move or second a proposal before the Commission. Unless otherwise provided by law, every Commission member present when a question is put forth shall vote for or against the same. Unless excused from voting, if a Commission member refuses or fails to vote, and the result of such refusal or failure creates a tie, that Commission member's vote shall be counted as an "aye." If a Commission member is excused from voting, that member may be counted for purposes of determining a quorum, but shall not be counted toward the minimum number of votes required to pass or reject a motion.

B. *Conflicts of interest*. Commission members shall adhere to the applicable provisions in Idaho Code regarding conflicts of interest.

C. *Conflicts*. In the event of a conflict between a provision in these Bylaws, the Lewiston City Code, and/or Idaho Code, the order of priority shall be Idaho Code, the Lewiston City Code, and these Bylaws.

D. *Amendments*. The Commission may amend the number of voting members (Article II); when officers will be elected and the duties of additional officers, if applicable (Article III); and the date, time, and location of regular meetings (Article IV) upon majority vote of the full Commission; approval from the City Council shall not be required to amend such provisions. However, the remaining provisions of these Bylaws shall not be amended by the Commission without prior approval from the City Council.

These Bylaws were adopted by the Commission on July 12 2023. These Bylaws shall replace and supersede any previously-adopted Bylaws of the Commission.