Lewiston City Council
REGULAR MEETING AGENDA
November 13, 2023 - 6:00 PM
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 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. PUBLIC HEARINGS AND RELATED ACTION ITEMS

A. PUBLIC HEARING: ANX23-3, CPA23-4, AND ZNC23-6: Accepting testimony on a request from DK Holdings, LLC to annex approximately 39.62 acres, known as parcel RP000940010000 or Lots 1, 2, 3, 4, 5, 6, and 7 of Block 94, Lewiston Orchards Tract No. 12, assign it a ccomprehensive Plan Land Use Designation of Low Density Residential, and rezoning the property subject to annexation identified above from Area of City Impact (Nez Perce County) Farm (F-1) Zone as well as an adjacent undeveloped parcel to the south within City limits, known as RPL00950010000 or Lots 1, 2, and 3 of Block 95, Lewiston Orchards Tract 12 to Low Density Residential (R-2) Zone and amend the Lewiston Area of City Impact accordingly (Assistant Planner Hollingshead)

B. ORDINANCE 4901 - FIRST READING: Considering implementing the City Council's decision in ANX23-3 to annex land into the Lewiston City limits - Action Item (Assistant Planner Hollingshead)

C. ORDINANCE 4902 - FIRST READING: Considering implementing the City Council's decision in ZNC23-6, declaring that certain newly-annexed real property be included in the City of Lewiston Low Density Residential (R-2) Zone; declaring that certain real property be removed from the Suburban Residential (R-1) Zone to the Low Density Residential (R-2) Zone and amending the official zoning map of the City of Lewiston - Action Item (Assistant Planner Hollingshead)

D. ORDINANCE 4903 - FIRST READING: Considering amending Section 39-1 of the Lewiston City Code to update the City of Lewiston Area of City Impact Boundary Map - Action Item (Assistant Planner Hollingshead)

E. **PUBLIC HEARING: ZA-01-23:** Accepting testimony on a proposal to amend Section 37-183 of the Lewiston City Code related to the duties of the Planning and Zoning Commission; Section 37-184 regarding the conduct of public hearings; repealing and replacing Section 37-185 regarding actions after final decisions of the Planning and Zoning Commission and/or the City Council; and Section 37-192 amending the deadline to file an appeal (Assistant Planner Hollingshead)

F. **ORDINANCE 4891 - FIRST READING:** Considering amending Section 37-183 of the Lewiston City Code related to the duties of the Planning and Zoning Commission; amending Section 37-184 regarding the conduct of public hearings; repealing and replacing Section 37-185 regarding actions after final decisions of the Planning and Zoning Commission and/or the City Council; and amending the deadline to file an appeal in Section 37-192 - Action Item (Assistant Planner Hollingshead)

G. **PUBLIC HEARING: 2022 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT:** Accepting testimony on the Consolidated Annual Performance and Evaluation Report for the City of Lewiston's Community Development Block Grant 2022 Program Year (Community Development Office Supervisor Ortiz)

H. **2022 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT:** Considering approval of the 2022 Consolidated Annual Performance and Evaluation Report for the City of Lewiston's Community Development Block Grant Program - Action Item (Community Development Office Supervisor Ortiz)

I. **PUBLIC HEARING: ESTABLISHING CERTAIN PUBLIC WORKS FEES:** Accepting testimony to consider establishing fees for issuing notice of public hearings on vacation applications (Public Works Director Johnson)

J. **RESOLUTION 2023-59:** Considering restating fees for vacations of public rights-of-way, easements, and plats; encroachment permits; right-of-way permits; subdivision filings; applications for wireless communication facilities located in public rights-of-way; appeals of written orders or decisions of the Public Works Department or Public Works Director; parade and public assembly applications; and establishing fees for issuing notice of public hearings on vacation applications - Action Item (Public Works Director Johnson)

V. 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. **CITY COUNCIL MINUTES:** 10/23/2023 Regular - Action Item

B. **ADVISORY BOARD/COMMISSION MINUTES:** 9/9/2023 Library Board of Trustees; 9/7/2023 Historic Preservation Commission - Action Item

C. **VOUCHER'S PAYABLE:** Considering approval of the Voucher's Payable dated 10/06/2023 - 10/19/2023 in the amount of $2,710,783.27 and Voucher's Payable dated 10/20/2023 - 11/02/2023 in the amount of $2,035,954.23 - Action Item

D. **FISCAL YEAR 2024 CERTIFICATE OF COMPLIANCE FOR EMERGENCY AND NON-EMERGENCY AMBULANCE SERVICE:** Considering approval of the Certificate of Compliance for Emergency Ambulance Service and Nonemergency Ambulance Service for Fiscal Year 2024 - Action Item

VI. ACTIVE AGENDA

A. **PRELIMINARY PLAT - CANYON CREST SOUTH ADDITION:** Considering the subdivision of approximately 9.4 acres of undeveloped property located on the east side of 18th Street, and north of Airway Avenue, into 56 lots, conditioned upon approval of VA-02-2023, and approving the related reasoned statement - Action Item (City Surveyor Weigand)

B. **BUSINESS IMPROVEMENT DISTRICT 2024 WORK PLAN:** Considering approval of the proposed 2024 Business Improvement District Work Plan - Action Item (Assistant Planner Hollingshead)

C. **RESOLUTION 2023-56:** Considering the approval of Resolution 2023-56 expressing support for and acknowledging the gift of 19.5 acres of land to be added to the Ruth Rowell Modie Wildlife Park by Kent Randall and Sara Ghisletta, which will be held in trust by the Modie Park Conservancy, Inc. - Action Item (Mayor Johnson)

D. **CHANGE ORDER NO. 3 FOR DOWNTOWN TRANSMISSION MAIN REPLACEMENT ALN.21.027 (IFB-23-004):** Considering approval of Change Order No. 3 for the Downtown Transmission Main Replacement ALN.21.027 (IFB-23-004) for $14,000 and authorizing the Mayor to execute the change order - Action Item (Public Works Director Johnson)

E. **THE INTERLOCAL PURCHASING SYSTEM (TIPS) PURCHASING COOPERATIVE MEMBERSHIP:** Considering approval of a membership with The Interlocal Purchasing System (TIPS) and authorizing the Mayor to execute the agreement between Region 8 Education Service Center, which provides cooperative purchasing services through TIPS, and the City of Lewiston - Action Item (Finance Director Gordon)

F. **ORDINANCES**

1. **FIRST READING**

a. **ORDINANCE 4908:** Considering amending Chapter 35 of the Lewiston City Code to allow the Community Development Department to issue parking tickets - Action Item (Assistant City Attorney Drury)

2. **SECOND/THIRD READINGS**

a. **ORDINANCE 4896:** Considering repealing Section 37-159.1 of the Lewiston City Code titled "Setback from Overhead Electrical Transmission Lines" and reserving such section - Action Item (Assistant Planner Hollingshead)

3. **ADOPTION**

a. **ORDINANCE 4896:** - Action Item

VII. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

VIII. 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. **CEMETERY AND URBAN FORESTRY COMMISSION:** Considering the appointment of Richard (Brian) Hensley to a three-year term - Action Item

2. **PLANNING AND ZONING COMMISSION:** Considering the recommendation of the Planning and Zoning Commission to remove Justin Merwin from the Commission for absenteeism in accordance with Sections 2-42 (b) and 2-45 of the Lewiston City Code - Action Item

E. AGENDA TOPICS: - Action Item

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 at this meeting, please contact the City Clerk's Office at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6202.

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE PUBLIC HEARING: ANX23-3, CPA23-4, AND ZNC23-6	**AGENDA NO.** IV. A. **AGENDA DATE:** November 13, 2023

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

The Planning and Zoning Commission conducted a public hearing on this matter on September 27, 2023 to consider applications to annex approximately 39.62 acres, known as RP000940010000 or Lots 1, 2, 3, 4, 5, 6 and 7 of Block 94, Lewiston Orchards Tract No. 12, and generally located west of 18th Street, north of unimproved Bryden Avenue and south of Canyon Crest Estates, into the City's boundaries and amend the Lewiston Comprehensive Land Map to incorporate these lands into Neighborhood Number 7, East Orchards, and placed in the Low Density Residential Land Use Designation. In addition to the Annexation and Comprehensive Plan Map Amendment applications, the Commission also consider a rezone application that proposes to rezone the 39.62 acres along with the adjacent undeveloped parcel to the south, known as RPL00950010000 or Lots 1, 2, and 3 of Block 95, Lewiston Orchards Tract 12, and generally located south of unimproved Bryden Avenue, west of 18th Street and north of unimproved Airway Ave, containing 14.12 acres, from the Farm, F1, Zone (Nez Perce County zoning designation) to the Low Density Residential, R2, Zone. The Planning and Zoning Commission voted unanimously to recommend approval of these applications to the City Council.

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 subject properties are three (3) large parcels from the original Orchards Tracts comprised of 10 underlying lots. Two (2) of these parcels are currently located in Nez Perce County and are surrounded on all four sides by city zoned property. Theses two (2) parcels are under county zoning F1 Farm. The third parcel is south of the two (2) parcels currently located in the county and has a zoning designation of Suburban Residential, R1, Zone. All three parcels are currently bare land that has been farmed in the past. Surrounding properties are a mix of single family dwellings and bare land with a ravine separating the county zoned parcels from the single family dwellings to the west. Properties to the north and east of the two county zoned parcels are part of the Canyon Crest Estates Planned Unit Development which allows for a mix of housing types, some community commercial and a variety of lot sizes ranging from 6,000 square feet to almost 1 acre in size. The city zoned parcel is surrounded by a variety of zoning districts including F2, R1, R2A, and R3. Mostly single family dwellings and vacant land

occupy the land in these various zoning districts.

BUDGET IMPACT

None.

ACTION PROPOSED

The Planning and Zoning Commission recommends that the Council approve proposed Annexation (via Ord 4901), Comprehensive Plan Map Amendment (via Resolution 2023-57), Zone Change (via Ord 4902) and Area of City Impact Map amendment (via Ord 4903).

STAFF USE ONLY
Case Number: ANX23-3
Hearing Date: 9.27.23

APPLICATION FOR VOLUNTARY ANNEXATION

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, before or outside of the public hearing at which this matter will be heard.

PROPERTY OWNER/APPLICANT INFORMATION

Property Owner Name: DK HOLDINGS LLC
Last *First* *M.I.*

Address: 247 THAIN RD #107
Street Address

LEWISTON ID 83501
City *State* *ZIP Code*

Phone: 2087985000 Email: dan@qdplans.com

******IF ADDITIONAL PROPERTY OWNERS, THEN PROVIDE THEIR INFORMATION ON THE ADDITIONAL PROPERTY OWNER INFORMATION PAGE (PAGE 3)******

PROPERTY INFORMATION

Tax Parcel Number(s): ~~ATTACHED~~ RP000940010000

Subdivision Name: (if applicable) Proposed Subdivision Name CANYON CREST WEST

Block: _____ Lot: _____

OR attach a metes and bounds description if the subject property cannot be completely described by Lot and Block of a subdivision.

Property Acreage: ~~+/- 48.5~~ 39.62

NATURE OF YOUR REQUEST

The current Comprehensive Plan Designation of this property is: Area of City Impact (ACI)

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

The current zoning of this property is: F-1 Farm (County designation)

The **proposed** zoning of this property is: R2, Low Density Residential (City)

Annexation is requested in order to/because (describe the reason/purpose):

ALLOW FOR SERVICES PROVIDED BY THE CITY OF LEWISTON

PROPERTY OWNER CERTIFICATION AND CONSENT TO VOLUNTARY ANNEXATION

The property owner(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge and agrees to enter into an "Irrevocable Consent to Annexation Agreement" (separate document to be produced by the City for the applicant to sign) for the annexation of the subject property to the City of Lewiston, whereby such annexation shall be binding upon subsequent purchasers, heirs, or assigns of lands addressed in this consent, to wit:

Property owner(s): 1) DAN YONGE

Printed Name | Signature | Date

2) _____

Printed Name | Signature | Date

3) _____

Printed Name | Signature | Date

4) _____

Printed Name | Signature | Date

ADDITIONAL PROPERTY OWNER INFORMATION

Provide Information of Any Owner of the Subject Property to be Annexed Not Already Listed on Page 1.

Property Owner Name: _____
Last *First* *M.I.*

Address: _____
Street Address

_____
City *State* *ZIP Code*

Phone: _____ Email: _____

Property Owner Name: _____
Last *First* *M.I.*

Address: _____
Street Address

_____
City *State* *ZIP Code*

Phone: _____ Email: _____

Property Owner Name: _____
Last *First* *M.I.*

Address: _____
Street Address

_____
City *State* *ZIP Code*

Phone: _____ Email: _____

APPLICATION SUBMITTAL CHECKLIST

YES	NO	
☐	☐	1) Two copies of the completed, signed paper application form each with the following attachments:
YES	NO	
☐	☐	A) A correct legal description of the property to be annexed, including its acreage;
YES	NO	
☐	☐	B) A vicinity map identifying the subject property in relation to the existing city limit line and streets within one quarter mile (1,320 feet) of the subject property;
YES	NO	
☐	☐	C) A detailed map identifying the subject parcel(s) requested for annexation, including property line dimensions, adjoining streets and the existing city limit line;
YES	NO	
☐	☐	D) Supplemental property owner information sheet, if applicable
YES	NO	
☐	☐	2) Filing Fee payable to CITY OF LEWISTON. This fee will also pay for comprehensive plan land use designation and zoning associated with and necessary for annexation.

ANNEXATION AUTHORITY:
STATE OF IDAHO CODE AND LEWISTON ANNEXATION POLICY

Idaho Code Section 50-222 et seq. gives cities the authority to "annex lands which are reasonably necessary to assure the orderly development of Idaho's cities." It also states "annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section."

A private landowner may petition for annexation under Idaho Code Section 50-222(3)(a) entitled "Category A: Annexations wherein:

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;

(ii) Any residential enclaved lands of less than one hundred (100) privately-owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or

(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section."

Idaho Code Section 50-222(5)(a): "Procedures for Category A Annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in Chapter 65, Title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed."

ANNEXATION APPLICATION PROCESS

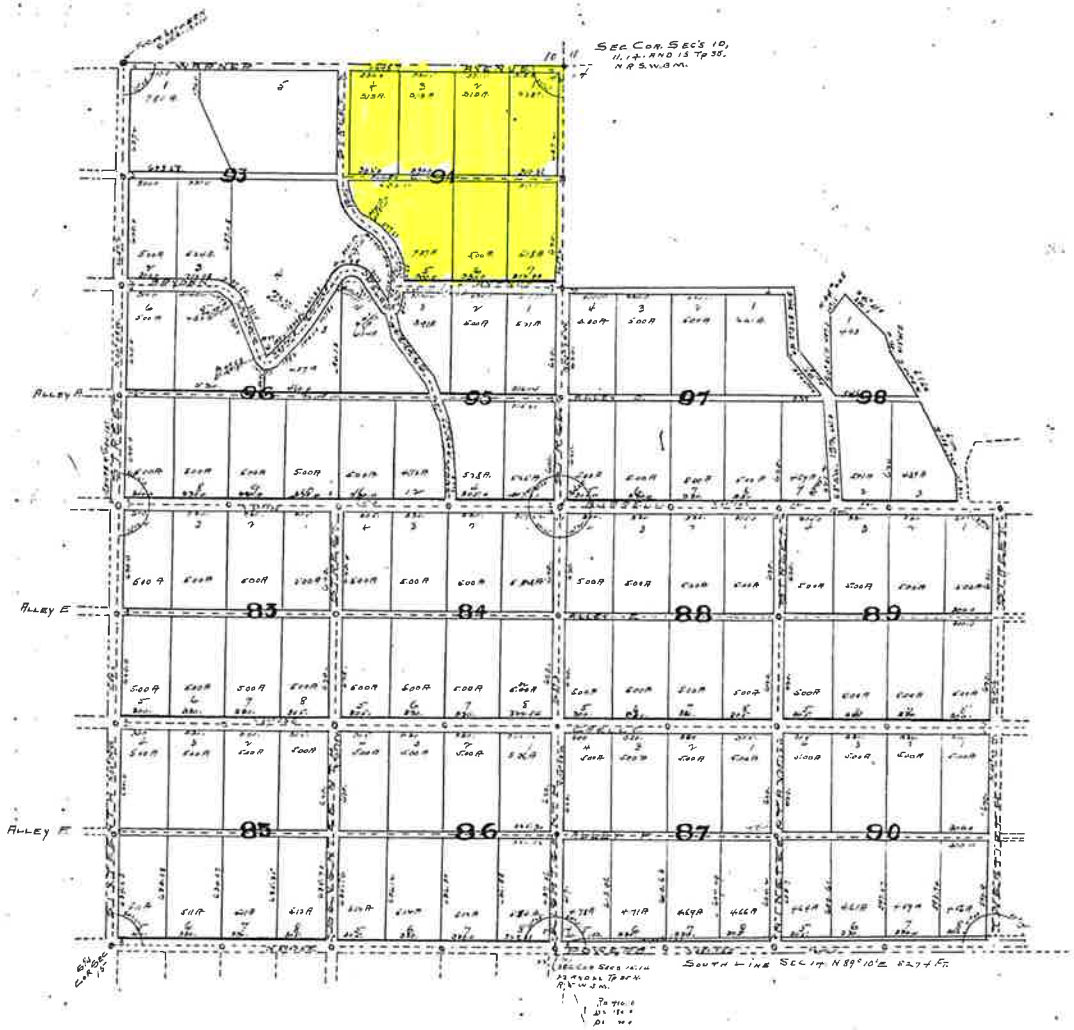
1. Pre-application meeting to determine feasibility and desirability of annexation, as well as related comprehensive plan, zoning, public infrastructure, emergency service, and property development issues.
2. The applicant submits a completed application on the form provided to the Community Development Department requesting the annexation to the City of Lewiston. **All material included in the application must be provided at this time.** The representative of the Department reviews the application for completeness prior to further processing.
3. 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 at least twenty (20) working days prior to the public hearing date. You will be notified of the hearing date when you submit your application.
4. The Community Development Department notifies by mail all residents within 300 feet of the property for which you are requesting annexation. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
5. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
6. The Community Development Department reviews the request for compliance with Idaho Code and prepares a recommendation for the Planning and Zoning Commission. The applicant will receive a copy of this report and recommendation in advance of the meeting.
7. A public hearing date is set before the Planning and Zoning Commission and a public hearing notice is published in the newspaper. Neighboring property owners are sent notice of the public hearing and the property is posted with a public hearing notice.

8. 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 opposition to the request. **It is strongly recommended that the applicant be in attendance at this meeting.**
9. The Planning and Zoning Commission will make a recommendation to the City Council.
10. The City Council holds a public hearing on the request subject to the same notice requirements as done at the Planning and Zoning Commission level. **It is strongly recommended that the applicant be in attendance at this meeting.**
11. If the City Council approves the annexation request, the City Attorney prepares an ordinance for annexation, a resolution for comprehensive plan land use designation, and an ordinance for zoning for the Council.
12. At subsequent public meetings, the City Council holds the first, second, and third readings of the ordinances and approves the resolution. Following the third reading and adoption of the ordinances, the ordinances are published in the newspaper after which the decisions become final.

Lots 1, 2, 3, 4, 5, 6, and 7, Block 94, Lewiston Orchards Tract No. 12, according to the recorded plat thereof, records of Nez Perce County, Idaho.

4-5.

WEST 14 BLOCKS



For Dedication See Back Of This Page

STAFF USE ONLY	
Case Number:	ZNC23-6
Hearing Date:	9.27.23

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: 08/28/23

Last *First* *M.I.*

Address: 247 THAIN RD. #107

Street Address *Apartment/Unit #*

LEWISTON ID 83501

City *State* *ZIP Code*

Phone: 208-798-5000 Email dan@qdplans.com

Property Owner: DK HOLDINGS LLC Phone: 208 798 5000

Property Owner Mailing Address: 247 THAIN RD. #107

DESCRIPTION OF PROPERTY

Street Address of Subject Property: WEST OF 18TH STREET BETWEEN WARNER & AIRWAY

Subdivision Name: ~~CANYON CREST WEST~~

Block: Lot:

OR, if not part of a subdivision, attach a metes and bounds description 53.74 acres

NATURE OF REQUEST

Change **FROM** Zone District: RI / F1 **TO** Zone District: R2

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 IS LOW DENSITY RESIDENTIAL. THE REQUESTED ZONING CLASSIFICATION TO R2 IS SIMILAR TO THE DEVELOPED PUD TO THE EAST AND NORTH. SINGLE FAMILY RESIDENTIAL SEEMS TO BE COMPLEMENTARY TO THE REST OF THE NEIGHBORHOOD

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.

THE ZONE CHANGE WILL MAKE THE SUBJECT PROPERTY MORE IN LINE WITH THE EXISTING HOUSING TO THE EAST AND NORTH

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

THE DEVELOPED AREA 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.

CURRENT SERVICES PROVIDED BY PUBLIC ENTITIES ARE CAPABLE OF HANDLING THE PROPOSED CHANGE

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 OF ABOUT 15-20 LOTS PER YEAR. THIS SLOW GROWTH SHOULD PLACE NO UNDUE BURDEN ON ANY OF THE ABOVE

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: _____ Date: 08/28/23

The Property Owner hereby authorizes this application:

Signature: _____ Date: 08/28/23

**** 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 ½" x 11") to scale

Lots 1, 2, 3, 4, 5, 6, and 7, Block 94, Lots 1, 2, and 3, Block 95, Lewiston Orchards Tract No. 12, according to the recorded plat thereof, records of Nez Perce County, Idaho.

Rezone Legal Description

4-5.

WEST 14 BLOCKS

For Dedication See Back Of This Page.

STAFF USE ONLY
Case Number: CPA23-4
Hearing Date: 9.27.23

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: 8/28/23
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:: _____

Mailing Address: _____

PROPERTY INFORMATION

Street Address of Subject Property: WEST OF 18TH STREET, BETWEEN WARNER & AIRWAY

Subdivision Name: ~~CANYON CREST WEST~~ Block: _____ Lot: _____

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: Area of City Impact (ACI)

The **proposed** Comprehensive Plan Designation of this property is: Low 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 COMPLIMENTARY SURROUNDING RESIDENTIAL HOMES THIS PROPERTY SEEMS BEST SUITED FOR RESIDENTIAL HOUSING

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: _____

Date: 8/28/23

The Property Owner hereby authorizes this application:

Signature of Owner: _____

Date: _____

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.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston City Council 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.

MONDDAY, NOVEMBER 13, 2023 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 Youtube page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person at the meeting, by emailing Tanya Brocke at tbrocke@cityoflewiston.org, or by calling (208) 746-3671 x 6202 and leaving a message.

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

APPLICATIONS ANX23-3 AND CPA23-4 BY DK HOLDINGS LLC: The applicant requests that the undeveloped approximately 39.62 acres, known as RP000940010000 or Lots 1,2,3,4,5,6,and 7 of Block 94, Lewiston Orchards Tract No.12, and generally located west of 18th Street, north of unimproved Bryden Ave and south of Canyon Crest Estates, as depicted on the attached map, be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Low Density Residential. The Planning and Zoning Commission recommended that the City Council approve this proposal after their public hearing conducted on September 27, 2023.

APPLICATION ZNC23-6 BY DK HOLDINGS, LLC: The applicant also requests that the above referenced land and the adjacent undeveloped parcel, to the south, known as RPL00950010000 or Lots 1, 2, and 3 of Block 95, Lewiston Orchards Tract 12, and generally located south of unimproved Bryden Ave, west of 18th Street and north of unimproved Airway Ave, as depicted on the attached map, containing approximately 14.12 acres, be rezoned and placed in the Low Density Residential, R2, Zoning District and amending the Lewiston Area of City Impact Map accordingly. The Planning and Zoning Commission recommended that the City Council approve this proposal after their public hearing conducted on September 27, 2023.

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

Notice of this public hearing was mailed on October 27, 2023 and 82 persons were noticed.

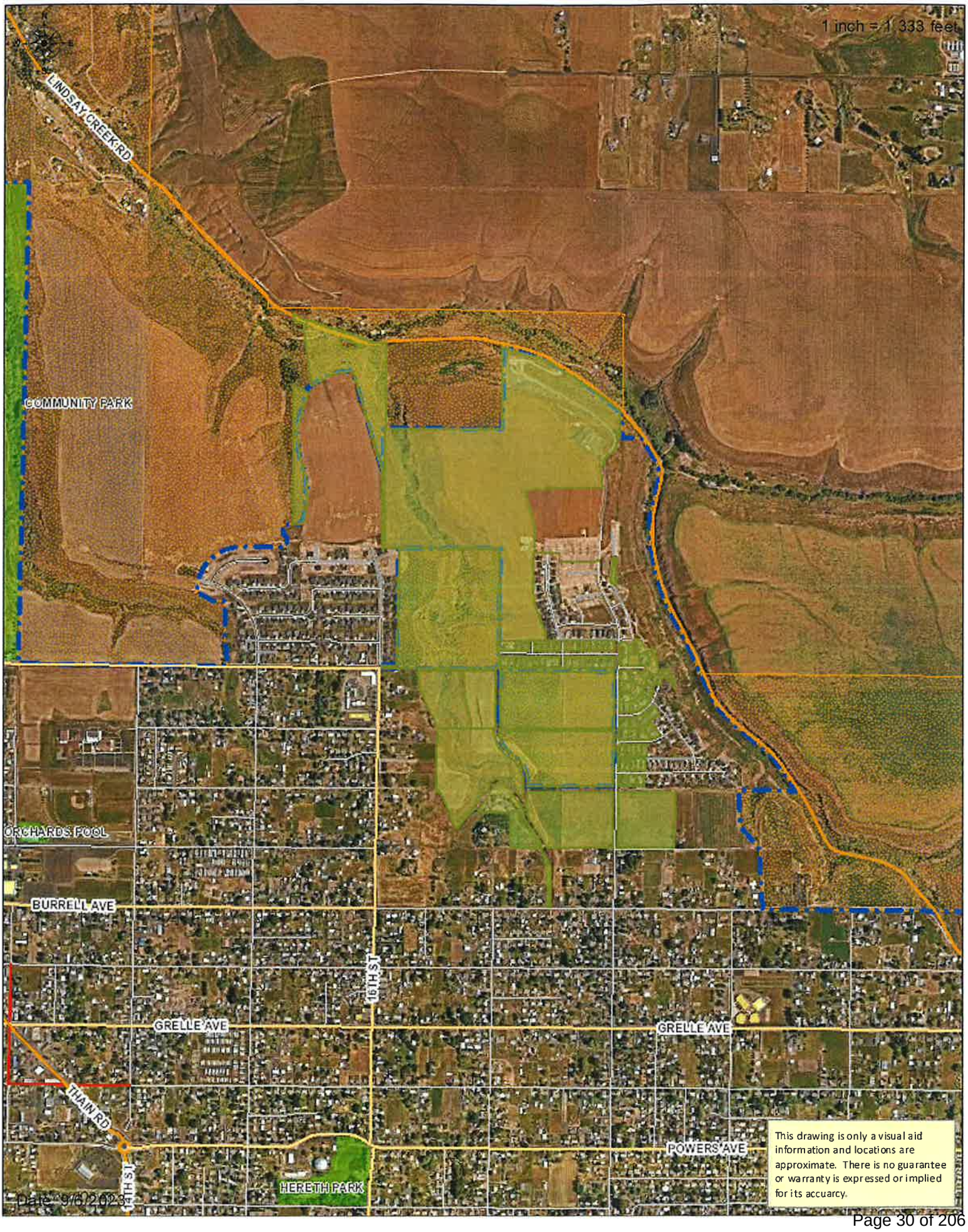
City of Lewiston

OWNER1	OWNER2	MAIL_ADD1	MAIL_CITY	MAIL_ST	MAIL_ZIP
ANDERSON LESLI C 2010 &	REVOCABLE TRUST	PO BOX 2011	LEWISTON	ID	83501
APPLEFORD, TODD M &	APPLEFORD, SAMANTHA	1704 PIONEER DR	LEWISTON	ID	83501
ARNONE, TREVOR		3321 18TH ST	LEWISTON	ID	83501
BARCLAY, SHAUN L &	BARCLAY, JULIE A	1815 IMNAHA LN	LEWISTON	ID	83501
BASILICO, LINDA L		1810 CLEARVIEW POINT DR	LEWISTON	ID	83501
BENKE, MICHAEL B &	BENKE, AMANDA J	3305 18TH ST	LEWISTON	ID	83501
BENNARD LIVING TRUST	BENNARD, CLINTON P TRUSTEE	3309 18TH ST	LEWISTON	ID	83501
BLY, MICHAEL &	BLY, MICHELLE &	2520 6TH ST	LEWISTON	ID	83501
BLY, RUSSELL S &	BLY, LOIS M	1726 PIONEER DR	LEWISTON	ID	83501
BLY, TRUDY A		1814 GRANDE RONDE CT	LEWISTON	ID	83501
BRODIE JAMES R FAMILY TRUST		1801 CLEARVIEW POINT	LEWISTON	ID	83501
BUMBAUGH, SCOTT A &	BUMBAUGH, NORMA J	3319 16TH ST	LEWISTON	ID	83501
CANTERBURY, THOMAS J &	CANTERBURY ARLENE FAMILY TRUST	1722 PIONEER DR	LEWISTON	ID	83501
CANYON CREST ESTATES HOA INC		PO BOX 24	LEWISTON	ID	83501
CAVANAUGH, CONNIE L		1729 PIONEER DR	LEWISTON	ID	83501
CLARK, VICCI M		1702 PIONEER DR	LEWISTON	ID	83501
COPPESS, ROBERT YORK &	COPPESS DORIS JUNE TRUST	15109 SE 47TH PL	BELLEVUE	WA	98006
COURTNEY, SHANE D &	COURTNEY, MICHELLE R	1710 PIONEER DR	LEWISTON	ID	83501
CURRY, BRIAN J &	CURRY, JENNIFER	1708 PIONEER DR	LEWISTON	ID	83501
DK HOLDINGS LLC		247 THAIN RD STE 107	LEWISTON	ID	83501
ELLIOT, DAVID C &	ELLIOT, KAREN D	1807 GRANDE RONDE CT	LEWISTON	ID	83501
ERSLAND, WALTER M &	ERSLAND, NANETTA	1713 PIONEER DR	LEWISTON	ID	83501
EWING, BRITTANY A &	EWING, DALTON R	1707 PIONEER DR	LEWISTON	ID	83501
FAVOR, DAVID G &	FAVOR, GAYLE N	1804 IMNAHA LN	LEWISTON	ID	83501
FELTON, CINDY L		1806 IMNAHA LN	LEWISTON	ID	83501
FERRISS, JOHN K		1811 GRANDE RONDE CT	LEWISTON	ID	83501
GOECKNER, BRADLEE &	GOECKNER, MARY ANN	1805 SUNRISE CT	LEWISTON	ID	83501
GOMEZ, MARIO D &	GOMEZ, JENNIFER E	3237 18TH ST	LEWISTON	ID	83501
HAGEN, GARY GENE &	HAGEN, EDNA C	2255 RESERVOIR RD	CLARKSTON	WA	99403
HERRMAN, BRIAN F &	HERRMAN, DEBRA L	1730 PIONEER DR	LEWISTON	ID	83501
HULETT, JOE R &	LINDQUIST-HULETT, PATRICIA A	1807 CLEARVIEW POINT DR	LEWISTON	ID	83501
ISBELLE, JONATHON J &	ISBELLE, JOLENE C	135 112TH ST	OROFINO	ID	83544
IVERSON, CHARLES &	IVERSON, LORITA	3227 HIDDEN VALLEY LOOP	LEWISTON	ID	83501

JEANBLANC, RACHAELL LYNN &	JEANBLANC, RONALD LEE II	1720 PIONEER DR	LEWISTON	ID	83501
JENSEN, RENE V &	JENSEN, LINDA RAE	1811 IMNAHA LN	LEWISTON	ID	83501
JOHNSON, NICOLE ROSE		1724 PIONEER DR	LEWISTON	ID	83501
KETCHAM, RONALD K &	KETCHAM, BESSIE J	1809 CLEARVIEW POINT DR	LEWISTON	ID	83501
KIEKOW, GERALD P &	KIEKOW, JULIE M	3229 HIDDEN VALLEY LOOP	LEWISTON	ID	83501
LANNOM-HINMAN, ANNE M &	HINMAN, VINCENT L	1721 PIONEER DR	LEWISTON	ID	83501
LEWISTON CITY OF		P O BOX 617	LEWISTON	ID	83501
LUPER, MICHAEL JOHN &	LUPER, ALEXIS CHAE	3307 18TH ST	LEWISTON	ID	83501
MCKEE, CYNTHIA MARIE &	MCKEE, CHARLES LEE II	1701 PIONEER DR	LEWISTON	ID	83501
MILLS, MICHAEL C &	MOHONDRO, KERRY C	1717 PIONEER DR	LEWISTON	ID	83501
MOORE, STEVEN R &	MOORE, CYNTHIA	3404 17TH ST	LEWISTON	ID	83501
NORGAARD, CARL &	NORGAARD, SHERI	1812 IMNAHA LN	LEWISTON	ID	83501
OHARRA, JOHNNIE L &	OHARRA, LORI K	1804 CLEARVIEW POINT DR	LEWISTON	ID	83501
OLSON, RALPH E &	OLSON, DENA R	1705 PIONEER DR	LEWISTON	ID	83501
ORTON, SHERYL L &	ORTON, RONALD C	1711 PIONEER DR	LEWISTON	ID	83501
PENTZER, DANIEL CRAIG &	PENTZER, REGINA LEE	1716 PIONEER DR	LEWISTON	ID	83501
PETERSON, JACE		1732 PIONEER DR	LEWISTON	ID	83501
REED, EDWIN A &	REED, LAURA L	P O BOX 752	LEWISTON	ID	83501
REINEKE, MEGAN J &	REINEKE, AARON W	1819 GRANDE RONDE CT	LEWISTON	ID	83501
ROCKY POINT SIX LLC		13506 HILLSIDE RD	GENESEE	ID	83832
SADE, DALE E &	SADE, MUN OK	1723 PIONEER DR	LEWISTON	ID	83501
SAGER, BRET &	SAGER, LEEANN	1712 PIONEER DR	LEWISTON	ID	83501
SHUMWAY REVOC LIVING TRUST	SHUMWAY, RAYMOND D &	1728 PIONEER DR	LEWISTON	ID	83501
STAAB, FRANCIS A		1815 GRANDE RONDE CT	LEWISTON	ID	83501
STERNBERG LIVING TRUST	STERNBERG, ALEC P &	1804 GRANDE RONDE CT	LEWISTON	ID	83501
STUCK FAMILY TRUST	STUCK, ROGER DEAN II &	1804 SUNRISE CT	LEWISTON	ID	83501
STUCK, JAMES L &	STUCK, RENEE CHANTAL	1706 PIONEER DR	LEWISTON	ID	83501
THELEN, JERI ANN REVOC LIV TST&	THELEN, KELLY JORDYN	1806 CLEARVIEW POINT DR	LEWISTON	ID	83501
THOMAS, MICHAEL &	THOMAS, TAMMI REV TRUST	21805 CLEARWATER RIDGE DR	JULIAETTA	ID	83535
TIEDE, SAMUEL S &	TIEDE, CHEYENNE M	1714 PIONEER DR	LEWISTON	ID	83501
TITUS, NATHAN L &	TITUS, ANGELA R	1727 PIONEER DR	LEWISTON	ID	83501
ULMER, IVAN R &	ULMER, SHELLY J	1725 PIONEER DR	LEWISTON	ID	83501
VINT, DARYL P &	VINT, BARBARA	1731 PIONEER DR	LEWISTON	ID	83501
WALKER, RUSSELL C JR	FAMILY TRUST	1808 IMNAHA LN	LEWISTON	ID	83501

WALSH, JAMES &	WALSH ANNE LIVING TRUST	PO BOX 211	WAITSBURG	WA	99361
WARD, JOHN &	WARD, JEAN	1807 IMNAHA LN	LEWISTON	ID	83501
WASSMUTH, DONALD D &	WASSMUTH, SALLY J	1806 GRANDE RONDE CT	LEWISTON	ID	83501
WEEKS, W JEREMY &	WEEKS, HEATHER S	3303 18TH ST	LEWISTON	ID	83501
WELCH, GEORGE &	WELCH, JUDITH	1810 IMNAHA LN	LEWISTON	ID	83501
WESTCON LLC		3900 INDUSTRIAL WAY	LEWISTON	ID	83501
ZIMMERMAN, LISA M &	ZIMMERMAN, ANDREW J	1810 GRANDE RONDE CT	LEWISTON	ID	83501

City of Lewiston



PLANNER'S STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT

Date: 9/15/2023

Case File Number: ANX23-3, CPA23-4, ZNC23-6

Applicant:
DK Holdings, LLC
247 Thain Road Suite 107
Lewiston, ID 83501

Property Owner:
DK Holdings, LLC
247 Thain Road Suite 107
Lewiston, ID 83501

Site Location:
Applications ANX23-3 and CPA23-4 are for the undeveloped approximately 39.62 acres, known as RP000940010000 or Lots 1,2,3,4,5,6, and 7 of Block 94, Lewiston Orchards Tract No. 12, and generally located west of 18th Street, north of unimproved Bryden Ave and south of Canyon Crest Estates, as depicted on the attached map, and Application ZNC23-6 is for the above referenced land and the adjacent undeveloped parcel, to the south, known as RPL00950010000 or Lots 1, 2, and 3 of Block 95, Lewiston Orchards Tract 12, and generally located south of unimproved Bryden Ave, west of 18th Street and north of unimproved Airway Ave, as depicted on the attached map, containing 14.12 acres.

Request/Proposal:
Applications ANX23-3 and CPA23-4 request that the undeveloped approximately 39.62 acres, known as RP000940010000 or Lots 1,2,3,4,5,6, and 7 of Block 94, Lewiston Orchards Tract No. 12, and generally located west of 18th Street, north of unimproved Bryden Ave and south of Canyon Crest Estates, as depicted on the attached map be removed from the Lewiston Area of City Impact and

annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Low Density Residential.

Application ZNC23-6 requests that the above referenced land and the adjacent undeveloped parcel, to the south, known as RPL00950010000 or Lots 1, 2, and 3 of Block 95, Lewiston Orchards Tract 12, and generally located south of unimproved Bryden Ave, west of 18th Street and north of unimproved Airway Ave, as depicted on the attached map, containing approximately 14.12 acres, be rezoned and placed in the Low Density Residential, R2, Zoning District and amending the Lewiston Area of City Impact Map accordingly.

Subject Property and Surrounding Land Uses: The subject properties are 53.74 acres of vacant land. Properties to the north and south are single family dwellings, property to the east is vacant land and properties to the west are a mix of vacant land and single family dwellings.

Related Or Other Pending Discretionary Actions:

None.

Flood Plain, Wetlands, EPA Regulated Site:

NA

Code References:

TITLE 50
MUNICIPAL CORPORATIONS
CHAPTER 2
GENERAL PROVISIONS — GOVERNMENT — TERRITORY

50-222. ANNEXATION BY CITIES. (1) Legislative intent. The legislature hereby declares and determines that it is the policy of the state of Idaho that cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

(2) General authority. Cities have the authority to annex land into a city upon compliance with the procedures required in this section. In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation. Provided further, that said city council shall not have the power to declare such land, lots or blocks a part of said city if they will be connected to such city only by a shoestring or strip of land which comprises a railroad or highway right-of-way.

(3) Annexation classifications. Annexations shall be classified and processed according to the standards for each respective category set forth herein. The three (3) categories of annexation are:

(a) Category A: Annexations wherein:

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;
(ii) Any residential enclaved lands of less than one hundred (100) privately owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or
(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.

(5) Annexation procedures. Annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section. The implementation of any annexation proposal wherein the city council determines that annexation is appropriate shall be concluded with the passage of an ordinance of annexation.
(a) Procedures for category A annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in chapter 65, title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

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.]

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 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.

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)

Sec. 37-184. Rules for conduct of public hearings and subsequent decisions.

(a) *Public hearing required.* Upon the receipt of an application for a conditional use pursuant to section 37-161 of this chapter, a variance pursuant to section 37-175 of this chapter, a change of use of nonconforming use pursuant to section 37-168 of this chapter, or planned unit development pursuant to section 37-97 of this chapter, or an application for a zone change, comprehensive plan amendment, or an amendment to the text of this chapter, a public hearing shall be scheduled.

(b) *Notifications.*

(1) Each notice of public hearing on an amendment to the text of this chapter shall contain the date, time, and place of the hearing, a summary of the proposed

amendment, and any other information considered pertinent; and shall be published at least once in a newspaper of general circulation in the city at least fifteen (15) days prior to the hearing.

(2) Each notice of public hearing on a conditional use, change of use of a nonconforming use, variance request, or on an amendment to change the zoning map or comprehensive plan shall include as a minimum the date, time, and place of the hearing and summary of the proposal. The notice shall be published in a newspaper of general circulation in the city at least fifteen (15) calendar days prior to the hearing and shall, in addition, be mailed to the owners of all properties within three hundred thirty (330) feet of the exterior boundary of the property for which the application is made, except in variance cases notices shall be mailed only to owners of adjoining properties, including properties across streets, alleys and rights-of-way. All notices shall be mailed at least eight (8) calendar days prior to the hearing.

(3) When notice is required to two hundred (200) or more property owners or residents, mailed notice may be omitted. In lieu thereof, public announcements of the hearing shall be made on local radio and television stations at least five (5), but not more than fifteen (15) days before the hearing.

(4) Failure of any person to receive the notice prescribed in this section shall not impair the validity of the hearing.

(5) The commission or city council may recess a hearing to serve further notice upon other property owners or persons it determines may be interested in the proposal being considered.

(c) *Conduct of public hearings.* A public hearing shall be held to determine whether the application is consistent with the policies and goals enumerated in this chapter.

(1) No person shall be permitted to testify at such a hearing until the person has been recognized and called upon by the chairman or the mayor.

(2) All public hearings shall be recorded and all persons speaking at such hearings shall speak in such a manner as to ensure the accuracy of the recorded testimony and remarks. A person desiring to testify may also submit written testimony at any time prior to the conclusion of the public hearing.

(3) At the commencement of the public hearing, the chairman may establish a time limit to be observed by all speakers.

(4) Each commission member or council member, when recognized by the mayor, shall be allowed to question the speaker, and the speaker shall be limited to answers to the questions asked. The question and answer period shall not be included in the speaker's time limit that might be established by the chairman. The speaker shall not be interrupted by the planning and zoning commission or the city council until his time has been expended or until he has finished his statement.

(5) Any person not conforming to the above rules may be prohibited from speaking during the public hearing. Should such person refuse to comply with such prohibition, he may be removed from the room by order of the chairman or mayor.

(6) Prior to closing the public hearing, the public hearing may be continued or recessed to a date certain, or indefinitely, upon a majority vote of the city councilors or commissioners present.

(7) Cross-examination of persons testifying at the public hearing shall not be permitted. An applicant shall have an opportunity to rebut any testimony submitted.

(8) Any exhibit introduced by any person shall be retained and made a part of the record.

(d) *Recommendations and decisions.* All recommendations and decisions of the commission and all decisions of the city council made pursuant to this chapter and Idaho Code Title 67, Chapter 65, shall be made within forty-five (45) calendar days of the public hearing at which the application was considered, unless:

(1) The public hearing is continued;

(2) The applicant withdraws the application; or

(3) The city council holds an additional public hearing or remands consideration of the application back to the commission.

Any subsequent recommendation(s) and decision(s) after consideration at the initial public hearing shall be made within forty-five (45) calendar days of the subsequent consideration.

When required by Idaho Code Title 67, Chapter 65, the decision of the commission or the city council shall be set forth in a written reasoned statement of relevant criteria and standards that satisfies the requirements of Idaho Code Title 67, Chapter 65.

(e) *Copy of decision and appeal.* Within five (5) business days after the commission or city council has adopted its written reasoned statement of relevant criteria and standards with its decision regarding an application, the applicant shall be provided a copy of such written reasoned statement of relevant criteria and standards by the community development department. The decision is final unless appealed pursuant to section 37-185 of this Code.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4531, § 20, 7-13-09; Ord. No. 4801, § 1, 4-12-21; Ord. No. 4863, § 1, 11-14-22)

See attached Low Density Residential Zone R2.

Comprehensive Plan:

The subject property is located in the Area of City Impact (ACI) and if annexed will be added to Neighborhood 7, East Orchards.
Relevant statements from the Comprehensive Plan include the following:

CHAPTER 6.8 AREA OF CITY IMPACT AND ANNEXED AREAS PURPOSE OF AREAS OF CITY IMPACT ACI's are transition areas between each city and the county and act as place holders for future annexation and eventual urban development. They are important because they help cities and counties carry out the purposes of planning, which include protecting property rights, ensuring that adequate public facilities and services are provided at reasonable cost, and encouraging urban type development within cities. ACIS are important tools that help coordinate growth with the availability of services. ACIs also help to concentrate density to those areas best prepared to receive new developments. This is referred to as managed growth and rules that govern it are described in §67-6526 of Idaho Code.

Upon annexation, the City envisions a future where:

1. Development is fully served with utilities and infrastructure;
2. Densities are sufficient to make efficient use of the limited ACI, spread utility costs and appeal to market conditions;
3. Where terrain permits, the existing road grid and circulation system is extended, including implementation of the Long Range Transportation Plan;
4. Residential areas will be walkable;
5. Pockets of neighborhood commercial serving the immediate needs of the neighborhood will be considered in the East Orchards and near the intersection of Lindsey Creek and Lapwai Roads;
6. Industrial and aviation related development will be allowed south and west of the Lewiston -Nez Perce County Airport;
7. Development in canyon areas and along the Spiral Highway will be handled on a case by case basis considering terrain and existing land use patterns.
8. Ravines will be preserved by transferring densities to the most developable portions of the land. (Ordinance 4624, February 23, 2015)

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.

Generally lying east of 16th Street and north of Burrell Avenue are a number of major ravines and drainage ways best suited to remain undeveloped or as links among public open space as shown in the Parks and Open Space Master Plan. Another substantial drainage pattern lies northeast of 21st Street and Grelle Avenue is an area which should remain undeveloped.

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.

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.

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.

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 10. 2020 Transportation Plan
The 2020 Transportation Plan currently identifies 18th Street as a local road but it's future connection and classification is as a collector. Airway Ave, adjacent to the subject property is unimproved but is otherwise classified as a local road. Speed limits on both of these roads are 25 miles an hour. Both 18th Street and Airway Avenue are identified as in need of pedestrian facilities (sidewalks). 18th Street is designated as part of the city's bicycle network. As noted by the Engineering Division of the Public Works Department, if this land action is approved, the traffic impact will be evaluated as part of the subdivision process. The subject properties are not on either of the city's bus routes.

CHAPTER 16. IMPLEMENTATION "An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan."

COMMUNITY GROWTH One way the community can grow is through annexation of additional territory. This provides additional land for the community to grow; in addition, the community gains control over the surrounding lands that will affect its ability determine future uses in the area. Throughout this plan, recommended annexations have been identified. The City should take steps to begin the process of annexation of these, and other, parcels.

Input From Other Departments/Agencies:
The Fire Department commented; "Access and water supply shall be evaluated during the plat design phase(s)."

The Engineering Division of the Public Works Department commented; "Engineering has no objections to proposed action. Proposed lot/street configurations, traffic and utilities will be evaluated during platting process."

The Lewiston Orchard Irrigation District General Manager, Barney Metz, commented; "Neither parcel is currently eligible for water. The applicant will have to go through the domestic only annexation process. He would need to do the annexation process for each parcel and submit plans to the Lewiston Orchards Irrigation District for review of his proposed infrastructure for us to comment on."

Analysis:

The subject properties are three large parcels from the original Orchards Tracts comprised of 10 underlying lots. Two (2) of these parcels are currently located in Nez Perce County and are surrounded on all four sides by city zoned property. These two parcels are under county zoning F1 Farm. The third parcel is south of the two parcels currently located in the county and has zoning designation of Suburban Residential, R1, Zone. All three parcels are currently bare land that has been farmed in the past. Surrounding properties are a mix of single family dwellings and bare land with a ravine separating the county zoned parcels from the single family dwellings to the west. Properties to the north and east of the two county zoned parcels are part of the Canyon Crest Estates Planned Unit Development with allows for a mix of housing types, some community commercial and a variety of lot sizes ranging from 6,000 square feet to almost one (1) acre in size. The city zoned parcel is surrounded by a variety of zoning districts including F2, R1, R2A, and R3. Mostly single family dwellings and vacant land occupy the land in these various zoning districts.

The applicant requests a zoning designation for all three (3) parcels of Low Density Residential, R2 Zone. The R2 Zone does not allow for the keeping of livestock. This zone has a minimum lot size of 7500 square feet for a single family dwelling with a minimum lot width of 70 feet and a minimum lot depth of 100 feet. Lots created with this standard would be similar in size to those lots directly north of the county zoned parcels, in the Canyon Crest Estates Planned Unit Development along Pioneer Drive. The Low Density Residential, R2 Zone lot standards are also very similar to those along Clearview Point Drive to the east (also in the Canyon Crest Estates). Upon approval of the subject applications, the applicant would apply for subdivision approval.

The Low Density Residential, R2, Zone allows for residential uses that will be compatible with the existing neighborhood and the single family dwellings that currently exist. The proposed annexation will eliminate an island of county zoned property and allow for the continued development of this neighborhood. These parcels are identified in the Comprehensive Plan as areas suitable for future annexation and a future land use designation of low density residential.

This area of the city (East Orchards or Neighborhood 7) is the fastest growing section of Lewiston with several subdivisions in the surrounding areas that are in

various stages of development. Canyon Crest Estates to the north, applicants own subdivision (Canyon Crest South subdivision plat, as reviewed by the Commission at the 9/13/23 Planning and Zoning Commission meeting) to the east across 18th Street, Lindsey Creek Estates Planned Unit Development to the south east at 21st Street and Powers Avenue, Heimgartner Subdivision at the west corner of 22nd Street and Powers Avenue and Skyview Estates at the east corner of 22nd Street and Powers Avenue. Annexation of the subject properties will provide additional infill development for much needed housing within the city.

The 2020 Transportation Plan currently identifies 18th Street as a local road but it's future connection and classification is as a collector. As noted by the Engineering Division of the Public Works Department, if this land action is approved, the traffic impact will be evaluated as part of the subdivision process. The subject properties are not on either of the city's bus routes.

Relevant Criteria and Standards:
See attached worksheet.

Prepared By:
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khollingshead@cityoflewiston.org
P.O.Box 617
Lewiston, ID 83501

DIVISION 3. - LOW DENSITY RESIDENTIAL ZONE R-2

Sec. 37-26. - R-2 low density residential zone.

Purpose. To provide land for lower density residential development in a neighborhood setting.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 10, 10-25-99)

Sec. 37-27. - Uses permitted outright.

In an R-2 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) Mortuary, subject to the special conditions of section 37-20.1(1) of this Code;

(7) Park, subject to the special conditions of section 37-20.1(4) of this Code;

(8) School, subject to the special conditions of section 37-20.1(3) of this Code;

(9) Single-family dwelling;

(10) Two-family dwelling.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4161, § 3, 7-1-96; Ord. No. 4249, § 11, 10-25-99; Ord. No. 4385, § 3, 2-14-05)

Sec. 37-28. - Conditional uses permitted.

In an R-2 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) Group day care, subject to the special conditions of section 37-13.1(3) of this Code;

(4) Intermediate care facility;

(5)

Long-term care facility;

(6) 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;

(7) Manufactured home park, subject to the provisions of chapter 23 of this Code, with a maximum density of nine (9) dwelling units per acre;

(8) Multifamily dwelling, meeting the standards of section 37-124.1 of this Code;

(9) Noncommercial kennel, subject to commercial kennel standards of section 37-163(15) of this Code;

(10) Preschool, subject to the special conditions of section 37-20.1(6) of this Code;

(11) 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;

(12) 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;

(13) 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;

(14) 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;

(15) 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;

(16) Small lot development subject to the requirements of section 37-33 of this Code, standards for small lot development;

(17) Tiny house village, subject to the provisions of chapter 23 of this Code, with a maximum density of nine (9) dwelling units per acre.

(Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 12, 10-25-99; Ord. No. 4322, § 5, 12-9-02; Ord. No. 4328, § 2, 3-24-03; Ord. No. 4385, § 4, 2-14-05; Ord. No. 4433, § 1, 1-9-06; Ord. No. 4499, § 2, 1-28-08; Ord. No. 4531, § 3, 7-13-09; Ord. No. 4656, § 1, 3-28-16; Ord. No. 4676, § 3, 11-28-16; Ord. No. 4742, § 2F, 8-19-19; Ord. No. 4799, § 3, 3-8-21; Ord. No. 4841 , § 5, 11-14-22)

Sec. 37-29. - Lot size.

In an R-2 zone, the minimum lot size shall be as follows:

(1)

For a single-family dwelling, the minimum lot area shall be seven thousand five hundred (7,500) 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 ten thousand (10,000) square feet, and connection to a municipal sanitary sewer system must be provided.

(3) For a multifamily dwelling, the minimum lot area shall be ten thousand (10,000) square feet plus three thousand (3,000) square feet for each dwelling unit over two (2), and connection to a municipal sanitary sewer system must be provided.

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

(5) 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. 4676, § 4, 11-28-16)

Sec. 37-30. - Yards.

Except as provided in article VIII, in an R-2 zone the 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 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) 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 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)

Sec. 37-31. - Lot coverage.

In an R-2 zone buildings shall not cover more than forty (40) percent of the lot.

(Ord. No. 4108, § 2, 8-15-94)

Sec. 37-32. - Height of buildings.

In an R-2 zone, no building shall exceed a height of thirty-five (35) feet.

(Ord. No. 4108, § 2, 8-15-94)

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

(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) *Building size.* 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.

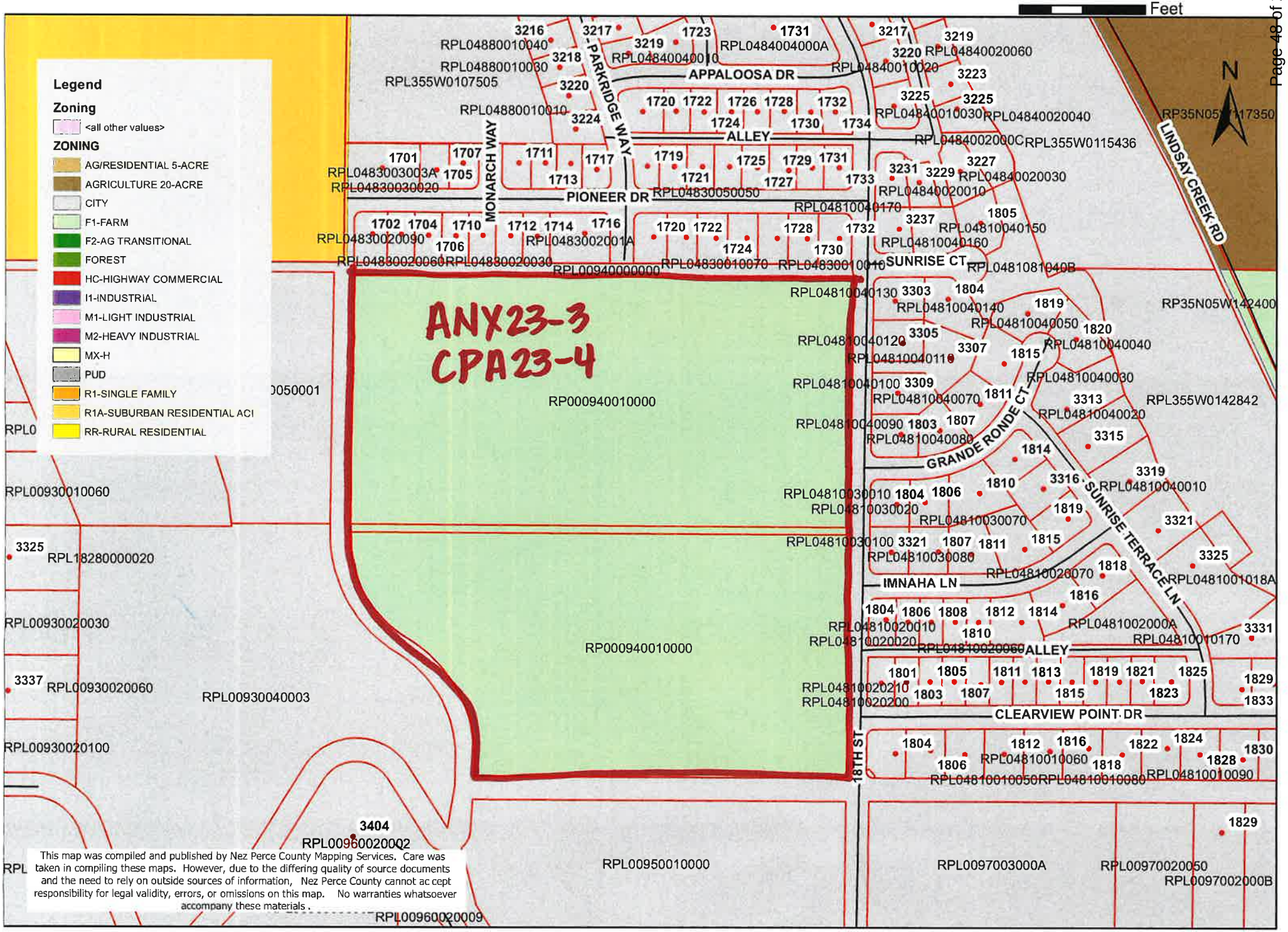
(4) Except on a flag lot, house facades fronting a street right-of-way shall not have an attached garage that exceeds seventy (70) percent of the width of the facade.

(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 1 and March 1.

(Ord. No. 4433, § 2, 1-9-06; Ord. No. 4755, § 2, 9-9-19; Ord. No. 4835, § 1, 12-20-21)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I1-INDUSTRIAL
M1-LIGHT INDUSTRIAL
M2-HEAVY INDUSTRIAL
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PUD
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PIONEER DR
SUNRISE CT
GRANDE RONDE CT
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IMNAHA LN
ALLEY
CLEARVIEW POINT DR
18TH ST
LINDSAY CREEK RD
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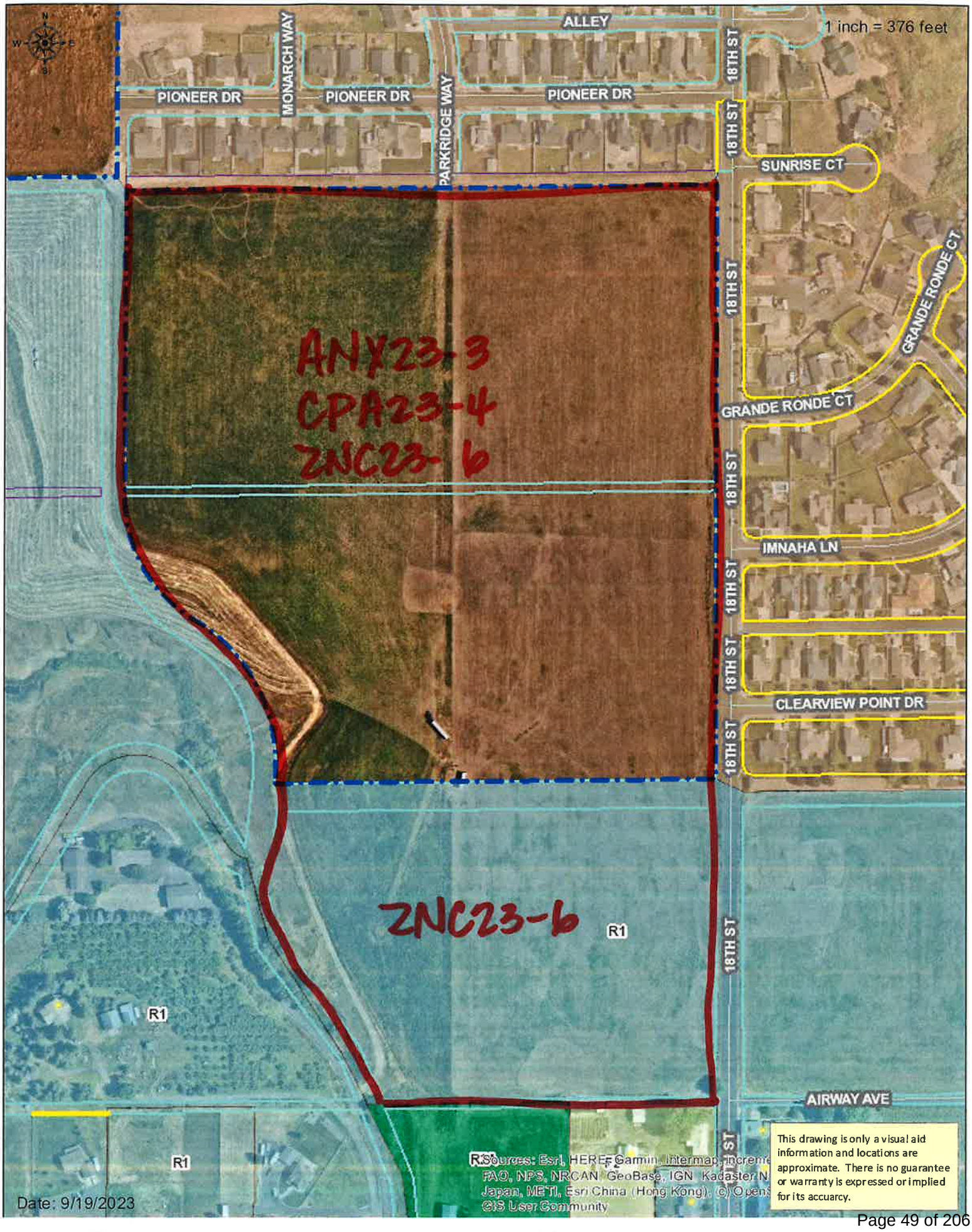
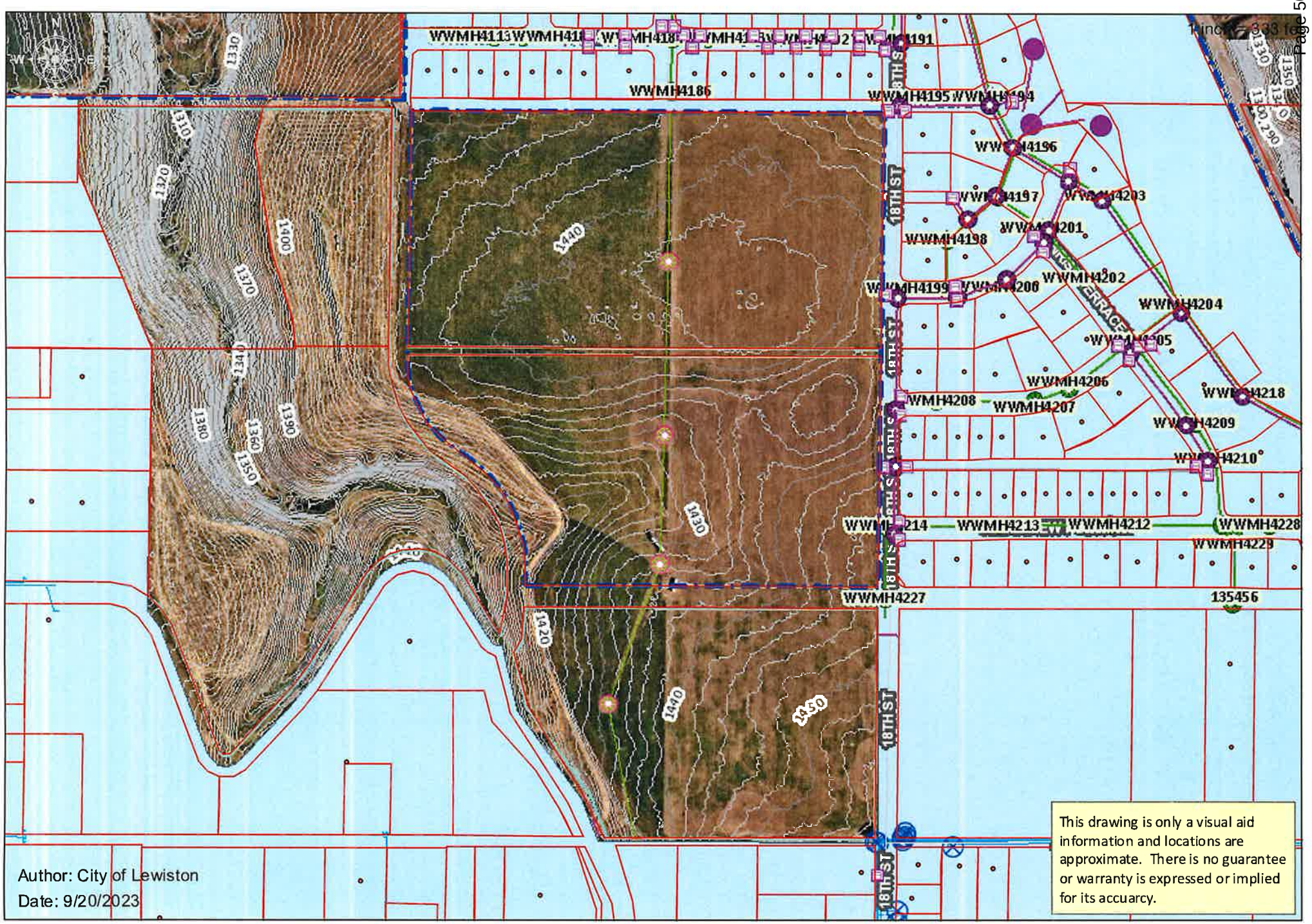
This map was compiled and published by Nez Perce County Mapping Services. Care was taken in compiling these maps. However, due to the differing quality of source documents and the need to rely on outside sources of information, Nez Perce County cannot ac cept responsibility for legal validity, errors, or omissions on this map. No warranties whatsoever accompany these materials.

City of Lewiston



City of Lewiston



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.

Instrument # 910628
NEZ PERCE COUNTY
10-20-2023 01:42:14 PM No. of Pages: 7
Recorded for : CITY OF LEWISTON
PATTY WEEKS Fee: 0.00
Ex-Officio Recorder Deputy
Index to: MISC

I. APPLICATION NUMBER:
ZNC23-6

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 39.62 acres known as tax parcel RP000940010000 or Lots 1, 2, 3, 4, 5, 6, and 7 of Block 94, Lewiston Orchards Tract No. 12, and generally located west of 18th Street, north of unimproved Bryden Ave and south of Canyon Crest Estates and the adjacent 14.12 acre tax parcel, to the south, known as tax parcel RPL00950010000, or Lots 1, 2, and 3 of Block 95, Lewiston Orchards Tract No. 12, and generally located south of unimproved Bryden Ave, west of 18th Street and north of unimproved Airway Ave.

IV. DATE OF PUBLIC HEARING:
September 27, 2023

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

VI. NATURE OF APPLICATION:
Rezone subject property from Area of City Impact (Nez Perce County) Farm, F-1, Zone and City Suburban Residential (R-1) Zone to Low Density Residential, R-2, Zone.

VII. DECISION:
The Lewiston Planning and Zoning Commission recommends **APPROVAL of ZNC23-6** to the Lewiston City Council.

VIII. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are:

The Commission received public comment that the sewer line located at 18th Street needed to serve the subject property and its proposed development is not of sufficient size since it is anticipated that the sewer line will also service the Canyon Crest Estates Planned Unit Development (PUD), which is located to the east of the subject property. The City's Development Supervisor, Pat Severance, provided testimony that the sewer line was engineered to accommodate up to 2800 connections, which when compared with the number of connections anticipated for the Canyon Crest Estates PUD and the proposed development of the subject property, would be more than sufficient to service the development needs of the subject property and the surrounding neighborhood. He stated that this matter has been previously raised and the claim is unsubstantiated. The City Planner, Joel Plaskon, testified that the question about the intensity of the proposed development will be addressed during the subdivision and platting process, and the applicant will have additional requirements under state and city code regarding the development of the subject property, including the requirement to get "will serve" letters from utility providers. Further, notice was provided to the Central Orchards Sewer District and it ultimately did not respond or indicate that it could not service the proposed annexation of the property or rezone. The applicant, Dan Yonge, provided testimony that he does not intend to connect to the sewer line on 18th Street, and will connect to a different line located at 17th Street that runs through the two northern parcels that make up the subject property. The Commission determined that based upon the testimony from the Development Supervisor, City Planner, and applicant, the sewer line size available to serve development of the subject property, if rezoned and developed accordingly, is more than adequate in capacity. Further, the Commission acknowledged that the details of any future development will require additional coordination between the developer and the corresponding utility providers.

Other public comment noted that the roadways to the north of the subject property, such as Lindsey Creek Road, are of insufficient quality to provide adequate transportation and is only intended to provide an emergency access route. The City Development Supervisor provided testimony that the road is a private road and will not be impacted by this development. Further, during the subdivision and platting process, proposed lot and street configurations, traffic, and utilities will be evaluated by the necessary parties. The Commission determined that the contested facts were either unsubstantiated or could be mitigated at later steps in the development process, and did not affect the determination on whether or not the subject property should be rezoned from its current zoning designations to the Low Density Residential, R-2, Zone.

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 subject property is in the Area of City Impact (ACI), and if annexed will be in the Lewiston Comprehensive Plan (Plan) Neighborhood Number 7, East Orchards. Property in the ACI is recognized as being appropriate for annexation into the City of Lewiston and eventual low density residential development. The Plan provides, in relevant part, that "ACI's are transition areas between each city and the county and act as place holders for future annexation and eventual urban development." (Chapter 6.8) Further, the Plan states that "ACI's are important tools that help coordinate growth with the availability of services… to concentrate density to those areas best prepared to receive new developments." (Chapter 6.8).

Other applicable provisions of the Plan include:

From Chapter 6.7:
Generally lying east of 16th Street and north of Burrell Avenue are a number of major ravines and drainage ways best suited to remain undeveloped or as links among public open space as shown in the Parks and Open Space Master Plan. Another substantial drainage pattern lies northeast of 21st Street and Grelle Avenue is an area which should remain undeveloped. (Section 6.7.e) Further, 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. (Section 6.7.h.4)

From Chapter 1:
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. The City of Lewiston is 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.

The Commission determined that the applicant is in general conformance with the Plan, and that it will blend in nicely with the neighboring properties.

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:

   Two (2) of the parcels that make up the subject property are currently located in the ACI and zoned as Farm, F-1, Zone. The third (3rd) parcel that makes up the subject property is south of the two parcels currently located in the county island and has a zoning designation of Suburban Residential, R-1, Zone. All three parcels are currently bare land that has been farmed in the past. The Commission believes three (3) parcels are better suited for the proposed zoning designation of Low Density Residential, R-2, Zone because they will further the goals and objectives stated in the Plan and provide additional housing for residents of the City. Further the annexation of the two parcels in the county will eliminate an island of county property to allow for the continuation of the city's limits in that area.

   The Commission concurred with the staff report that the Low Density Residential, R-2, Zone allows for residential uses that will be compatible with the existing neighborhood and the single family dwellings that currently exists. The Commission noted in approving the annexation and rezone of the subject property that the proposed rezone would not affect the existing animal rights of neighboring properties since no one that already has livestock will be put in jeopardy as a result of this rezone.

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 consists of three large parcels from the original Orchards Tracts comprised of 10 underlying lots. Two (2) of these parcels are currently located in Nez Perce County and are surrounded on all four sides by city zoned property. These two parcels are under Nez Perce County's Farm, F-1, Zone designation. The third parcel is south of the two parcels currently located in the county and has the zoning designation of Suburban Residential, R-1, Zone. All three parcels are currently bare land that has been farmed in the past. Surrounding properties are a mix of single family dwellings and bare land with a ravine separating the Nez Perce County zoned parcels from the single family dwellings to the west. Properties to the north and east of the two Nez Perce County zoned parcels are part of the Canyon Crest Estates Planned Unit Development which allows for a mix of housing types, some community commercial and a variety of lot sizes ranging from 6,000 square feet to almost one (1) acre in size. The city zoned parcel is surrounded mostly by a variety of zoning districts, including Agricultural Transitional, F-2, Suburban Residential, R-1, Low Density Residential, R-2A, and Medium Density Residential, R-3, Zones. Mostly single family dwellings and vacant land occupy the land in these various zoning districts.

   Uses or development incompatible with the proposed zoning does not appear to exist in the same vicinity of the subject property. The proposed rezoning of the subject property is expected to result in detached single family residential development very similar to that already existing in the vicinity. The current zoning and use (farming) of the subject property is less compatible

with the existing uses and development in the vicinity than that expected to result from the proposed zoning.

The Low Density Residential, R-2, Zone allows for residential uses that will be compatible with the existing neighborhood and the single family dwellings that currently exist. The proposed annexation of two parcels within the subject property will eliminate an island of county zoned property and allow for the continued development of this neighborhood. These parcels are identified in the Plan as areas suitable for future annexation and a future land designation of Low Density Residential.

The Commission determined that any possible impacts of the proposed rezone could be mitigated by the requirements of City Code during the subdivision and platting process for the property.

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:

All political subdivisions within the planning jurisdiction were provided notice of the hearing for the proposed rezone, and none of them provided any testimony or other evidence or information about the proposed rezone causing undue burden on their ability to provide services, including the school district. The Lewiston Fire Department commented that "access and water supply shall be evaluated during the plat design phase(s)." The City's Engineering Division of the Public Works Department commented that it had no objections to the proposed action, and that "proposed lot/street configurations, traffic and utilities will be evaluated during [the] platting process." Further, the 2020 Transportation Plan currently identifies 18th Street as a local road, but it's future connection and classification is as a collector street. If the rezone is approved, the traffic impact will be evaluated as a part of the subdivision process. Finally, it noted that the subject property is not on either of the City's bus routes, so there will be no impact. The Lewiston Orchards Irrigation District's (LOID) General Manager, Barney Metz, commented that neither of the two parcels in the ACI are currently eligible for water, and that the property owner will have to go through the domestic only annexation process for each parcel. Further, the property owner will be required to submit plans to LOID for review of proposed infrastructure for it to comment on.

The Commission decided that based upon the various comments from those political subdivisions that provided comment, and the information within Section VIII of this Reasoned Statement, it was apparent that the rezone would not place undue burden upon the delivery of the services provided. Further, utility providers will be required to provide the developer with "will serve" letters prior to receiving approval by the City to proceed with development. As such, the Commission believed that there was sufficient evidence presented that the subject property is appropriate for rezoning.

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 Commission determined that the size, type, intensity, and density of development expected to occur on the subject property as a result of this rezoning is very similar to that of the other properties in the vicinity in accordance with their prevision discussions noted above. Adequate public infrastructure and services for such development of the subject property will be required as a condition of development approval through the subdivision and building permit approval processes. The Department of Environmental Quality, the Idaho Health North Central District, and other agencies entrusted with guarding environmental resources are part of the development review and approval process.

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 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: Mike Busch

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

Printed: Mike Busch

Date of Signature: 10·13·2023

ATTEST: _____
Dawn Ortiz, Community Development Specialist

September 27, 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.

I. CALL TO ORDER

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

COMMISSIONERS EXCUSED: Kathy Branson

COMMISSIONERS ABSENT: Justin Merwin

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner; Dawn Ortiz, Community Development Specialist; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney; Pat Severance, Engineering Development Supervisor

II. CITIZEN COMMENTS

None

III. APPROVAL OF SEPTEMBER 13, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Anderson and Ball moved and seconded, respectively, approval of the September 13, 2023 meeting minutes. The motion carried 4-0-1 with Commissioner Kelly abstaining.

IV. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR APPLICATIONS ANX23-3, CPA23-4, ZNC23-6 BY DK HOLDING LLC (ACTION ITEM):

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

Staff Plaskon provided a verbal summary of the staff report with maps and photos so the commission could get geographically familiar with the area.

Commissioner Ball asked questions about the existing zoning and land use for the surrounding area. Staff Plaskon provided clarification on the surrounding zones and land uses.

Commissioner Anderson asked staff to clarify the concern for animal rights, as related to what's in the Comprehensive Plan section of the staff report.
Staff Plaskon stated there could be complaints from incoming residents of the subject property after it is developed against current residents having livestock, but most of the surrounding residents don't have livestock, so it is a wash.

There being no further questions of staff, Chair Busch asked the applicant for testimony.

Applicant Dan Yonge of 247 Thain Rd Lewiston, Id stated that he is ready to develop this lot and the R2 Zone seems the most appropriate. Staff have done a great job with their report and did not have anything to add besides that what's proposed will coincide with the surrounding area.

Commissioner Ball asked if there was a possibility of a small house village.
Applicant Yonge stated that a small house village is not in his plan.

Commissioner Ball asked how many homes could be put on the property. Staff Plaskon stated his estimated potential is that there could be 220 to 226 single family homes on the subject property.

Applicant Yonge stated he estimated 3.5 to 4 lots per acre. He is looking at about 180 single-family residential homes.

There being no further questions for the applicant, Chair Busch asked for public testimony.

Doug Havens of Lewiston ID stated he is not an engineer and thinks the annexation and of the R2 Zone is the best use for the property. The sewer line to be tied into running down 18th Street is the main collector for Canyon Crest and now the East Orchards Sewer. He has concerns about the size of this line. There is a road to the north that ties into Lindsey Creek Road and it is only an emergency access road at this time. Mr. Havens stated there was an agreement with the PUD of Canyon Crest and this road should be developed by them and the Planning and Zoning Commissioners should look into this. Mr. Havens stated that this development will have a large effect on the existing infrastructure in this area.

Staff Severance stated that no one has been able to substantiate Mr. Havens' claims. The existing line has the capacity to serve 2,800 lines. City Staff reached out to the original engineer of this line and there are still no capacity concerns. In regards to traffic access into this section, they are looking at 17th Street as a second access.

Staff Plaskon asked the Commission to focus on what the annexation and zoning request is at this time and the details of the development will come out in the subdivision process. Staff Plaskon stated that staff does send public hearing notices to all service providers and there have not been any comments submitted stating they wouldn't be able to provide service.

There being no further public testimony, Chair Busch asked the applicant for rebuttal. Applicant Yonge pointed out where all of the existing sewer main lines are located on the provided map. He stated the City did upgrade these sewer lines.

Commissioner Ball asked if Mr. Yonge was stating he had the ability to tie into two different sewer lines. Mr. Yonge stated yes he can, but he is choosing to tie into the one line that runs through this lot.

Chair Busch closed the public hearing.

After deliberation Commissioners Kelly and Ball moved and seconded, respectively, to recommend approval of ANX23-3 to City Council. Motioned passed 5-0.

Commissioners Kelly and Anderson moved and seconded, respectively, to recommend approval of CPA23-4 to City Council. Motioned passed 5-0.

After discussion of relevant criteria, Vice Chairperson Iacoboni and Commissioners Kelly moved and seconded, respectively, to direct staff to draft a Reasoned Statement recommending approval of ZNC23-6 to City Council. Motion passed 5-0.

Commissioner Kelly and Vice Chairperson Iacoboni moved and seconded, respectively, to recommend approval of the associated Area of City Impact map amendment to City Council. Motioned passed 5-0.

V. PUBLIC HEARING ON ZONING CODE AMENDMENT, ZA-02-23

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

Staff Plaskon provided a verbal summary of the Zoning Code changes proposed in ZA-02-23.

Commissioner Anderson asked staff to clarify what the standard requirements are for setbacks relative to overhead electric transmission lines. Staff Plaskon stated they have to meet Avista requirements, Fire Code standards and can't build within the easement itself and meet setback from the right of way line set in that the particular zone of the property in question.

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 SEPTEMBER 27, 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 Youtube 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 ANX23-3 AND CPA23-4 BY DK HOLDINGS LLC: The applicant requests that the undeveloped approximately 39.62 acres, known as RP000940010000 or Lots 1,2,3,4,5,6,and 7 of Block 94, Lewiston Orchards Tract No.12, and generally located west of 18th Street, north of unimproved Bryden Ave and south of Canyon Crest Estates, as depicted on the attached map, be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Low Density Residential.

APPLICATION ZNC23-6 BY DK HOLDINGS, LLC: The applicant also requests that the above referenced land and the adjacent undeveloped parcel, to the south, known as RPL00950010000 or Lots 1, 2, and 3 of Block 95, Lewiston Orchards Tract 12, and generally located south of unimproved Bryden Ave, west of 18th Street and north of unimproved Airway Ave, as depicted on the attached map, containing approximately 14.12 acres, be rezoned and placed in the Low Density Residential, R2, Zoning District and amending the Lewiston Area of City Impact Map accordingly.

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 September 7, 2023 and 74 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.

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 on

Wednesday September 27, 2023 at 5:30 pm.

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 Youtube page or the City's website at cityoflewiston.org.

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FOR FURTHER INFORMATION AND TO SUBMIT TESTIMONY, contact the Community Development Department at (208) 746-1318, ext. 7261.

Hearing notice publication date: September 10, 2023.

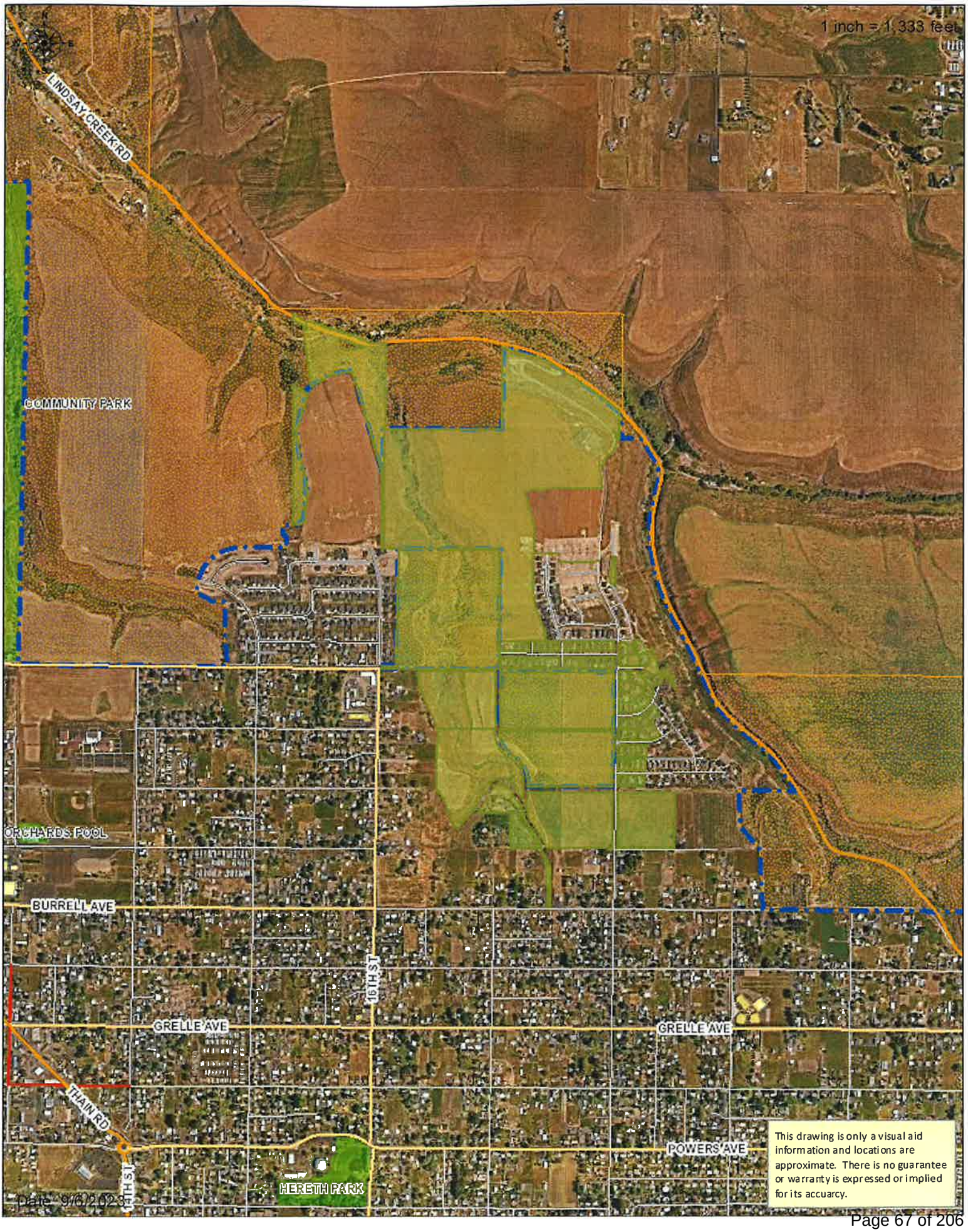
ALLEY
PIONEER DR
MONARCH WAY
PIONEER DR
PARKRIDGE WAY
PIONEER DR
18TH ST
18TH ST
18TH ST
18TH ST
18TH ST
18TH ST
18TH ST
ANY23-3
CPA23-4
ZNC23-6
ZNC23-6
ONLY
This drawing is only a visual aid information and locations are approximate. There is no guarantee or warranty is expressed or implied for its accuarcy.

OWNER1	OWNER2	MAIL_ADD1	MAIL_CITY	MAIL_ST	MAIL_ZIP
ANDERSON LESLI C 2010 &	REVOCABLE TRUST	PO BOX 2011	LEWISTON	ID	83501
APPLEFORD, TODD M &	APPLEFORD, SAMANTHA	1704 PIONEER DR	LEWISTON	ID	83501
ARNONE, TREVOR		3321 18TH ST	LEWISTON	ID	83501
BARCLAY, SHAUN L &	BARCLAY, JULIE A	1815 IMNAHA LN	LEWISTON	ID	83501
BASILICO, LINDA L		1810 CLEARVIEW POINT DR	LEWISTON	ID	83501
BENKE, MICHAEL B &	BENKE, AMANDA J	3305 18TH ST	LEWISTON	ID	83501
BENNARD LIVING TRUST	BENNARD, CLINTON P TRUSTEE	3309 18TH ST	LEWISTON	ID	83501
BLY, MICHAEL &	BLY, MICHELLE &	2520 6TH ST	LEWISTON	ID	83501
BLY, RUSSELL S &	BLY, LOIS M	1726 PIONEER DR	LEWISTON	ID	83501
BLY, TRUDY A		1814 GRANDE RONDE CT	LEWISTON	ID	83501
BRODIE JAMES R FAMILY TRUST		1801 CLEARVIEW POINT	LEWISTON	ID	83501
BUMBAUGH, SCOTT A &	BUMBAUGH, NORMA J	3319 16TH ST	LEWISTON	ID	83501
CANTERBURY, THOMAS J &	CANTERBURY ARLENE FAMILY TRUST	1722 PIONEER DR	LEWISTON	ID	83501
CANYON CREST ESTATES HOA INC		PO BOX 24	LEWISTON	ID	83501
CAVANAUGH, CONNIE L		1729 PIONEER DR	LEWISTON	ID	83501
CLARK, VICCI M		1702 PIONEER DR	LEWISTON	ID	83501
COPPESS, ROBERT YORK &	COPPESS DORIS JUNE TRUST	15109 SE 47TH PL	BELLEVUE	WA	98006
COURTNEY, SHANE D &	COURTNEY, MICHELLE R	1710 PIONEER DR	LEWISTON	ID	83501
CURRY, BRIAN J &	CURRY, JENNIFER	1708 PIONEER DR	LEWISTON	ID	83501
DK HOLDINGS LLC		247 THAIN RD STE 107	LEWISTON	ID	83501
ELLIOT, DAVID C &	ELLIOT, KAREN D	1807 GRANDE RONDE CT	LEWISTON	ID	83501
ERSLAND, WALTER M &	ERSLAND, NANETTA	1713 PIONEER DR	LEWISTON	ID	83501
EWING, BRITTANY A &	EWING, DALTON R	1707 PIONEER DR	LEWISTON	ID	83501
FAVOR, DAVID G &	FAVOR, GAYLE N	1804 IMNAHA LN	LEWISTON	ID	83501
FELTON, CINDY L		1806 IMNAHA LN	LEWISTON	ID	83501
FERRISS, JOHN K		1811 GRANDE RONDE CT	LEWISTON	ID	83501
GOECKNER, BRADLEE &	GOECKNER, MARY ANN	1805 SUNRISE CT	LEWISTON	ID	83501
GOMEZ, MARIO D &	GOMEZ, JENNIFER E	3237 18TH ST	LEWISTON	ID	83501
HAGEN, GARY GENE &	HAGEN, EDNA C	2255 RESERVOIR RD	CLARKSTON	WA	99403
HERRMAN, BRIAN F &	HERRMAN, DEBRA L	1730 PIONEER DR	LEWISTON	ID	83501
HULETT, JOE R &	LINDQUIST-HULETT, PATRICIA A	1807 CLEARVIEW POINT DR	LEWISTON	ID	83501
ISBELLE, JONATHON J &	ISBELLE, JOLENE C	135 112TH ST	OROFINO	ID	83544
IVERSON, CHARLES &	IVERSON, LORITA	3227 HIDDEN VALLEY LOOP	LEWISTON	ID	83501

JEANBLANC, RACHAELL LYNN &	JEANBLANC, RONALD LEE II	1720 PIONEER DR	LEWISTON	ID	83501
JENSEN, RENE V &	JENSEN, LINDA RAE	1811 IMNAHA LN	LEWISTON	ID	83501
JOHNSON, NICOLE ROSE		1724 PIONEER DR	LEWISTON	ID	83501
KETCHAM, RONALD K &	KETCHAM, BESSIE J	1809 CLEARVIEW POINT DR	LEWISTON	ID	83501
KIEKOW, GERALD P &	KIEKOW, JULIE M	3229 HIDDEN VALLEY LOOP	LEWISTON	ID	83501
LANNOM-HINMAN, ANNE M &	HINMAN, VINCENT L	1721 PIONEER DR	LEWISTON	ID	83501
LEWISTON CITY OF		P O BOX 617	LEWISTON	ID	83501
LUPER, MICHAEL JOHN &	LUPER, ALEXIS CHAE	3307 18TH ST	LEWISTON	ID	83501
MCKEE, CYNTHIA MARIE &	MCKEE, CHARLES LEE II	1701 PIONEER DR	LEWISTON	ID	83501
MILLS, MICHAEL C &	MOHONDRO, KERRY C	1717 PIONEER DR	LEWISTON	ID	83501
MOORE, STEVEN R &	MOORE, CYNTHIA	3404 17TH ST	LEWISTON	ID	83501
NORGAARD, CARL &	NORGAARD, SHERI	1812 IMNAHA LN	LEWISTON	ID	83501
OHARRA, JOHNNIE L &	OHARRA, LORI K	1804 CLEARVIEW POINT DR	LEWISTON	ID	83501
OLSON, RALPH E &	OLSON, DENA R	1705 PIONEER DR	LEWISTON	ID	83501
ORTON, SHERYL L &	ORTON, RONALD C	1711 PIONEER DR	LEWISTON	ID	83501
PENTZER, DANIEL CRAIG &	PENTZER, REGINA LEE	1716 PIONEER DR	LEWISTON	ID	83501
PETERSON, JACE		1732 PIONEER DR	LEWISTON	ID	83501
REED, EDWIN A &	REED, LAURA L	P O BOX 752	LEWISTON	ID	83501
REINEKE, MEGAN J &	REINEKE, AARON W	1819 GRANDE RONDE CT	LEWISTON	ID	83501
ROCKY POINT SIX LLC		13506 HILLSIDE RD	GENESEE	ID	83832
SADE, DALE E &	SADE, MUN OK	1723 PIONEER DR	LEWISTON	ID	83501
SAGER, BRET &	SAGER, LEEANN	1712 PIONEER DR	LEWISTON	ID	83501
SHUMWAY REVOC LIVING TRUST	SHUMWAY, RAYMOND D &	1728 PIONEER DR	LEWISTON	ID	83501
STAAB, FRANCIS A		1815 GRANDE RONDE CT	LEWISTON	ID	83501
STERNBERG LIVING TRUST	STERNBERG, ALEC P &	1804 GRANDE RONDE CT	LEWISTON	ID	83501
STUCK FAMILY TRUST	STUCK, ROGER DEAN II &	1804 SUNRISE CT	LEWISTON	ID	83501
STUCK, JAMES L &	STUCK, RENEE CHANTAL	1706 PIONEER DR	LEWISTON	ID	83501
THELEN, JERI ANN REVOC LIV TST&	THELEN, KELLY JORDYN	1806 CLEARVIEW POINT DR	LEWISTON	ID	83501
THOMAS, MICHAEL &	THOMAS, TAMMI REV TRUST	21805 CLEARWATER RIDGE DR	JULIAETTA	ID	83535
TIEDE, SAMUEL S &	TIEDE, CHEYENNE M	1714 PIONEER DR	LEWISTON	ID	83501
TITUS, NATHAN L &	TITUS, ANGELA R	1727 PIONEER DR	LEWISTON	ID	83501
ULMER, IVAN R &	ULMER, SHELLY J	1725 PIONEER DR	LEWISTON	ID	83501
VINT, DARYL P &	VINT, BARBARA	1731 PIONEER DR	LEWISTON	ID	83501
WALKER, RUSSELL C JR	FAMILY TRUST	1808 IMNAHA LN	LEWISTON	ID	83501

WALSH, JAMES &	WALSH ANNE LIVING TRUST	PO BOX 211	WAITSBURG	WA	99361
WARD, JOHN &	WARD, JEAN	1807 IMNAHA LN	LEWISTON	ID	83501
WASSMUTH, DONALD D &	WASSMUTH, SALLY J	1806 GRANDE RONDE CT	LEWISTON	ID	83501
WEEKS, W JEREMY &	WEEKS, HEATHER S	3303 18TH ST	LEWISTON	ID	83501
WELCH, GEORGE &	WELCH, JUDITH	1810 IMNAHA LN	LEWISTON	ID	83501
WESTCON LLC		3900 INDUSTRIAL WAY	LEWISTON	ID	83501
ZIMMERMAN, LISA M &	ZIMMERMAN, ANDREW J	1810 GRANDE RONDE CT	LEWISTON	ID	83501

City of Lewiston



October 11, 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.

I. CALL TO ORDER

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

COMMISSIONERS EXCUSED: None

COMMISSIONERS ABSENT: Justin Merwin

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. ACTIVE AGENDA

A. APPROVAL OF SEPTEMBER 27, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Branson and Iacoboni moved and seconded, respectively, approval of the September 27, 2023 meeting minutes with conditions. The motion carried 6-0.

B. APPROVAL OF REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS (WRITTEN DECISION) FOR APPLICATION ZNC23-6 TO REZONE APPROXIMATELY 47 ACRES ON THE WEST SIDE OF 18TH STREET NORTH OF AIRWAY AVENUE FROM F1 AND R1 TO R2 (ACTION ITEM):

Commissioners Anderson and Iacoboni moved and seconded, respectively, approval of the Reasoned Statement for ZNC23-6 with an amendment in section 6 to include the third parcel from an R1 to an R2. Motion carried 6-0.

C. PUBLIC HEARING ON ZONING CODE AMENDMENT, ZA-01-23 (ACTION ITEM)

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

Staff Hollingshead provided a verbal summary of the history of this code amendment in front of the Planning and Zoning Commission.

Lewiston

Tanya Brocke <tbrocke@cityoflewiston.org>

Testimony for Public Actions: ANX23-3, CPA23-4, and ZNC23-6 All By DK Holdings, LLC

STEVEN R CYNTHIA M. <stmoore_1@msn.com> Sun, Nov 5, 2023 at 2:41 PM
To: "tbrocke@cityoflewiston.org" <tbrocke@cityoflewiston.org>

Tanya Brocke

City Clerk

City Of Lewiston

Dear Tanya,

I am Steven Moore and live at 3404 17th Street in Lewiston with my wife Cynthia. We own the property to the West of applications NX23-3, CPA23-4, and ZNC23-6. We are in favor of the requests by DK Holdings to annex into the City of Lewiston the properties under NX23-3 and CPA23-4. We are also in favor of rezoning all three applications to low density residential (R2).

Please call if you have any questions, 208-790-8848 (Steven), 208-305-3910 (Cynthia).

Sincerely,

Steven and Cynthia Moore

(Above space for Recorder's use)

CITY ORDINANCE NO. 4901

AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ANX23-3 TO ANNEX LAND INTO THE LEWISTON CITY LIMITS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the real property described herein consists of approximately 39.62 acres owned by DK Holdings, LLC; and

WHEREAS, as required by Idaho Code §§ 50-222(3)(a)(i) and (5)(a), DK Holdings, LLC has consented to annexation of such real property; such real property is contiguous to the City of Lewiston; and the City of Lewiston Comprehensive Plan includes the area of annexation.

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

SECTION 1: The real property described in Exhibit A, attached hereto and incorporated herein, is hereby annexed by the City of Lewiston and incorporated into the boundaries of the City of Lewiston. A depiction of said real property is attached hereto and incorporated herein as Exhibit B.

SECTION 2: The ordinance shall take effect and be in fully force from and after its passage and publication.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
Tanya M. Brocke, City Clerk

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this _____ day of _____ 2023, before me, a Notary Public, personally appeared Daniel G. Johnson and Tanya M. Brocke, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.

_____
Notary Public for the State of Idaho
Commission Expires: _____

Exhibit A

To Ordinance No. 4901

Legal Description of Subject Property

Lots 1, 2, 3, 4, 5, 6, and 7, Block 94, Lewiston Orchards Tract No. 12, according to the recorded plat thereof, records of Nez Perce County, Idaho

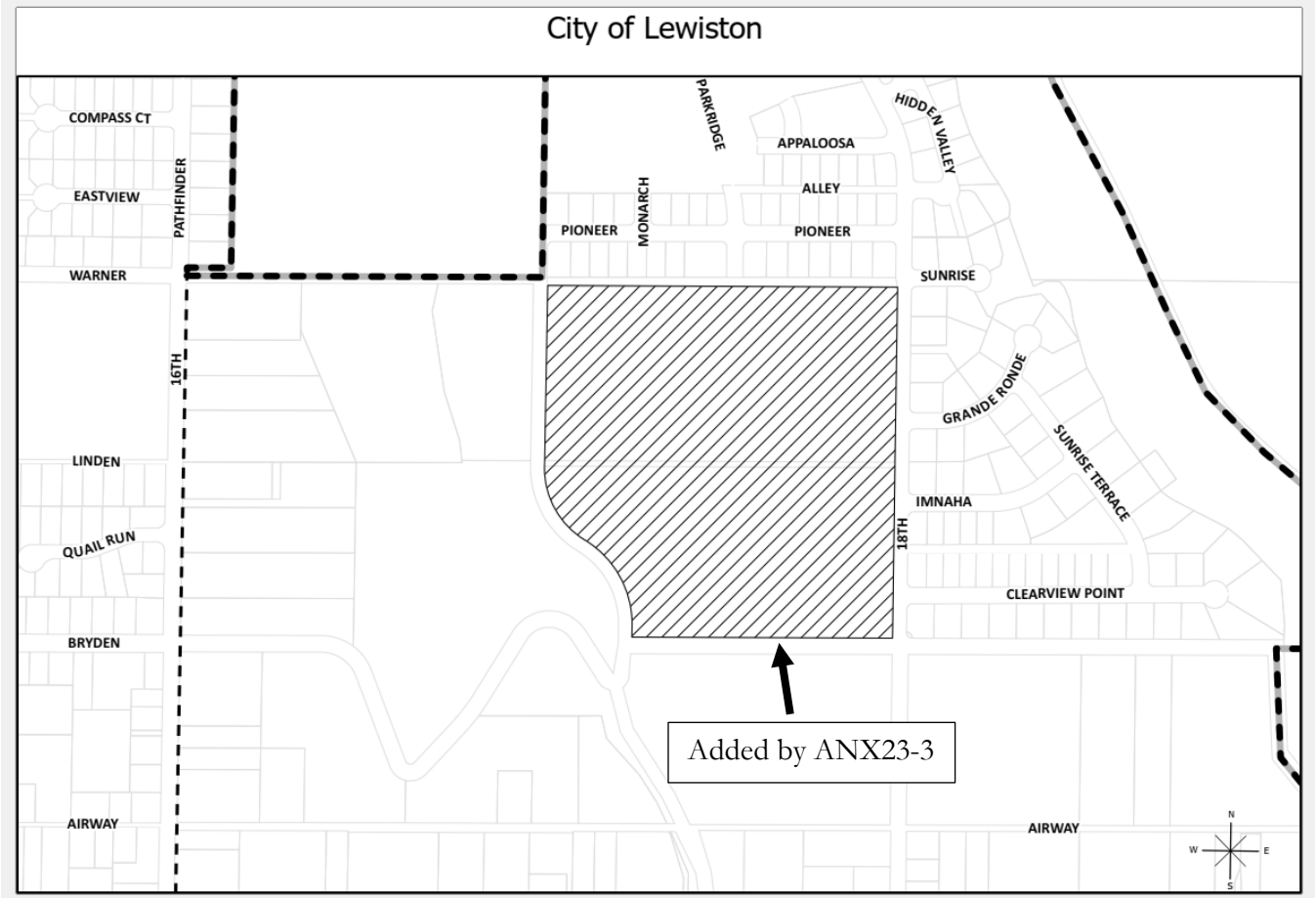
TOGETHER WITH:

All of the 20 foot wide public right-of-way in said Block 94, labeled as "Alley C" on the said plat of Lewiston Orchards Tract No. 12, lying east of 17th Street and west of 18th Street.

Exhibit B

to Ordinance No. 4901

Depiction of the Subject Property


City of Lewiston
COMPASS CT
EASTVIEW
PATHFINDER
WARNER
16TH
LINDEN
QUAIL RUN
BRYDEN
AIRWAY
PARKRIDGE
MONARCH
PIONEER
APPALOOSA
ALLEY
PIONEER
HIDDEN VALLEY
SUNRISE
GRANDE RONDE
SUNRISE TERRACE
IMNAHA
18TH
CLEARVIEW POINT
AIRWAY
Added by ANX23-3
N
W
E
S

CITY ORDINANCE NO. 4902

AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZNC23-6, DECLARING THAT CERTAIN NEWLY-ANNEXED REAL PROPERTY BE INCLUDED IN THE CITY OF LEWISTON LOW DENSITY RESIDENTIAL (R-2) ZONE; DECLARING THAT CERTAIN REAL PROPERTY BE REMOVED FROM THE SUBURBAN RESIDENTIAL (R-1) ZONE TO THE LOW DENSITY RESIDENTIAL (R-2) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, through Ordinance No. 4901, the City of Lewiston annexed the real property described in Section 1, which property consists of approximately 39.62 acres (the "Annexed Property") generally located west of 18th Avenue, north of unimproved Bryden Avenue, and south of unimproved Warner Avenue, and abutting the northern property boundary of the Rezoned Property;

WHEREAS, the real property described in Section 2 is within the Suburban Residential (R-1) Zone, and consists of an approximately 14.12-acre parcel of land generally located west of 18th Street, north of Airway Avenue, and south of unimproved Bryden Avenue, commonly known as Tax Parcel RPL00950010000 (the "Rezoned Property"), and abutting the southern property boundary of the Annexed Property.

WHEREAS, on September 27, 2023, the Lewiston Planning and Zoning Commission held a duly noticed public hearing to consider ZNC23-6, an application to zone both the above-described properties to the City of Lewiston Low Density Residential (R-2) Zone, and recommended approval of said application on September 27, 2023; and

WHEREAS, on November 13, 2023, the Lewiston City Council held a duly noticed public hearing to consider ZNC23-6 and subsequently completed a written Reasoned Statement, all in accordance with Idaho Code §§ 67-6509, 67-6511, 67-6525, and 67-6535.

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

SECTION 1: The following described real property situated within the City of Lewiston, Idaho is hereby removed from the Area of City Impact (Nez Perce County) Farm (F-1) Zone, and included in the

City of Lewiston Low Density Residential (R-2) Zone, as defined by the Zoning Ordinance of the City of Lewiston, Idaho:

> Lots 1, 2, 3, 4, 5, 6, and 7, Block 94, Lewiston Orchards Tract No. 12, according to the recorded plat thereof, records of Nez Perce County, Idaho.
>
> TOGETHER WITH:
>
> All of the 20 foot wide public right-of-way in said Block 94, labeled as "Alley C" on the said plat of Lewiston Orchards Tract No. 12, lying east of 17th Street and west of 18th Street.

SECTION 2: The following described real property situated within the City of Lewiston, Idaho is hereby removed from the Suburban Residential (R-1) Zone, and included in the Low Density Residential (R-2) Zone, as defined by the Zoning Ordinance of the City of Lewiston, Idaho:

> Lots 1, 2, and 3, Block 95, Lewiston Orchards Tract No. 12, according to the recorded plat thereof, records of Nez Perce County, Idaho.

SECTION 3: The Zoning Map of the City of Lewiston, Idaho is hereby amended to remove the above-described parcels of real property from the Area of City Impact (Nez Perce County) Farm (F-1) Zone and the City of Lewiston Suburban Residential (R-1) Zone, and include said parcels of real property in the City of Lewiston Low Density Residential (R-2) Zone.

SECTION 4: This ordinance shall take effect and be in full force from and after its passage and publication and after the publication of Ordinance No. 4901.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
Tanya M. Brocke, City Clerk

CITY ORDINANCE NO. 4903

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 39-1 OF THE LEWISTON CITY CODE TO UPDATE THE CITY OF LEWISTON AREA OF CITY IMPACT BOUNDARY MAP, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: The City of Lewiston Area of City Impact Boundary Map referenced in Lewiston City Code § 39-1 is hereby replaced with the map attached hereto and incorporated herein as Exhibit A. The new map amends the Area of City Impact Boundary as a result of ANX23-3, annexing approximately 39.62 acres through Ordinance No. 4901.

SECTION 2: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

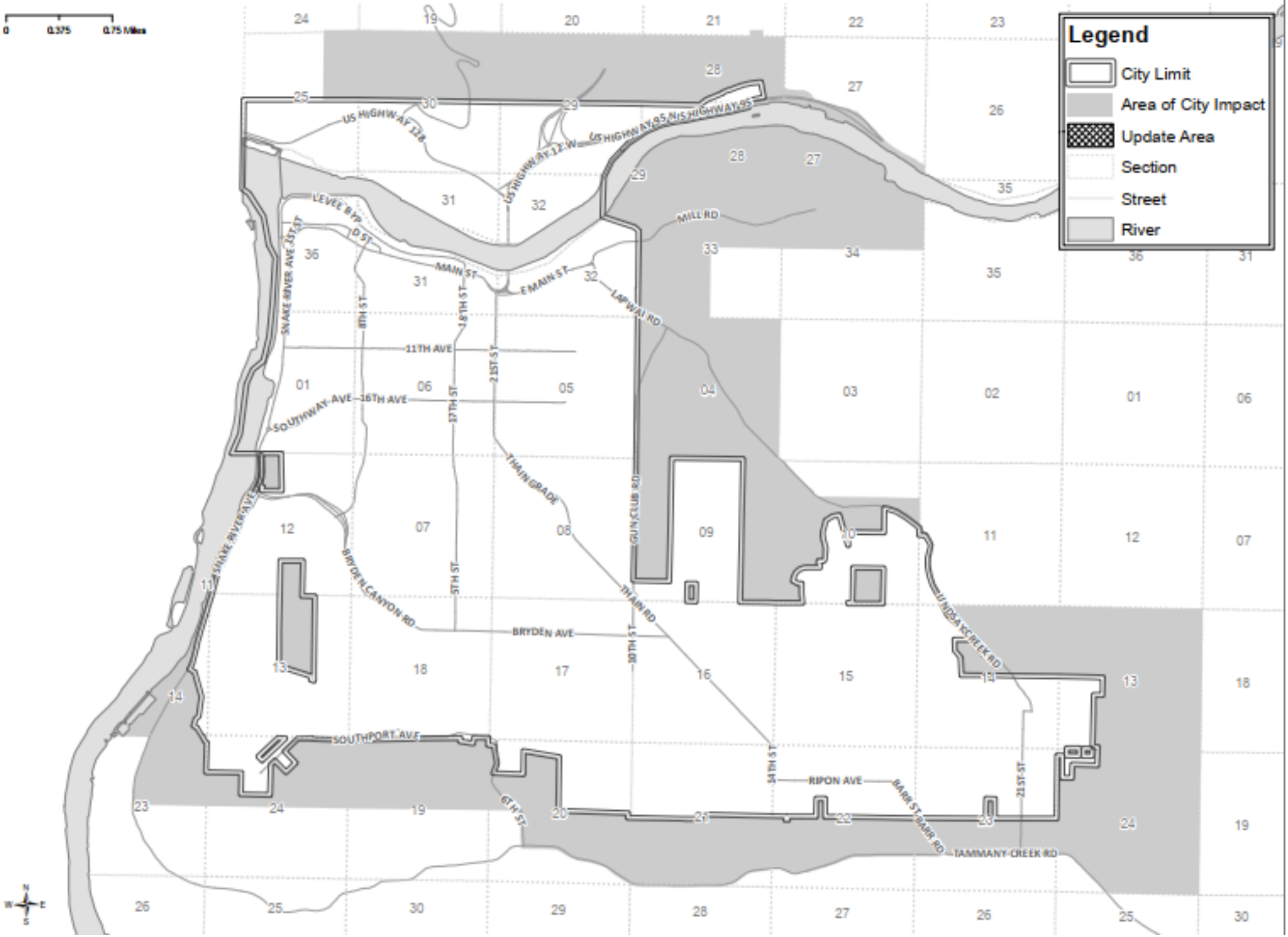
_____
Tanya M. Brocke, City Clerk

Exhibit A

to Ordinance No. 4903

Area of City Impact Boundary Map

CITY OF LEWISTON



CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE PUBLIC HEARING: ZA-01-23	**AGENDA NO.** IV. E. **AGENDA DATE:** November 13, 2023

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

The Planning and Zoning Commission initiated an amendment to amend various sections in Chapter 37 of Lewiston City Code to eliminate conflict and confusion in the public hearing process code provisions, to include a provision regarding public hearing disruption, and to clarify the filing of an appeal of a Planning and Zoning Commission's final decision and rules of conduct during a public hearing. The Planning and Zoning Commission held a public hearing on the matter on October 11, 2023 and received no testimony at the public hearing and voted to recommend approval to City Council.

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 filing of an appeal of a Planning and Zoning Commission's final decision will stay further approvals and/or actions on the application, regardless when the appeal is received, no longer limiting the stay to those appeals filed at least twenty-four (24) hours prior to any public hearing regarding the project. Is also addresses concerns of the Planning and Zoning Commission regarding participants that disrupt a public hearing and removes the "…impertinent, slanderous, or unauthorized remarks…" language.

BUDGET IMPACT

None

ACTION PROPOSED

The Planning and Zoning Commission recommends that the Council approve ZA-01-23 to amend carious sections of Chapter 37, via proposed Ordinance 4891.

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 November 13, 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 Youtube page or the City's website at cityoflewiston.org.

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

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

ZONING CODE AMENDMENT, ZA-01-23: A proposal to amend Lewiston City Code section 37-183, related to the duties of the Planning and Zoning Commission; section 37-184, regarding the conduct of public hearings, repealing and replacing section 37-185, regarding actions after final decisions of the Planning and Zoning Commission and/or the City Council; and section 37-192, amending the deadline to file an appeal. The Planning and Zoning Commission recommended that the City Council approve this proposal after their public hearing conducted on October 11, 2023.

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

Hearing notice publication date: Sunday October 22, 2023.

and Tobe Finch own both. The Commission did not have any questions for the applicant. There being no other testimony, Chair Busch closed the public hearing. The Commission discussed the relevant criteria and standards, and acknowledged for the record, as included in the staff report, that the proposed billboard should be located 10 feet further to the east than currently proposed to avoid having to move it at such time as the westerly 10 feet of the applicants property has to be dedicated for additional 17th Street right of way. . Commissioner's Anderson and Iacoboni, moved and seconded, respectively, to direct staff to draft the Reasoned Statement to approve Conditional Use Permit application CUP23-3. Motion passed 5-1, with Commissioner Ball against.

V. **PRELIMINARY PLAT - SOUTHERN HILLS ADDITION #1 (ACTION ITEM):**

City Surveyor, Mark Weigand, presented the preliminary plat and showed the Commission photos of the subject property. Mr. Weigand reviewed the requirements for lot sizes, right of way frontage improvements and installation of utilities and noted that the preliminary plat complies with all the application requirements of the City of Lewiston Subdivision Ordinance, City Code Chapter 32. Commissioner's Ball and Branson, moved and seconded, respectively, to recommend approval of the Southern Hills Addition #1 preliminary plat to City Council. Motion passed 6-0.

VI. **INITIATION OF ZONING CODE AMENDMENT ZA-01-23 TO AMEND PROVISIONS REGARDING PUBLIC HEARINGS, FINAL DECISIONS, AND APPEALS (ACTION ITEM):**

Staff Hollingshead presented information on the proposed amendments to City Code Sections 37-183, 37-184. 37-185, 37-192. Staff Hollingshead let the Commission know that Assistant City Attorney Tengono was available for questions. Commissioner Kelly asked about the language in Sec 37-184 (c) (2) regarding disruption. Attorney Tengono presented on the legal background on the proposed changes to that section.

The Commission discussed the matter of disruptive behavior at a meeting and other phrasing that might be more appropriate. Commissioner Kelly asked if the rules for conduct were somewhere that could be reviewed. Staff Hollingshead reviewed Section 2-26(d) and suggested to the Commission that the rules of conduct and decorum under this section might provide the language that the Commission was looking for and that the code amendment could have that section linked so that a citizen could easily access it. Commissioner's discussed the changes they would like for Attorney Tengono to make to the code amendment.

Commissioners Branson and Iacoboni, moved and seconded, respectively, to initiate zoning code amendment ZA-01-23 with the proposed amendments regarding disruptive behavior to be prepared by Attorney Tengono and brought back as an agenda item before scheduling for public hearing. Motion passed 6-0.

October 11, 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.

I. CALL TO ORDER

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

COMMISSIONERS EXCUSED: None

COMMISSIONERS ABSENT: Justin Merwin

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. ACTIVE AGENDA

A. APPROVAL OF SEPTEMBER 27, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Branson and Iacoboni moved and seconded, respectively, approval of the September 27, 2023 meeting minutes with conditions. The motion carried 6-0.

B. APPROVAL OF REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS (WRITTEN DECISION) FOR APPLICATION ZNC23-6 TO REZONE APPROXIMATELY 47 ACRES ON THE WEST SIDE OF 18TH STREET NORTH OF AIRWAY AVENUE FROM F1 AND R1 TO R2 (ACTION ITEM):

Commissioners Anderson and Iacoboni moved and seconded, respectively, approval of the Reasoned Statement for ZNC23-6 with an amendment in section 6 to include the third parcel from an R1 to an R2. Motion carried 6-0.

C. PUBLIC HEARING ON ZONING CODE AMENDMENT, ZA-01-23 (ACTION ITEM)

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

Staff Hollingshead provided a verbal summary of the history of this code amendment in front of the Planning and Zoning Commission.

There being no public comment, Chair Busch closed the public hearing.

Commissioners Kelly and Branson moved and seconded, respectively, to recommend approval of ZNA-01-23, as set forth in Ordinance No. 4891, to the City Council. Motioned passed 6-0.

IV. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for October 25, 2023 meeting.

All current commissioners plan to be in attendance besides Commissioner Kelly is not sure if he will be in attendance at the October 25, 2023.

Staff Hollingshead stated on October 18, 2023 there will be an open house for the Comprehensive Plan and they will be focusing on the Land Use Map.

Staff Tengono stated the Commissioners will need to provide more detail and facts for the reason for their decision on public hearings regarding reasoned statements. Staff will provide an advice letter regarding the details of the case provoking this change.

V. ADJOURN

There being no further business, Commissioners Kelly and Branson moved and seconded, respectively, to adjourn. The motion carried 6-0 and the Planning and Zoning Commission adjourned at approximately 5:50 p.m.

RESPECTFULLY SUBMITTED,

_____	_____
Dawn Ortiz,	Chairperson or Acting Chairperson
Recording Secretary	Planning and Zoning Commission

Approved this _____ day of _____, 2023.

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 on

Wednesday October 11, 2023 at 5:30 pm.

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 Youtube page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person, by emailing Dawn Ortiz at dortiz@cityoflewiston.org, or by calling (208)746-1318 ext 7265 and leaving a message.

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

ZONING CODE AMENDMENT, ZA-01-23: A proposal to amend Lewiston City Code section 37-183, related to the duties of the Planning and Zoning Commission; section 37-184, regarding the conduct of public hearings, repealing and replacing section 37-185, regarding actions after final decisions of the Planning and Zoning Commission and/or the City Council; and section 37-192, amending the deadline to file an appeal.

FOR FURTHER INFORMATION AND TO SUBMIT TESTIMONY, contact the Community Development Department at (208) 746-1318, ext. 7261.

Hearing notice publication date: Sunday September 24, 2023.

CITY ORDINANCE NO. 4891

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-183 RELATED TO THE DUTIES OF THE PLANNING AND ZONING COMMISSION; AMENDING SECTION 37-184 REGARDING THE CONDUCT OF PUBLIC HEARINGS; REPEALING AND REPLACING SECTION 37-185 REGARDING ACTIONS AFTER FINAL DECISIONS OF THE PLANNING AND ZONING COMMISSION AND/OR THE CITY COUNCIL; AMENDING THE DEADLINE TO FILE AN APPEAL IN SECTION 37-192; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: Lewiston City Code § 37-183 is hereby amended as follows:

Sec. 37-183. Duties of the planning and zoning commission.

The planning and zoning commission shall have jurisdiction and authority as follows:

...

(7) To hear appeals from rulings of the community development department related to its administration and enforcement of this chapter.

...

SECTION 2: Lewiston City Code § 37-184 is hereby amended as follows:

Sec. 37-184. Rules for conduct of public hearings and subsequent decisions.

...

(c) Conduct of public hearings. A public hearing shall be held to determine whether the application is consistent with the policies and goals enumerated in this chapter. The procedure for such public hearings shall be as set forth in Section 2-26(n) of this Code, in addition to the following:

~~(1) No person shall be permitted to testify at such a hearing until the person has been recognized and called upon by the chairman or the mayor.~~

~~(2)~~(1) All public hearings shall be recorded and all persons speaking at such hearings shall speak in such a manner as to ensure the accuracy of the recorded testimony and remarks. ~~A person desiring to testify may also submit written testimony at any time prior to the conclusion of the public hearing.~~

~~(3) At the commencement of the public hearing, the chairman may establish a time limit to be observed by all speakers.~~

~~(4) Each commission member or council member, when recognized by the mayor, shall be allowed to question the speaker, and the speaker shall be limited to answers to the questions asked. The question and answer period shall not be included in the speaker's time limit that might be established by the chairman. The speaker shall not be~~

~~interrupted by the planning and zoning commission or the city council until his time has been expended or until he has finished his statement.~~

~~(5)~~(2) Any person who disrupts a public hearing by making threatening comments or gestures, or who becomes disruptive, or who fails to remain on-topic (during a public hearing) while addressing the commission or attending a public hearing shall first be warned by the chairman that he or she is out of order and that further disruption shall be cause to remove the person from the hearing. If the person continues to cause a disruption after being warned, the person may be removed by order of the chairman. ~~not conforming to the above rules may be prohibited from speaking during the public hearing. Should such person refuse to comply with such prohibition, he may be removed from the room by order of the chairman or mayor.~~

~~(6) Prior to closing the public hearing, the public hearing may be continued or recessed to a date certain, or indefinitely, upon a majority vote of the city councilors or commissioners present.~~

~~(7) Cross-examination of persons testifying at the public hearing shall not be permitted. An applicant shall have an opportunity to rebut any testimony submitted.~~

~~(8) Any exhibit introduced by any person shall be retained and made a part of the record.~~

...

SECTION 3: Lewiston City Code § 37-185, titled "Appeal from action or ruling of planning and zoning commission," is hereby repealed in its entirety.

SECTION 4: A new § 37-185 of the Lewiston City Code is hereby enacted as follows:

Sec. 37-185. Actions after a final decision of the planning and zoning commission and/or city council.

(a) *Final decisions.* A decision is not considered final, and no petition for judicial review of the decision may be filed, until the provisions of this Section have been completed and the provisions below have been exhausted as provided by this section and Idaho Code § 67-6535(2)(b), as may be amended from time-to-time.

(1) A final decision of the commission is not a final decision for the purposes of judicial review until the commission has issued a final decision upon reconsideration and the city council has issued a final decision on appeal.

a. Commission recommendations to city council are not final decisions and, thus, shall not be subject to reconsideration or appeal.

(b) Request for reconsideration of a final decision by the commission or by the city council.

(1) Procedure: An applicant or affected person may file a written request for reconsideration with the city clerk to request that the commission or the city council reconsider a final decision within fourteen (14) calendar days by 5:00 p.m. on the fourteenth (14th) day after the commission or city council has adopted its written reasoned statement of relevant criteria and standards. The written request

for reconsideration shall include, at a minimum, the following information: (i) the name and address of the applicant or affected person requesting reconsideration, (ii) the specific deficiencies in the decision for which reconsideration is sought, and (iii) a description of any procedural injury or substantial harm to real property interest(s) suffered as a result of the decision.

a. A request for reconsideration shall be a mandatory exhaustion of an applicant or affected person's administrative remedies prior to the filing of an appeal of a commission decision to the city council or petition for judicial review of a final decision by the city council.

(2) Stay of action: The filing of a request for reconsideration stays further action on the project, including recording of any related ordinances or resolutions.

(3) Reconsideration.

a. Upon receipt of a request for reconsideration that complies with the requirements of this section, the matter shall be scheduled for reconsideration by the commission or city council, as applicable, no later than the second regularly scheduled meeting after the filing of the request for reconsideration.

b. Upon reconsideration, the decision may be affirmed, reversed, or modified, pursuant to Idaho Code § 67-6535, as may be amended from time-to-time. A written decision shall be provided to the applicant or affected person within thirty (30) days of reconsideration, in accordance with Idaho Code § 67-6535, as may be amended from time-to-time.

c. A decision on reconsideration of a final decision made by the city council is not eligible for reconsideration under the provisions of this section.

(c) Appeal of a final decision of planning and zoning commission.

(1) Procedure: Within fourteen (14) calendar days after the commission has adopted its written decision on reconsideration, an applicant or affected person may file with the city clerk a written notice of appeal to the city council. The written notice of appeal shall include, at a minimum, the following information: (i) the name and address of the applicant or affected person, (ii) identification of the section(s) of this Code or applicable state or federal law(s) that has been incorrectly applied or violated and a description of how they have been incorrectly applied or violated, and (iii) a description of the real or potential prejudice to a substantial right of the applicant or affected person. Written notice of the appeal shall be filed with the city clerk and the fee required by section 37-188 of this Code shall be deposited with the city clerk within the fourteen (14)-day period. If an appeal is not filed and/or the fee required by section 37-188 of this Code is not deposited with the city clerk within the fourteen (14)-day period, then the decision of the commission shall be final. If an appeal is filed and the required fee is deposited within the required time, the commission shall make a written report of the case to the council.

a. The council may, in its sole discretion and without hearing or notice, either refuse to accept jurisdiction of such appeal, in which case the decision of the commission shall be final, and any appeal fees shall be refunded; or it may provide that such appeal shall be heard at a public hearing before the city council at such time and pursuant to such rules as the council may determine.

(2) Stay of proceedings: The filing of an appeal of a commission decision stays further approvals and/or actions on the project.

(3) Conduct of appeal hearing.

a. The city council shall hear an appeal of a final decision of the commission de novo, and is not required to rely upon or be bound by the reasoning or conclusions made by the commission.

b. In the event the council decides to hold a public hearing regarding an appeal, the city clerk shall publish notice of a public hearing on the matter as required by section 37-184(b) of this Code.

c. During the public hearing, testimony shall be limited to those issues that were set forth in the written appeal. The city council may ask about or request information regarding aspects of the project that were not included in the written appeal, if they desire, but shall not supplement or alter the specific grounds upon which the appeal is made.

(d) Criteria on which decision may be based.

(1) After hearing a request for reconsideration or an appeal, the commission or city council may affirm, reverse, or modify any final decision, or the city council may order the case back to the commission for further proceedings. The commission's or city council's decision to affirm, reverse, or modify a final decision shall be based on one or more of the following criteria:

a. The decision violates state or federal law.

b. The decision exceeds the statutory or delegated authority of the commission or city council.

c. The decision was made through procedures that were unlawful or inconsistent with this Code.

d. The decision is not supported by substantial evidence.

e. The decision is arbitrary, capricious, or an abuse of discretion in that it was made without rational basis, or in disregard of the facts and circumstances presented. Even if the record would support two different interpretations of what this Code and applicable state and federal law requires, the action is not arbitrary, capricious, or an abuse of discretion if exercised honestly and after due consideration upon review.

(2) If error is found, the commission or city council may reverse or modify the decision.

(3) If no error is found, the commission or city council shall deny the request for reconsideration or appeal, and the decision shall be upheld.

(4) The city clerk shall mail to the applicant and the appellant notice of the decision together with the reasoned statement and a notification of the right to seek further review, including judicial review.

SECTION 5: Lewiston City Code § 37-192(c) is hereby amended as follows:

Sec. 37-192. – Duties of the community development department.

...

(c) An appeal from a ruling of the community development department may be made in writing to the commission by an affected person, within ~~fifteen (15)~~fourteen (14) days of the ruling. Notices of the appeal shall be sent to all adjacent property owners, giving the date and time the commission will consider the appeal.

SECTION 6: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____ 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
Tanya M. Brocke, City Clerk

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE 2022 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT	**AGENDA NO.** IV. H. **AGENDA DATE:** November 13, 2023

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

At the beginning of each program year, the City prepares an Annual Action Plan that informs HUD and citizens what goals and objectives the City intends to meet with CDBG funding during the upcoming year. At the end of the program year, the City prepares a Consolidated Annual Performance Evaluation Report (CAPER) to illustrate the actual accomplishments achieved during that year. The CAPER allows HUD, local officials and citizens to assess the use of available resources and to assess the efforts made to achieve the goals and objectives identified in the five year (2018-2022) Consolidated Plan and Annual Action Plan.

The program year 2022 CAPER represents the fifth year performance report of the 2018-2022 Consolidated Plan and covers the outcomes and accomplishments of the City's CDBG program from August 1, 2022, to July 31, 2023.

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 City had a total of $213,665.91 at the end of the 2021 program year. This amount, plus the 2022 award of $228,350 and $91,392.20 in program income, brought the total CDBG resources to $533,398.11.

The City of Lewiston's 2022 CDBG Action Plan initially programmed the $345,887 to the following activities:

- 2022 Home Repair Program $141,417.00
- Northwest Children's Home $87,800.00
- Willow Grief Peer Support $9,000.00
- Microenterprise Program $44,000.00
- Program Administration $63,670.00

Funds expended during the program year totaled $305,094.18, which included $982.76 towards a 2021 project. This leaves a remainder of $187,511.11 at the end of the 2022 program year. All funding has been allocated.

The public comment period began October 29, 2023 and will conclude November 13, 2023 after the public hearing. Any comments received will be taken into consideration and included in the report submittal.

BUDGET IMPACT

ACTION PROPOSED

Approve the proposed 2022 CAPER.

2022 Consolidated Annual Performance and Evaluation Report (CAPER)

Consolidated Annual Performance and Evaluation Report (CAPER)
2022 PROGRAM YEAR
AUGUST 1, 2022 TO JULY 31, 2023

Presented to the U.S. Department of Housing and Urban Development
Portland Field Office of Community Planning and Development

CITY OF LEWISTON, IDAHO
DUNS #040197261

Submission Date: November 14, 2023

Community Development Department
City of Lewiston
PO Box 617
Lewiston, ID 83501
Ph. 208.746.1318
www.Cityoflewiston.org

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Fourth Year Consolidated Annual Performance Evaluation Report (CAPER)

This 2022 CAPER represents the fith year performance report of the 2018-2022 Consolidated Plan annual action plan supplement. Data and narrative are entered into a federal database system called the Integrated Disbursement and Information System (IDIS) and the CAPER report is downloaded into a Word format from there. The CAPER template in IDIS has a series of prescribed questions that align with the Community Development Block Grant (CDBG) and Consolidated Plan program regulations. The report presented is in the HUD-prescribed format from data entered into IDIS.

Executive Summary

The City of Lewiston (City) has prepared this CAPER for the period of August 1, 2022 through July 31, 2023 (Program Year). In accordance with the federal regulations found in 24 CFR 91. The CAPER presents the progress in carrying out projects and activities pursuant to the 2020 Program Year Annual Action Plan for CDBG funding received from the U.S. Department of Housing and Urban Development (HUD) to principally benefit low- and moderate-income persons.

At the beginning of each program year, the City prepares an Annual Action Plan that informs HUD and citizens what goals and objectives the City intends to meet with CDBG funding during the upcoming year. At the end of the program year, the City prepares a CAPER to illustrate the actual accomplishments achieved during that year. The CAPER allows HUD, local officials and citizens to assess the use of available resources and to assess the efforts made to achieve the goals and objectives identified in the five year (2018-2022) Consolidated Plan and Annual Action Plan.

This annual report, the 2021 Annual Action Plan and other related documents may be accessed through the City's website at: https://www.Cityoflewiston.org/316/Plans-Reports

CR-05 – Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520 (a)

The 2022 Consolidated Annual Performance and Evaluation Report (CAPER) represents activities and programs carried out in the fifth Annual Action Plan completed under the City of Lewiston's 2018-2022 Five-Year Consolidated Plan. Activities addressed the needs and priorities identified in the Consolidated Plan and focused efforts on activities that were identified as high priorities in the Consolidated Plan.

The City of Lewiston's 2022 CDBG Action Plan initially programmed the $345,887 to the following activities:

- Microenterprise Assistance $44,000
- Northwest Children's Home $87,800
- Willow Grief Peer Support: $9,000.00
- Home Repair Program $141,417
- Program Administration: $63,670.00

Activities still in progress are Microenterprise Program and Northwest Children's Home. Northwest Children's Home experienced delays due to delay in access to related to parts and materials for the projects are expected to be completed by the end of November. The Microenterprise Program experienced delays due to the creation of the program taking longer than expected. The program is currently available and the City is now taking application. All other activities were completed.
2021 projects that were completed in the 2022 year are the Millcreek Apartments and Burrell street Station.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives (91.520(g).

Table 1 – Accomplishments (Program Year)

GOAL	OUTCOME				
	INDICATOR	EXPECTED	ACTUAL	UNIT OF MEASURE	PERCENT COMPLETE
Improve Public Facilities & Infrastructure (YWCA)	Public facility activities other than LMI housing benefit	40	Unknown	Persons Assisted	145.00%
	Homeless Person Overnight Shelter	0	0	Persons Assisted	0.00%
	Overnight/Emergency Shelter/Transitional Housing Beds added	0	0	Beds	0.00%
Preserve and Expand Affordable Housing (Apartment Complex)	Homeowner Housing Rehabilitated	5	5	Persons Assisted	100.00%
Provide Services and Economic Opportunity (Willow Center)	Public service activities other than LMI housing benefit	55	176	Persons Assisted	320.00%

Table 2 – Accomplishments (Consolidated Plan to Date)

GOAL	CDBG FUNDING	OUTCOME				
		INDICATOR	EXPECTED	ACTUAL	UNIT OF MEASURE	PERCENT COMPLETE
Improve Properties Through Blight Elimination	$100,000	Buildings Demolished	5	0	Buildings	0.00%
Improve Public Facilities & Infrastructure	$350,000	Public Facility or Infrastructure activities other than LMI housing benefit (Transit Shelters, 5th Street ADA Sidewalks)	5675	2046	Persons Assisted	36.05%
		Façade treatment/business building rehabilitation (OUI HVAC)	1	1	Business	100.00%
		Homeless Person Overnight Shelter	0	0	Persons Assisted	0.00%

		Overnight/Emergency Shelter/Transitional Housing Beds Added	0	0	Beds	0.00%
Preserve and Expand Affordable Housing	$120,000	Public service activities other than LMI housing benefit (OUI PPE and Interlink)	318	454	Persons assisted	142.77%
		Rental Units constructed (Apt. Complex)	28	0	Household Housing Unit	0.00%
		Rental units rehabilitated (Glassway)	0	7	Household Housing Units	0.00%
		Homeowner Housing Rehabilitated (Home Repair Program)	20	26	Household Housing Unit	130.00%
		Housing for Homeless added	0	0	Household Housing Unit	0.00%
		Housing for People with HIV/Aids added	0	0	Household Housing Unit	0.00%
Provide Fair Housing Education & Enforcement	$16,242	Public service activities other than LMI housing benefit (2018 Fair Housing Training)	40	41	Persons Assisted	102.50%
Provide Services & Economic Opportunities	$145,000	Public service activities other than LMI housing benefit (Willow, Green Apple)	0	212	Persons Assisted	530.00%
		Public service activities for LMI housing benefit (CAP)	25	20	Households Assisted	808.%
		Homelessness Prevention (First Step4Life)	0	75	Persons Assisted	0.00%
		Housing Code Enforcement (Habitat Tool Library)	5	0	Household Housing Unit	0.00%
Support Housing & Services for the homeless	$144,720	Homelessness prevention (LCVYRC)	30	16	Persons Assisted	53.33%

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City of Lewiston's 2018-2022 Five Year Consolidated Plan identifies priorities as follows:

1. Preserve and Expand Affordable Housing
2. Support Housing and Services for the Homeless

3. Improve Public Facilities and Infrastructure
4. Provide Services and Economic Opportunities
5. Improve Properties through Blight Elimination
6. Provide Fair Housing Education and Enforcement
7. Program Administration

The 2022 Action Plan addressed the priority needs of:

1. Preserve and Expand Affordable Housing through the housing rehabilitation program offered by the City of Lewiston.
2. Provide Services and Economic Opportunities through supporting Willow.
3. Improve Public Facilities and Infrastructure through installation of new fire suppression system for Northwest Childrens home.
4. Program Administration through the development of the upcoming 2023 – 2027 Consolidated Plan and program administration and planning.

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CR-10 – Racial and Ethnic Composition of Families Assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

Table 3 – Table of Assistance to Racial and Ethnic Populations by Source of Funds

	CDBG
White	84
Black or African American	0
Asian	7
American Indian or American Native	0
Native Hawaiian or Other Pacific Islander	0
Total	**91**
Hispanic	42
Non-Hispanic	49

Narrative

The City's 2018 -2022 Consolidated Plan notes that the large majority of householders in the city of Lewiston are white The City's population is 93% non-Hispanic white, about 3% Hispanic, 2% of two or more races and 2% Native American. Remaining races constitute less than 1% of the city's population each.

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CR-15 – Resources and Investments 91.520(a)

Identify the resources made available

Table 4 – Resources Made Available

Source of Funds	Resources Made Available	Amount Expended During Program Year
CDBG	533,398	305,094

Narrative

The City had a total of $213,665.91 at the end of the 2021 program year. This amount, plus the 2022 award of $228,350 and $91,392.20 in program income, brought the total CDBG resource to $533,398.11

Total funds expended during the program year was $305,094.18, which included funding allocated to projects during the 2020 program year. Funds expended went towards the following projects:

- $ 98,298.92 2022 Home Repair Program & 2022 Home Repair Program Administration
- $ 69,203.04 2022 Administration & 2023-2027 Consolidated Plan
- $ 9,000.00 2022 Willow: Grief Peer Support
- $ 982.76 2021 Green Apple Project
- $ 87,800 2022 Northwest children's Home
- $ 44,000 2022 Microenterprise Program

Identify the geographic distribution and location of investments

All projects were in the City of Lewiston, Idaho 83501. The City of Lewiston has not targeted specific areas as part of its strategic use of CDBG funds; however, the City used funds to benefit low and moderate-income neighborhoods and households over the program year.

Leveraging

Explain how federal funds leveraged additional resources (private, state, and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City continues to actively seek out partnerships with housing and social service providers to utilize a variety of Federal, State, and local funding sources to meet the needs identified in the consolidated plan. The City has actively supported low income housing tax credit projects sponsored by private developers. The CDBG funds used in these projects help leverage significant private investment by other community members, resulting in quality housing being built and creating a lasting asset for the property owner and community.

Subrecipients utilize their own additional resources in the form of private and local funds.

No publicly owned land or property located within the jurisdiction were used to address the needs identified in the plan during the 2022 program year.

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CR-20 – Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

Table 5 – Number of Households

	One-Year Goal	Actual
Number of homeless households to be provided affordable housing units	0	0
Number of non-homeless households to be provided affordable housing units	5	0
Number of special-needs households to be provided affordable housing units	0	0
Total	**5**	**0**

Table 6 – Number of Households Supported

	One year goal	Actual
Number of households supported through rental assistance	0	0
Number of households supported through the production of new units	0	0
Number of households supported through rehab of existing units	5	0
Number of households supported through Acquisition of existing units	0	0
Total	**5**	**0**

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The first goal in the 2022 Annual Action Plan was to preserve and expand affordable housing. The City of Lewiston's 2022 Home Repair Program assists in the rehabilitation of local homeowners' houses. The goal was to assist 7 households. The City was able to assist with 5 households. The City advertised on the local radio, continued to participate in the Interagency meetings held monthly, and continued our existing relationships with local non-profits, encouraging their staff and volunteers to send potential applicants to the City.

The second goal was to improve public facilities and infrastructure by addressing the needs of homelessness and homelessness prevention. Northwest Children's Home serves as a home to orphans and children with families who could not support them. There was a need to remodel an existing building to create a Trauma Recovery Unit (TRU) and part of the project was ensuring the fire sprinkler and alarm were installed and in working order. This project is still in process and should be completed by the end of November 2023. The estimated number of persons to benefit from the activity was 40, with the project still in motion I do not have a complete number.

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The third goal was to provide services and economic opportunities by addressing the needs of public services and economic opportunity. The Willow: Grief Peer Support Groups and Resources is a public service activity that provides resources too low to moderate income families. This project proceeded in a timely manner and experienced no delays. The estimated number of persons to benefit from the activity was 55, with the actual number being 176 persons.

The fourth goal was to provide services and economic opportunity by addressing the needs of public service and economic opportunity. The City of Lewiston's Microenterprise program is to encourage economic growth and support by assisting local entrepreneurs and innovators. This project experienced delays due to staff turnover and Gaining more knowledge of the CDBG program. This program is currently underway and the City of Lewiston is now taking applications and should be completed by the end of the 2023 allocation year. The estimated number of LMI families to benefit from the activity was 8-12. Due to this project under way an actual number has not been determined.
The fifth and final goal of the 2021 Action Plan was program administration. Funding was used for administration costs of the CDBG program, along with funding the upcoming 2023-2027 Consolidated Plan.

Discuss how these outcomes will impact future annual action plans.
As all the goals were met, the city does not expect any impact on future annual action plans. Issues related to materials are occurring nationwide and are out of the City's control.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine eligibility of the activity.

Table 7 – Number of Households Served

Number of Households Served	CDBG Actual
Extremely Low-income	3
Low-Income	35
Moderate-income	27
Total	**65**

Narrative Information
None

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CR-25 – Homeless and Other Special Needs 91.220 (d, e); 91.320 (d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The city does not own or fund any homeless shelters, transitional housing, or public housing itself, but relies on and supports other organizations to provide these services. Idaho Housing and Finance Association (IHFA), Family Promise, the Salvation Army, Community Action Partnership, and the YWCA provided assistance in the form of rental vouchers, shelter nights, and counseling to families and individuals who faced eviction or were homeless.

Summary of Efforts to Address "Worst Case Needs"

"Worst-case" affordable housing needs are defined as housing needs by low-income renters with severe cost burden, in substandard housing, or involuntarily displaced. During the 2021 program year, Section 8 was provided by the Idaho Housing and Finance.

Housing resources in the Lewiston Area include:

- Community Action Partnership – offers affordable rental housing through their housing program;
- Community on Call – offers transitional housings for individuals returning from long term rehab treatment programs;
- Habitat for Humanity – builds affordable housing for low-income families;
- Idaho Housing and Finance Association – provides Family Self-Sufficiency Program, Housing and Urban Development Vouchers Program, and Rental Assistance;
- Senior Rent Assisted/Controlled & Subsidized Apartments – there are seven (7) complexes in the City of Lewiston;
- Nez Perce County Assistance Program – provides limited emergency services (medical, rental, and utility assistance);
- Salvation Army – provides emergency assistance, which includes housing and rental assistance.

Progress in Meeting Needs of Persons with Disabilities

The 2022 home Repair program assisted with installation of multiple walk in showers and ADA handrails to assist with aging in place or persons with disabilities.

Addressing the emergency shelter and transitional housing needs of homeless persons

CDBG funds were allocated to address housing for orphaned children and children who do not have family members to take care of them by assistance with the installation of a fire suppression system for new housing. The City continued to explore opportunities to collaborate with local nonprofit organizations through the Interagency and Regional Coalition meetings.

YWCA continued to provide 10 shelter beds for families with children and 12 for victims of domestic violence. Salvation Army provided 6 beds for families with children and Family Promise provided 4 beds for families with children.

Towards the end of the 2020 program year, Union Gospel Mission approached the Lewiston City Council with a proposal to build a high-barrier shelter under a new definition of Bridge Shelter Housing. At this time that shelter has not been constructed.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Several local agencies continued to address homeless needs for chronically homeless individuals and families, families with children, veterans, and unaccompanied youth. These agencies assisted through emergency housing, case management services, referrals to housing providers, and other programs. The Intermountain Fair Housing Council was awarded funding from the Idaho Housing and Finance Association to help community members apply for Emergency Rental Assistance. The funding covers payment of rent, utiltiies, late fees, and rent increases to prevent eviction.

Chronically Homeless Individuals and Families: FirstStep4Life served chronically homeless individuals and families with substance abuse counseling and case management to assist participants in addressing barriers to housing and self-sufficiency. Salvation Army continues to operate a hygiene center available for use by people experiencing chronic homelessness and provide street-level outreach to homeless individuals and families in Lewiston, including those who are unsheltered.

Families with Children: Emergency shelter resources that continued to operate included the YWCA (10 shelter beds for families with children and 12 for victims of domestic violence), Salvation Army (6 beds for families with children), and Family Promise (4 beds for families with children). Family Promise's case management services designed to help a family obtain and maintain employment, save money, and eventually move to permanent housing also continued during the program year. Community connections developed during the stay in Family Promise's transitional housing are designed to support the formerly homeless family once they move to permanent housing and prevent a return to homelessness.

Veterans and their Families: Resources dedicated specifically to homeless veterans and their families are very limited in Lewiston. Over the next year, this group can continue to access the programs and shelters described above, although resources are not anticipated to be dedicated specifically to housing, supportive services, and homelessness prevention for veterans. The American Warfighters works with community members to assist veterans facing critical emergency situations.

Unaccompanied Youth: Idaho Youth Ranch continued to serve unaccompanied youth throughout Idaho with emergency shelter, residential care, youth and family therapy, job readiness training, and adoption services. Youth Ranch works with youth and their families so that when they are reunited, they are better able to communicate and avoid future issues, thereby shortening periods of homelessness and helping prevent a return to homelessness. The LC Valley Youth Resource Center has been extremely successful and has continued to assist at-risk youth with a place to stay and resources.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The City provided CDBG funding for one activity to address the Homelessness and Homelessness Prevention needs to persons in the city of Lewiston through infrastructure improvements to the domestic violence shelter. Local service providers continued to offer resources to help individuals and families avoid becoming homeless. These resources included:

- Rental assistance to help extremely low-income households and households receiving assistance from public and private agencies keep their housing and assist with utility and heating bills (when funding is available);
- Homelessness prevention for extremely low-income households and households receiving assistance from public and private agencies via utility payments for vulnerable households;
- Case management to gain stability and avoid homelessness for individuals discharged from correctional institutions and/or with criminal histories through Community Action Partnership;
- Community-based services for seniors designed to help older individuals avoid institutionalization and assist those in long-term care return to their communities through CAP. Services included case management, coordination of other community services, in-home health services, shopping assistance, transportation services, and other health and welfare information or referrals.

Supportive services for elderly and frail elderly continued to be provided through Community Action Partnership. Case management services and referral services for other special needs populations, including people with disabilities (physical, mental, or substance abuse related) and people with HIV/AIDS, were continued through Community Action Partnership as well. Opportunities Unlimited, Inc. will also continue to provide supportive services to people with physical and developmental disabilities. Such services will include evaluation, training, employment, education, and other support services to increase independent functioning, vocational skills, and earned income. The City of Lewiston does not have any public housing units, and thus does not have service providers focused on support services for public housing residents.

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CR-30 – Public Housing 91.220 (h); 91.320 (j)

Actions taken to address the needs of public housing

The Idaho Housing and Finance Association has a branch located in Lewiston.

No actions were taken to address the needs of public housing during the program year.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The Idaho Housing and Finance Association has a branch located in Lewiston.

No actions were taken to address the needs of public housing during the program year.

Actions taken to provide assistance to troubled PHAs

The Idaho Housing and Finance Association has a branch located in Lewiston.

No actions were taken to address the needs of public housing during the program year.

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CR-35 Other Actions 91.220(j)-(k); 91.320 (i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City did not have any specific plans to address barriers to accessibility for the 2021 Program Year, but City staff continued to address issues regarding zoning, building/construction, rezoning and support of applications.

Current and ongoing City activities of the Lewiston Community Development Department to promote and encourage affordable housing include:

- Proactively and systematically seeking to rezone lands for affordable housing development.
- Proactively seeking developers to construct affordable housing.
- Facilitate and support of applications related to rezoning and construction for affordable housing.

Actions taken to address obstacles to meeting underserved needs. 91.220(k);91.320(j)

Addressing underserved housing needs is increasingly difficult. To make housing affordable to very low-income households' deep subsidies are needed. At this point, appropriations for housing programs are not at levels to widely support deep subsidies. Additionally, the number of families and individuals needing access to services has increased and many times the capacity to fund and implement existing or additional programs is limited.

To help remove obstacles to meeting underserved needs and improve service delivery, staff worked with local non-profits and subrecipients to coordinate the work of social service organizations, disseminate news and information, and find solutions to local needs.

A weatherization program is offered through Community Action Partnership to help reduce energy costs. The Intermountain Fair Housing Council is also helping community members apply for Emergency Rental Assistance throughout Idaho. The assistance helps tenants and other persons experience homelessness apply for help with nonpayment of rent, utilities, late fees, rent increases. The goal of the program is to prevent eviction.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The City has implemented a residential rehabilitation program and continued to operate the program within the HUD Lead-Safe Housing regulations. Staff continued to attend trainings, as provided, to ensure they are appropriately trained in lead based paint, pamphlets are distributed, inspections and assessments are conducted when required, and that contractors trained in lead safe practices are used.

Prior to issuing a Notice to Proceed or beginning any type of project, an Environmental Review is completed. In addition to the requirements outlined in the Environmental Review, the potential for lead based paint is always addressed. When a structure is identified as built prior to 1978, a separate review is completed. A specialist is hired to review the possibility of lead based paint

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within the structure. If lead based paint is found, all individuals doing renovations, repairs and painting are required to be certified to safely complete improvements beyond minor repairs. The City follows procedures as specified in applicable regulations and, specifically, those detailed in Title X. The Community Development Specialist provides all required notifications to owners. Staff is working on revising policies and procedures to ensure they conform to Title X.

Based on research done by staff, there are approximately 7,696 homes built prior to 1978 in the City of Lewiston. Since initial lead based paint testing and assessment for homes are approximately $6,000, it would cost the city around $46,176,000. Annual allocations for the city of Lewiston are around $250,000. This cost would not include abatement or clearance procedures. Additionally, staff would have to survey the homes to determine which homes are low income residents in order to comply with program regulations. Staff has spoken to a HUD representative regarding the possibility of applying for the Healthy Homes Program but at this time, staff does not have the administrative capacity to take on another funding program.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)
The City continues to implement the Home Repair Program to help reduce the number of households in poverty.

All of the programs outlined in the Consolidated Plan are intended to provide benefits to residents that are considered low income and/or fall below the federal poverty line. The Community Development Block Grant Program's objectives are to develop viable communities that provide decent, safe, and sanitary housing, a suitable living environment, and expanded economic opportunities primarily for persons of low and moderate income. The City of Lewiston's CDBG program is utilized to make a difference in the lives of its residents by providing resources to address unique community development needs.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)
The City coordinated with various public, private, and non-profit agencies in carrying out its activities. Collaboration between local, county and state agencies is important in successfully carrying out the goals and objectives identified in the Consolidated Plan and addressing community needs.

To develop internal structure, staff utilizes the HUD exchange for technical assistance, and trainings related to the CDBG programs policies and procedures. The newly implemented Nieghborly Software allows staff to manage subrecipient information.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)
City staff continued to attend meetings of the Interagency, Region II Housing Roundtable, National Community Development Association, Northwest Association of Community Development Managers and the Regional Coalition to explore ways the City could plan for and support additional program resources.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)
The 2018-2022 Analysis of Impediments to Fair Housing Choice identified the following impediments:

Limited Supply of Affordable Housing for Low and Moderate Income Households

Although Lewiston's CDBG funds alone are not sufficient to make a significant impact on the housing shortage in the city, staff continued to stimulate private-sector housing construction by:

- providing a letter of support to assist an affordable housing developer in acquiring land for affordable housing
- identifying underdeveloped properties ripe for additional development
- continuing to operate the residential rehabilitation program (Home Repair Program)
- reviewing zoning ordinances for potential improvements
- translating materials into Spanish

Limited Supply of Accessible Housing for People with Disabilities

- provided funding to Burrell Street Station Apartments for an ADA accessible elevator
- included ADA in the Home Repair Program to allow removal of barriers to persons with disabilities

Lack of Resources and Coordination for Fair Housing Outreach, Education and Enforcement Activities

- provided educational materials in the main lobby of the Community Development Department
- translated materials into Spanish

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CR-40 – Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The subrecipient tracking software allows the city to conduct a risk assessment on each project during the application process. This is done through a scoring sheet, which helps evaluate applications and make funding recommendations. During the program year, regular monitoring takes place with each quarterly report. Activities must show that they are complying with the stated requirements in the subrecipient agreement and provide corresponding data. The subrecipient software also provides sections for complete documentation to be uploaded and a tracking system to help accuracy on capturing beneficiary data. Project files are uploaded into a secure system which includes project application, environmental review, agreements/liens, permits, invoices/draw requests and correspondence.

Other labor monitoring activities will be conducted, as activities require, according to all HUD and federal Davis Bacon labor requirements.

The City continues to utilize HUD's technical assistance and guidance to improve operating policies and procedures, as well as updating monitoring policies and procedures for the new software.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

Citizens are notified of public hearings through a notice in the newspaper, city website, and press releases. Very few comments are received.

Two public hearings are done throughout the program year. Staff notices the public hearing for the 30 day comment period for the Annual Action Plan and then again for the Consolidated Annual Performance and Evaluation Report. If amendments are made to the Action Plan, they are also noticed and citizens are provided a 30 day comment period.

The Human Resources Department recently prepared a Limited English Proficiency Plan (LEP) to address the City of Lewiston's responsibilities. The plan is currently in draft form but expected to be completed during the 2023 program year.

All documents are starting to be sent to an interpreting service for translation, while notices, fliers and publications are starting to note that documents are available in alternative formats if needed. The City of Lewiston's website provides accessibility components, while assistive hearing devices and other accommodations are provided at public hearings. City buildings provide accessibility, such as elevators, and City Council meetings are livestreamed, including closed captions so that persons may watch meetings from their own devices. Notices also provide contact information for

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anyone needing ADA accommodations for attending public hearings. No accommodations were requested during the 2022 Action Plan or CAPER process.

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CR-45 – CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

No changes.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?
No

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CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE PUBLIC HEARING: ESTABLISHING CERTAIN PUBLIC WORKS FEES	**AGENDA NO.** IV. I. **AGENDA DATE:** November 13, 2023

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

Resolution 2023-41 was approved during the August 14, 2023 meeting, with an effective date of October 1, 2023.

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.

Resolution 2023-59 amends the fees in previously approved Resolution 2023-41 in order to establish that the cost of publishing notices for a vacation petition will be at the expense of the petitioner. Previously, this was not being assessed as it was intended.

BUDGET IMPACT

No direct impact.

ACTION PROPOSED

Accepting testimony regarding Resolution 2023-59

RESOLUTION 2023-59

A RESOLUTION RESTATING FEES FOR VACATIONS OF PUBLIC RIGHTS-OF-WAY, EASEMENTS, AND PLATS; ENCROACHMENT PERMITS; RIGHT-OF-WAY PERMITS; SUBDIVISION FILINGS; APPLICATIONS FOR WIRELESS COMMUNICATION FACILITIES LOCATED IN PUBLIC RIGHTS-OF-WAY; APPEALS OF WRITTEN ORDERS OR DECISIONS OF THE PUBLIC WORKS DEPARTMENT OR PUBLIC WORKS DIRECTOR; AND PARADE AND PUBLIC ASSEMBLY APPLICATIONS; AND ESTABLISHING FEES FOR ISSUING NOTICE OF PUBLIC HEARINGS ON VACATION APPLICATIONS

WHEREAS, following a duly noticed public hearing on August 14, 2023, the Lewiston City Council approved Resolution 2023-41, which restated, amended, and established fees for vacations of public rights-of-way, easements, plats, and other identified applications, effective October 1, 2023;

WHEREAS, it was later determined that Resolution 2023-41 did not provide that the petitioner for a vacation shall be responsible for all costs associated with issuing the notice of the public hearing, as billed to or incurred by the City, which costs were being paid by the City;

WHEREAS, this Resolution 2023-59 is intended to establish that the cost of issuing the notice of the public hearing for a vacation petition shall be at the expense of the petitioner, as well as restate the fees for vacations of public rights-of-way, easements, and plats; encroachment permits; right-of-way permits; subdivision filings; applications for wireless communication facilities located in public rights-of-way; appeals of written orders or decisions of the public works department or public works director; and parade and public assembly applications, and supersede Resolution 2023-41 in its entirety;

WHEREAS, the established fees for the cost of issuing the notice of public hearing for a vacation is identified herein as "New Fee;" and

WHEREAS, a duly noticed public hearing was held on November 6, 2023, prior to the Lewiston City Council's approval of this Resolution 2023-59.

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

SECTION 1: Fees for vacations of public rights-of-way, easements, and plats, as well as fees for encroachment permits, shall be as follows:

(1) The initial fee for filing a notice of intent to vacate a public right-of-way or plat shall be Four Hundred Dollars ($400), which fee is non-refundable.

(2) The fee for filing a petition to vacate a public right-of-way or plat shall be One Hundred Dollars ($100) if the area to be vacated is less than ten thousand (10,000) square feet, or Six Hundred Dollars ($600) if the area to be vacated is ten thousand (10,000) square feet or more. Such fees are non-refundable.

(3) The fee for filing a petition to vacate an easement shall be Two Hundred Fifty Dollars ($250), which fee is non-refundable.

(4) The fee for an encroachment permit associated with a parklet shall be Two Hundred Dollars ($200), which fee is non-refundable.

(5) The fee for any other encroachment permit shall be Seventy-Five Dollars ($75), which fee is non-refundable.

(6) The costs of issuing the notice of the public hearing for a vacation petition shall be at the expense of the petitioner as billed to or incurred by the City. (New Fee)

SECTION 2: Right-of-way permit fees shall be as follows:

Description	Current Fee
Aerial	$0.11
Base fee	$92.60
Bellhole (each)	$1.76
Curb and Gutter Install/Removal per lineal foot	$0.38
Sidewalk Install/Removal per lineal foot	$0.38
Other cuts or uses misc.	$1.76
Push/Plow/Bore per lineal foot	$0.11
Stub Out/Laterals	$1.76
Survey, Design, and Staking	$77.35
Trench/Street Cut per lineal foot	$0.38
Vibratile plow-in per lineal foot	$0.11

SECTION 3: Subdivisions filing fees shall be as follows:

Description	Current Fee
Administrative Plat Base Fee	$852.64
Plus Administrative Plat per lot	$20.05
Preliminary Plat Base Fee	$515.86
Plus Preliminary Plat per lot	$20.05
Final Plat Base Fee	$515.86
Plus Final Plat per lot	$20.05

SECTION 4: The City of Lewiston Public Works Department's application fees for wireless communication facilities proposed to be located in public rights-of-way shall be as follows; provided, however, that such fees may exceed the fees listed below based on cost studies conducted by the City that are specifically related to a licensee's and/or other providers' applications:

Type of Application (proposed location in public rights-of-way)	**Current Fee**
Type 1: Application for small wireless facilities	$500 for up to five (5) sites and $100 for each site thereafter
Type 2: Application for a new pole intended to support small wireless facilities	$1,000
Type 3: Application for wireless communication facilities other than small wireless facilities	$750
Type 4: Application for a new tower intended to support something other than small wireless facilities	$1,250

a. Such application fees include all related City of Lewiston permit fees, including building permit fees and fees associated with a request for an alternative use permit or a waiver to a standard, if applicable.

b. No fee in addition to those set forth in this Section 4 shall be charged for: (a) an application for an alternative use permit or a waiver to a standard, or (b) an appeal of a decision of the Public Works Director regarding an application for an alternative use permit or a waiver to a standard.

SECTION 5: The fee to appeal a written order or decision of the Public Work's Department or Public Works Director shall be Two Hundred Dollars ($200).

SECTION 6: Fees for parade and public assembly applications shall be as follows:

Type of Application	**Current Fee**
Application for first time parade or public assembly, or parade or public assembly that requires a new or modified traffic control plan	$200

Application for recurring parade or public assembly that does not require a new or modified traffic control plan	$60

a. Fees for late applications shall be calculated on the above amounts, as set forth in Chapter 35, Article IX of the Lewiston City Code.

SECTION 7: All fees established by this resolution shall remain in effect until modified by resolution of the City Council.

SECTION 8: Upon the effective date of this resolution, this resolution shall supersede Resolution 2023-41 in its entirety.

SECTION 9: The resolution shall become effective upon its passage.

PASSED this _____ day of _____ 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
Tanya M. Brocke, City Clerk

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE RESOLUTION 2023-59	**AGENDA NO.** IV. J. **AGENDA DATE:** November 13, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) Resolution 2023-41 was approved during the August 14, 2023 meeting, with an effective date of October 1, 2023.	
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. Resolution 2023-59 amends the fees in previously approved Resolution 2023-41 in order to establish that the cost of publishing notices for a vacation petition will be at the expense of the petitioner. Previously, this was not being assessed as it was intended.	
BUDGET IMPACT No direct impact.	
ACTION PROPOSED Staff recommends approval of Resolution 2023-59.	

RESOLUTION 2023-59

A RESOLUTION RESTATING FEES FOR VACATIONS OF PUBLIC RIGHTS-OF-WAY, EASEMENTS, AND PLATS; ENCROACHMENT PERMITS; RIGHT-OF-WAY PERMITS; SUBDIVISION FILINGS; APPLICATIONS FOR WIRELESS COMMUNICATION FACILITIES LOCATED IN PUBLIC RIGHTS-OF-WAY; APPEALS OF WRITTEN ORDERS OR DECISIONS OF THE PUBLIC WORKS DEPARTMENT OR PUBLIC WORKS DIRECTOR; AND PARADE AND PUBLIC ASSEMBLY APPLICATIONS; AND ESTABLISHING FEES FOR ISSUING NOTICE OF PUBLIC HEARINGS ON VACATION APPLICATIONS

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WHEREAS, the established fees for the cost of issuing the notice of public hearing for a vacation is identified herein as "New Fee;" and

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

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a. Such application fees include all related City of Lewiston permit fees, including building permit fees and fees associated with a request for an alternative use permit or a waiver to a standard, if applicable.

b. No fee in addition to those set forth in this Section 4 shall be charged for: (a) an application for an alternative use permit or a waiver to a standard, or (b) an appeal of a decision of the Public Works Director regarding an application for an alternative use permit or a waiver to a standard.

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a. Fees for late applications shall be calculated on the above amounts, as set forth in Chapter 35, Article IX of the Lewiston City Code.

SECTION 7: All fees established by this resolution shall remain in effect until modified by resolution of the City Council.

SECTION 8: Upon the effective date of this resolution, this resolution shall supersede Resolution 2023-41 in its entirety.

SECTION 9: The resolution shall become effective upon its passage.

PASSED this _____ day of _____ 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
Tanya M. Brocke, City Clerk

October 23, 2023

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular Meeting at the Lewiston Library Second Floor Activity Room at 411 D Street. Mayor Johnson called the meeting to order at 6:00 p.m.

I. CALL TO ORDER

COUNCILORS PRESENT: Mayor Johnson; Council President Liedkie (Zoom); Councilor Forsmann; Councilor Kleeburg; Councilor Schroeder; Councilor Spickelmire; Councilor Tousley

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

III. CITIZENS COMMENTS

Library Director Johnson shared that the Idaho Commission for Libraries and all libraries across the state will be celebrating Idaho family reading week November 6th - 12th. She encouraged families to visit the Army Corps of Engineers and the Washington State University Raptor Club November 8th at the Library.

Rick Eldridge read a question from a social media page related to concerns about the City potentially purchasing the Twin City Foods and the property being contaminated.

Kathy Shock, resident of Lewiston, questioned if there is a city ordinance related to hoarding and junk cars and if the city has decided not to pursue the community park.

IV. PRESENTATIONS

A. PROCLAMATION: NATIONAL FAMILY LITERACY DAY: Recognizing November 1, 2023 as National Family Literacy Day

Mayor Johnson read and presented a proclamation for National Family Literacy Day to the National Society Daughters of the American Revolution Alice Whitman Chapter.

B. FINANCIAL REPORT - SEPTEMBER 2023: Financial report for September 2023, in accordance with Idaho Code 50-208 - Oral report

City Treasurer Gordon provided a summary of the September 2023 financial report.

V. PUBLIC HEARINGS AND RELATED ACTION ITEMS

A. PUBLIC HEARING: PROPOSED GRANT ACTIVITIES: Accepting testimony on a proposal to the Idaho Department of Commerce for an Idaho Community Development Block Grant CARES to replace and upgrade the playground equipment, surfacing material, add an accessible drinking fountain and to provide additional accessible parking options at Pioneer Park

Mayor Johnson explained the public hearing process, opened the public hearing and asked for the staff report.

Parks and Recreation Director Barker explained the request is for various playground equipment replacement, ADA parking stalls and upgrade of the water fountain for the Pioneer Park. The request is for $250,000 and has an additional $25,000 provided as in-kind labor from city staff for an estimated total value of improvements to be $275,000.

There being no public testimony, Mayor Johnson closed the public hearing.

B. IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT CARES APPLICATION: Considering approval of the proposal to the Idaho Department of Commerce for an Idaho Community Development Block Grant CARES in the amount of $250,000 for improvements at Pioneer Park - Action Item

Councilors Tousley and Schroeder moved and seconded, respectively, to approve the proposal to the Idaho Department of Commerce for an Idaho Community Development Block Grant CARES in the amount of $250,000 for improvements at Pioneer Park. The motion passed 6-0.

C. PUBLIC HEARING VA-02-2023: Accepting additional testimony on a request to vacate a section of the Bryden Avenue public right-of-way beginning at the east side of 18th Street and extending a distance of 476.00 feet east, with the condition that an alternate public right-of-way be dedicated in the final plat of the Canyon Crest South Addition that connects 18th Street to the remaining portion of Bryden Avenue not vacated in a location satisfactory to the City Engineer

Mayor Johnson announced the public hearing was being held to receive additional testimony as a result of the City Council's decision to have a second public hearing to receive testimony from the applicant. Mayor Johnson explained the public hearing process, opened the public hearing and announced that the public hearing asked for the staff report.

City Surveyor Weigand provided a brief background of the request and a brief history of the Bryden Avenue Transportation Corridor. Mr. Weigand then informed the City Council that they have two options: 1) uphold their decision to deny the

request; or 2) reverse their decision and conditionally approve the request.

Dan Yonge, owner of DK Holdings, explained he has been working with city staff and his proposed plan is a compromise that would allow the continuation of the street network and also eliminate the double frontage condition of existing lots along Clearview Point Drive by moving the Bryden Avenue transportation corridor approximately 104 feet south of its current location. Mr. Yonge also explained that it would be nearly impossible to connect Bryden Avenue all the way to Lindsay Creek due to a canyon on one side and a cliff on the other side.

Mayor Johnson asked for public testimony and again explained the public hearing is for additional testimony, so all prior public comments have been duly noted and will continue to be considered by the City Council. Additionally, an email was received from Mr. Volk and distributed to City Council, staff and the applicant prior to the meeting (see Attachment A).

Peter Volk, a resident of Viola, Idaho and attorney for Brian Steele, objected to the request because the city is without legal authority to make any decision different than what they made at the September 25, 2023 City Council meeting, due to the requirements of the Local Land Use Planning Act.

Garrett Smith, a resident of Lewiston, is in favor of the proposal, as it doesn't put a road behind their homes and keeps the traffic and noise impact away.

There being no additional testimony, Mayor Johnson closed the public hearing.

D. CONSIDERATION OF VA-02-2023: Considering vacating the public right-of-way in VA-02-2023 conditioned upon the dedication of an alternate public right-of-way in the final plat of the Canyon Crest South Addition that connects 18th Street to the remaining portion of Bryden Avenue not vacated in a location satisfactory to the City Engineer prior to passage of the resolution implementing the vacation - Action Item

Councilors Schroeder and Tousley moved and seconded, respectively, to approve VA-02-2023 conditioned upon the dedication of an alternate public right-of-way in the final plat of the Canyon Crest South Addition that connects 18th Street to the remaining portion of Bryden Avenue not vacated in a location satisfactory to the City Engineer.

The motion tied 3-3 with Councilors Liedkie, Forsmann and Kleeburg opposed. With the vote being tied, Mayor Johnson voted aye and the motion passed.

E. PUBLIC HEARING: ZA-02-2023: Accepting testimony on a proposal to delete Lewiston City Code Section 37-159.1, Setback from overhead electrical transmission

lines

Mayor Johnson explained the public hearing process, opened the public hearing and asked for the staff report.

Assistant City Planner Hollingshead explained the proposal is to repeal Section 37-159.1 of the Lewiston City Code titled "Setback from overhead electrical transmission lines" and reserve such section.

There being no public testimony, Mayor Johnson closed the public hearing.

F. **ORDINANCE 4896: FIRST READING:** Considering repealing Section 37-159.1 of the Lewiston City Code titled "Setback from Overhead Electrical Transmission Lines" and reserving such section - Action Item

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve the first reading of Ordinance number 4896. The motion passed 6-0.

ORDINANCE 4896: AN ORDINANCE OF THE CITY OF LEWISTON REPEALING SECTION 37-159.1 OF THE LEWISTON CITY CODE TITLED "SETBACK FROM OVERHEAD ELECTRICAL TRANSMISSION LINES" AND RESERVING SUCH SECTION, AND PROVIDING AN EFFECTIVE DATE.

VI. CONSENT AGENDA

Mayor Johnson explained that 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”.

Councilors Tousley and Schroeder moved and seconded, respectively, adoption of the Consent Agenda. *ROLL CALL VOTE: VOTING AYE: Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire; Liedkie. VOTING NAY: None.*

A. **CITY COUNCIL MINUTES:** 10/2/2023 Work Session; 10/9/2023 Executive; 10/9/2023 Regular - Action Item

B. **ADVISORY BOARD AND COMMISSION MINUTES:** 8/8/2023 and 9/12/2023 Urban Renewal Agency; - Action Item

C. **VOUCHER'S PAYABLE:** Considering approval of the Voucher's Payable dated 09/22/2023 - 10/05/2023 in the amount of $1,716,670.95 - Action Item

VII. ACTIVE AGENDA

A. BOYS AND GIRLS CLUBS OF THE LEWIS CLARK VALLEY FY'24 SERVICE AGREEMENT: Considering approval of the Fiscal Year 2024 Service Agreement between the City of Lewiston and the Boys and Girls Clubs of the Lewis Clark Valley, Inc. in the amount of up to $18,000 - Action Item

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve the Services Agreement between the City of Lewiston and Boys and Girls Clubs of the Lewis Clark Valley, Inc. *ROLL CALL VOTE: VOTING AYE: Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire; Liedkie. VOTING NAY: None.*

B. BEAUTIFUL DOWNTOWN LEWISTON FY'24 SERVICE AGREEMENT: Considering approval of the Fiscal Year 2024 Service Agreement between the City of Lewiston and Beautiful Downtown Lewiston Revitalization Corporation in the amount of up to $30,000 - Action Item

Councilors Schroeder and Tousley moved and seconded, respectively, to approve the Services Agreement between the City of Lewiston and Beautiful Downtown Lewiston Revitalization Corporation in the amount of up to $30,000. *ROLL CALL VOTE: VOTING AYE: Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire; Liedkie. VOTING NAY: None.*

C. HISTORIC PRESERVATION PLAN: Considering adoption of the Historic Preservation Plan for the City of Lewiston - Action Item

Councilors Schroeder and Tousley moved and seconded, respectively, to adopt the Municipal Preservation Plan for the City of Lewiston. The motion passed 6-0.

VIII. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

IX. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS:

Councilor Schroeder thanked the people who showed up to the public outreach events and commented that they were very well attended.

Councilor Tousley noted he had a conversation with Chief Kuzik related to funds received from the opioid settlements and how the money would be dedicated to treatment and rehabilitation programs. He also enjoyed a tour of the new wastewater treatment facility and it's an amazing accomplishment for the city.

Councilor Forsmann reminded all that the election is coming up on November 7, 2023 and encouraged people to vote.

B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES:

Councilor Forsmann provided an update on the Emergency Medical Services Advisory Board (EMSAB) meeting. She also noted the Parks & Recreation Commission took a tour of the parks, golf course and pickle ball courts.

C. MAYOR COMMENTS:

Mayor Johnson thanked the National Society Daughters of the American Revolution and citizens for attending the meeting, congratulated Seekins Precision for being featured in the November 2023 issue of the Guns and Ammo Magazine and introduced a special guest in attendance.

Grayson Jensen, a student of Culdesac High School, explained he attended the meeting for research related to bylaws and would be interviewing the Mayor after the meeting.

D. AGENDA TOPICS: - Action Item

X. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Councilors Tousley and Schroeder moved and seconded, respectively, to adjourn the October 23, 2023 Regular Session. The motion carried 6-0 and the meeting adjourned at approximately 7:54 p.m.

_____

Daniel G. Johnson, Mayor

_____

Tanya M. Brocke, City Clerk

ATTACHMENT A

Lewiston

Tanya Brocke <tbrocke@cityoflewiston.org>

PUBLIC HEARING VA-02-2023 and CONSIDERATION OF VA-02-2023

1 message

Pete Volk <petevolklaw@gmail.com> Thu, Oct 19, 2023 at 11:38 AM
To: "tbrocke@cityoflewiston.org" <tbrocke@cityoflewiston.org>, jtengono@cityoflewiston.org, mweigand@cityoflewiston.org, Brian Steele <steelecomponents@yahoo.com>

City of Lewiston,

Please ensure this email becomes part of the public record for purposes of reconsideration and appeal.

I represent Brian Steele (owner of parcel number RPL00970010000) affected by and in regard to the above referenced Public Hearing and Consideration which is an action by the City of Lewiston to "Reopen Public Hearing VA-02-2023".

Public Hearing VA-02-2023 was heard, closed and voted upon by the Council and at that point a land use decision was made under the Local Land Use Planning Act ("LLUPA") and that Act directs the hearing process and the post decision process in this case.

I find no portion of the LLUPA that provides that a matter for consideration which has been decided can be "**reopened:** to hear additional evidence. It is my position that this hearing is without proper standing and jurisdiction because it is not authorized by LLUPA following a land use decision. Thus, any decision made at the "re-opened" hearing can have no legal effect.

I understand that the City felt compelled to engage in the action of reopening a decided closed land use hearing because an affected party (DK Holding, the applicant) complained that he was not present at the original hearing and that his due process rights had been violated.

The City is only required to provide the notice set forth in its code and state law under LLUPA. It did exactly that. **See** attached evidence of mailing notice. Notice was provided in accordance with Code, he was not present and the matter of procedure is settled on that point.

To make matter worse for DK Holdings, the applicant, the address provided to the City of Lewiston, for service of notice was locked and accepting people only upon appointment. **See** attached photo. This fact was confirmed by Brian Steele who took the photo and can testify to that fact at the coming hearing.

So it appears Lewiston is having a hearing to "re-open" a final land use decision; which action is not permitted by LLUPA (see below discussion) that is based upon a failure to receive notice, (which notice was provided in accordance with code) to a person that affirmative made him self unavailable to receive the notice. This is not a compelling situation of lack of due process.

In terms of the process following a land use decision under LLUPA the procedure is quite defined and limited. To follow any other procedure is not permitted and any decision by the local land use body is not enforceable.

First, following the land use decision of the council, LLUPA requires that local officials support their decisions on permit applications with a written "**reasoned statement"** that discloses and explains the basis of the decision in a meaningful way and documents that the decision was based upon appropriate "standards and criteria." This requirement applies to the "approval or denial of any application." Idaho Code § 67-6535(1). Obviously, this applies when a governing board (a city council) renders a decision. This was not done in this case following the decision and is mandatory by code after a decision is made.

By tradition, the reasoned statement typically takes the form of "findings of fact and conclusions of law." The issuance of the findings and conclusions, by the way, triggers the running of the time for appeal. There is no opportunity to "re open" a decision by the council. The record is now closed and the reasoned statement needs to be published. Idaho Code §§ 67-6535.

In addition to Idaho Code §§ 67-6535 discussed above, there is another provision in LLUPA that has bearing on the obligation to provide meaningful findings and conclusions. LLUPA also requires the decision maker to explain to the applicant how the application could be changed to make it acceptable: (5) Whenever a governing board or zoning or planning and zoning commission grants or denies an application, it shall specify: (a) The ordinance and standards used in

evaluating the application; (b) The reasons for approval or denial; and (c) The actions, if any, that the applicant could take to obtain approval. Idaho Code § 67-6519

The is sound reasoning for the reasoned statement being required after a decision is made. It provides that "Why" and the "How to fix" the denied application in this case. In doing so, by following the rules of LLUPA further legal action on appeal can be avoided by amending the application.

Upon deliver of the reasoned statement the next time limitation starts which is reconsideration of that reasoned statement. Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Idaho Code 67-6535. This is a huge next step because the state legislature enacted this required next step clarify what it should mean to exhaust all available remedies prior to appeal as a counter to In Arthur v. Shoshone County, 133 Idaho 854, 993 P.2d 617 (Ct. App. 2000).

Reconsideration is not only allowed, but required, when an applicant or affected person alleges noncompliance "with the provisions of this section." Idaho Code § 67-6535(2)(b) (emphasis supplied). In other words, seeking reconsideration is a prerequisite to all LLUPA appeals.

Note, LLUPA is a motion to the council to "reconsider" its reasoned decision. it is not an invitation for the council to "re-open" the hearing. (there is no such authority).

After the hearing for reconsideration, a written decision is delivered to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. Following the deliver of the decision the affected person is subject to a 28 day statute of limitation to appeal that reconsideration to the District Court. Idaho Code 67-6535.

In summary, LLUPA controls this decision making process. A land use decision was made and the matter decided. LLUPA does not permit this matter to be re-opened. The City Council hears this matter without authority to make a land use decision because one has all ready been made and LLUPA must be followed. It would be best if the City Council cancel the public hearing, issue the reasoned statement and follow the LLUPA that was put into place to address this very matter.

Thank you for adding this to the record and for your attention in this matter.

Pete Volk

Volk Law PLLC
Peter Volk, attorney
PO Box 9264
Moscow Idaho 83843
208-301-1265 - cell

THIS ELECTRONIC MAIL TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY RETURN IT TO THE SENDER. UNINTENDED TRANSMISSION SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT OR ANY OTHER PRIVILEGE.

2 attachments

Photo of applicant address. .jpg
379K

Certified Mailing to DK Holdings LLC.pdf
685K

M·O·O·R·E
Quality Design
743·5840
107
Quality Design
HOMES
BY APPOINTMENT ONLY
208.798.5000
WWW.QUALITYDESIGNPLANS.COM
WE'RE
OPEN

CITY OF LEWISTON
EXPLORE
IDAHO'S FIRST CAPITAL
1861

3
City Clerk's Office
PO Box 617
Lewiston, ID 83501

CERTIFIED MAIL®

SPOKANE WA 990
14 SEP 2023 PM 1 L

7022 0410 0002 1992 1114

NEOPOST
09/13/2023
US POSTAGE $008.53⁰

FIRST-CLASS MAIL
ZIP 83501
041M11277286

RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

DK HOLDINGS LLC
247 THAIN RD STE 107
LEWISTON, ID 83501

B/C

83501-480032

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

(15)

DK HOLDINGS LLC
247 TRAIN RD STE 107
LEWISTON, ID 83501

9590 9402 7281 2028 7498 31

2. Article Number *(Transfer from service label)*

7022 0410 0002 1992 1114

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
nsured Mail
nsured Mail Restricted Delivery
over $500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

Lewiston City Library
Library Board of Trustees
Regular Meeting | Wednesday September 20, 2023
Community Room

1. Call to Order: Meeting was called to order at 5:31PM by Chair Diana Ames
   Trustees Present: Diana Ames, Rebecca Snodgrass, Trisha Decker, Josh Brown, Andy Hanson
   Trustees Absent: None
   Councilor Liaison Absent: Rick Tousley
   Library Staff: Library Director Lynn Johnson, Administrative Assistant Bruno Alvino, Youth Services Librarian Colleen Olive, Adult Services Librarian Brad Glover

2. Recognition of Visitors
   a. None

3. Approval of additions and deletions to agenda, if any - none

4. Public Comment and correspondence
   a. L. Johnson submitted a letter of support for the Nez Perce Historical Society that funds the speakers bureau.
   b. D. Ames commends the library volunteer who handles the book nook and is happy with how the book nook is looking.

5. City of Lewiston Council Report
   a. Councilor Tousley was not present at the meeting. A written report was provided which included information related to the passing of the city budget,

6. Library Foundation Report
   a. None

7. Consent Agenda - Action Item
   a. Approval of Minutes of Previous Meetings: August 16, 2023
   b. Review of statistical report
   c. Approval of statement of expenses
      i. Trisha Decker moved to approve the consent agenda and Josh Brown seconded. All in favor. Motion passed.

8. Committee Reports
   a. Art Committee
      i. D. Ames reported that the group will meet Thursday following the board meeting.

9. Director's Report
   a. Summer Reading Report - Colleen Olive, Youth Services Librarian

        i. Colleen Olive, Youth Services Librarian, presented her report on the annual Summer Reading Program.
    b. Lew On the Go Outreach Report - Brad Glover, Adult & Outreach Librarian
        i. B. Glover presented his report on progress made since the launch of the Outreach Services Vehicle, both what he has learned and future goals.
    c. Grants
        i. L. Johnson shared that C. Olive received a grant to develop early childhood literacy skills for under-represented children in the community.
    d. Staffing
        i. L. Johnson reported that the library has page interviews coming up for an open library page position. One of the library assistants, V. St. Paul, will be leaving for another position within the Valnet consortium.
    e. Staff Training
        i. L. Johnson updated the board on how the training went with topics including policy review and an active shooter discussion with a member of the Lewiston Police Department.
    f. Library Materials & Services Contract
        i. L. Johnson reported that the library materials & services contract has been approved by the City Council.
    g. Library Strategic Plan
        i. L. Johnson shared a timeline for updating the strategic plan which will be presented to the council.

10. Unfinished Business
    a. Items Moved from Consent Agenda - Action Item

11. New Business
    a. Director Performance Review Schedule - Action Item
        i. The board discussed the upcoming performance review schedule for the director.
    b. Policies to Review and Develop
        i. Display Policy - Action Item
            1. L. Johnson asked the board to review this policy for the next month. The board gave some direction to the director about statements that could be added.
        ii. Fees for Lost & Damaged Materials - Action Item
            1. T. Decker moved to have the library director Lynn Johnson, per her discretion, draft a circulation policy that includes items 2 and 4 under section b of new business and Rebecca Snodgrass seconded. All in favor. Motion carried.
        iii. Special Collections - Action Item
            1. A. Hanson moved to retain the special collections information within the current collection development policy as is and Trisha Decker seconded. All in favor. Motion passed.
        iv. Uncollectible Accounts - Action Items (see ii.)

12. Schedule of Upcoming Meetings
    a. Regular Meeting: October 18, 2023
    b. Regular Meeting: November 15, 2023

13. Adjournment
    a. The meeting was adjourned at 7:21PM
        i. Rebecca motioned to adjourn.

September 7, 2023

The HISTORIC PRESERVATION COMMISSION met in the Bell Building Upstairs Conference Room at 215 "D" Street. Chair Follett called the meeting to order at 10:00 a.m.

Historic Preservation meetings are recorded live. To view the full video, go to youtube.com/@CityofLewistonCommissions.

I. **CALL TO ORDER**

COMMISSIONERS PRESENT: Greg Follett, Chair; Ed King, Vice Chair; Lisa Hasenoehrl (via zoom); Dennis Ohrtman; Kayleigh Philippi; Tamara Berlik

COMMISSIONERS EXCUSED: Leah Boots; Laurinda Riggs;

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Aaron Butler, IT;

CITY COUNCIL LIAISON PRESENT: None

GUESTS: Michell Radamaker, Clever Fox Architecture; Kevin Messick, K&G Construction; Craig & Anne Marie Emerson; Toma Brainerd, Edificare Construction;

Commissioners introduced themselves to incoming Commissioner Tamara Berlik.

II. **CITIZEN COMMENTS**

None.

III. **NEW BUSINESS**

1. **APPROVAL OF AIGIST 3, 2023 REGULAR MEETING MINUTES**

Commissioners King and Philippi moved and seconded, respectively, to approve the August 3, 2023 Regular meeting minutes. The motion passed 6-0.

2. **CERTIFICATE OF APPROPRIATENESS, WEST END HISTORIC DISTRICT. AN APPLICATION BY KEVIN MESSICK OF K&G CONSTRUCTION FOR A NEW BUILDING ADDITION AND EXTERIOR REMODEL AT 625 D STREET.**

Staff Hollingshead reviewed the application for the Commission and stated that both the applicant and his architect of record, Michell Radamaker were available on Zoom for any questions.

Chair Follett walked the Commission through the Design Guidelines review sheet for the project. The Commission found that the project complied with Design Guidelines L-3, L-5, L-6, M-1, M-2, M-4, M-5 and M-6 and that all other guidelines were not applicable to the project. Commissioner Ohrtman moved that the Certificate of Appropriateness for the new building addition and exterior remodel at 625 D Street, be approved. Commissioner Berlik provided the second. Motion passed 6-0.

3. **CERTIFICATE OF APPROPRIATENESS, NORMAL HILL HERITAGE OVERLAY ZONE. AN APPLICATION BY EDIFICARE CONSTRUCTION ON BEHALF OF CRAIG & ANNE MARIE EMERSON AT 222 N. PROSPECT BLVD. APPLICANT REQUESTS A CERTIFICATE OF APPROPRIATENESS TO REMOVE AN EXISTING PORTE COCHERE AND REPLACE WITH A SECOND STORY DECK.**
Staff Hollingshead reviewed the application and photos submitted for the Commission and stated that both the contractor and homeowner were present for any questions.
Chair Follett walked the Commission through the review sheet for the project. The Commission found that the project complied with factors 1, 2, 4, 6, and 7 of the Lewiston City Code and that all other factors were not applicable to the project. Commissioner Ohrtman moved to approve the Certificate of Appropriateness for the removal of the existing porte cochere and replacement with a second story deck. Commissioner Philippi provided the second. Motion passed 6-0.

IV. OLD BUSINESS

1. **PRIORITIES PLAN DISCUSSION AND UPDATE:**
Staff Hollingshead reviewed for the Commission the existing Priorities Plan with the addition of the Preservation Plan goals, objectives and policies added in. The Commission discussed tackling one goal per month to combine the two plans together. The Commission directed staff to bring back goal #1 to the October meeting to begin that process.

V. COMMISSIONER COMMENTS:

Commissioner Ohrtman let the Commission know that the Liberty Theater Alliance has submitted a grant application for $100,000 for repair/restoration of the marquee. A major donor to the Alliance recently passed away and there is some question now about funding for the interior remodel being available. The Nez Perce County Historical Society Museum recently had the driveway replaced and the landscaping for the parking lot should start to be installed in the near future.

Commissioner Hasenoehrl left the meeting at 10:55 am.

VI. STAFF-COMMISSION COMMUNICATIONS:

Staff Hollingshead asked for a show of hands for Commissioners to attend the October 5th meeting, all Commissioners present are able to attend. Staff Hollingshead reminded the Commission that she would bring previously issued Certificates of Appropriateness to the October meeting so that the Commission could start discussing potential nominees for the 2024 Orchid Awards. Staff Hollingshead handed out paper copies of the Comprehensive Plan Phase II survey for Commissioners to complete and return.

VII. ADJOURN

There being no further business, Commissioners King and Philippi moved and seconded, respectively to adjourn the meeting of the Historic Preservation Commission at approximately 11:08 a.m. Motion passed 5-0.

RESPECTFULLY SUBMITTED,

Katie Hollingshead
Recording Secretary

Chairperson or Acting Chairperson
Historic Preservation Commission

Approved this 2nd day of November, 2023.

Voucher's Payable

Vendor Name	Ck#	Ck Date	Department	Description	Total
ALWAYS TOWING LLC	111503	10/12/2023	POLICE	BPO PD TOW SERVICE	$200.00
AMAZON CAPITAL SERVICES	111504	10/12/2023	COMDEV	BPO - CD: OFFICE SUPPLIES FROM AMAZON	$317.38
			FIRE	FIRE - AMAZON - FITNESS EQUIPMENT, VERT JUMP	$347.47
				FIRE - AMAZON - SENSOR REPLACEMENT	$325.00
			LIBRARY	BPO - LIB - JUVENILE DVD ORDERS	$20.03
	111634	10/19/2023	LIBRARY	BPO - LIB - OPERATING SUPPLIES	$54.85
				LIB - BPO - VIDEO GAMES	$119.77
			PARKSFAC	SPEAKERS FOR MUSIC IN THE FRONT FOYER OF THE CC	$130.98
			POLICE	BPO PD OFFICE AND TECHNOLOGY ITEMS	$52.97
				PD BUSY/DO NOT DISTURB LIGHT FOR PHONE	$43.00
AMERIBEN HRC	111505	10/12/2023	HR	ANNUAL FEE TO PARTICIPATE WITH AMERIBEN NORTHWEST	$2,500.00
AMERIGAS	111506	10/12/2023	FLTMAINT	CONTRACTED SRV/ YEARLY RENTAL	$127.36
ANATEK LABS INC	111507	10/12/2023	WATER	BPO PW WTP/TOC/COLIFORM SAMPLING ANALYSIS	$2,716.00
			WSTWTR	BPO PW WWTP LAB SAMPLE ANALYSIS	$2,550.00
	111635	10/19/2023	WATER	BPO PW WTP/TOC/COLIFORM SAMPLING ANALYSIS	$660.00
			WSTWTR	BPO PW IND PTMT ANALYSIS OF SAMPL	$571.00
ASOTIN COUNTY LANDFILL	111508	10/12/2023	SANITATION	BPO - TS - FY23 MONTHLY DISPOSAL	$101,209.40
			WSTWTR	BPO PW WWTP FY23 MONTHLY DISPOSAL	$466.95
ASSOCIATION OF IDAHO CITIES	111502	10/12/2023	LEGISLATIV	AIC FALL CONF - MOSCOW ID - OCT 11 - LIEDKIE	$50.00
				AIC FALL DISTRICT MEETING - MOSCOW 10/11/2023	$50.00
ATLAS SAND & ROCK	111636	10/19/2023	WSTWTR	PW - WWTP - 5 YD LOAD OF 5/8" CRUSHED GRAVEL	$140.59
AUSTIN BROWN	111511	10/12/2023	FIRE	BPO FIRE - AUSTIN BROWN - MEDICAL CONTROL	$3,000.00
AVISTA	111637	10/19/2023	CEMETERY	10/09/23 BILL DATE: UTILITY CHARGES	$1,443.64
			COMDEV	10/09/23 BILL DATE: UTILITY CHARGES	$1,145.49
			LIBRARY	10/09/23 BILL DATE: UTILITY CHARGES	$2,417.95
			PARKSFAC	10/09/23 BILL DATE: UTILITY CHARGES	$13,048.77
			RECREATION	10/09/23 BILL DATE: UTILITY CHARGES	$1,196.89
			SANITATION	10/09/23 BILL DATE: UTILITY CHARGES	$327.86
			TRNSPN	10/09/23 BILL DATE: UTILITY CHARGES	$43,922.80
			WATER	10/09/23 BILL DATE: UTILITY CHARGES	$57,347.34
			WSTWTR	10/09/23 BILL DATE: UTILITY CHARGES	$28,181.04

Voucher's Payable

B&H FOTO & ELECTRONICS CORP	111638	10/19/2023	INFOSYSTMS	IT EQUIPMENT - HEADSETS, KEYBOARDS, TV	$1,258.37
				MONITOR STOCK	$2,401.92
BANNER BANK-ADM GEN2	111457	10/12/2023	POLICE	PD - E-BIKES FOR DOWNTOWN AND LEVEE PATROL (QUIETK	$5,377.90
BANNER BANK-ADM SVCS	111460	10/12/2023	COMDEV	BPO - URA MONTHLY INTUIT QUICKBOOKS SUBSCRIPTION	$30.00
			FINANCE	PEOPLE MANAGER TRAINING - GORDON, BLEWETT	$1,990.00
BANNER BANK-CITY ATTORNEY	111458	10/12/2023	LEGAL	AIRFARE-HERMANN-IMLA 88TH ANN CONF-9/26-10/2/23	$30.00
				INK FOR JENNIFER'S & LARAE'S PRINTERS	$79.20
				TRAVEL-HERMANN-IMLA 88TH ANN CONF-9/26-10/2/23	$80.00
	111592	10/19/2023	LEGAL	TRAVEL-HERMANN; IMLA 88TH ANN CONF; 9/26-10/2/23	$1,562.76
BANNER BANK-COMMUNITY DEV	111459	10/12/2023	COMDEV	BPO - CD: ICC - CONT. LEARNING FOR INSPECTORS	$973.00
				CD-HOLLINGSHEAD-NBI WEBINAR FOR AIRBNB & VRBO: HO	$389.00
				CD-LARGE SCANNER FOR UPLOADING BLUEPRINTS ELECTRO	$7,045.00
				CD-M.ROSE-GRANTSTATION MEMBERSHIP-1YR	$699.00
BANNER BANK-FIRE 1	111461	10/12/2023	FIRE	FIRE - ICC - STUDY GUIDES	$138.00
				FIRE - VISTAPRINT - TRANSPORT # STICKERS	$57.98
				TRAVEL - FIRE - JACKS - HAZARD ZONE CONF	$1,163.66
	111593	10/19/2023	FIRE	TRAVEL - FIRE - JACKS - HAZARD ZONE CONF	$464.08
BANNER BANK-FIRE TRNG 1	111462	10/12/2023	FIRE	FIRE - ICC - CODE BOOKS	$506.20
				FIRE - TRAVEL - MISC - BLUECARD HAZARD ZONE CONF	($84.00)
	111594	10/19/2023	FIRE	TRAVEL - FIRE - MISC - BLUECARD HAZARD ZONE CONF	$1,719.07
BANNER BANK-FIRE TRNG 2	111463	10/12/2023	FIRE	FIRE - ARBYS - ENG TESTING EVALUATOR FOOD	$175.74
				FIRE - HARBOR FREIGHT - INSPECTOR TOOLS	$155.72
				TRAVEL - FIRE - PARIS - PWW EMS CONFERENCE	$1,283.71
	111595	10/19/2023	FIRE	FIRE - SPORTSMAN - SHOCK CORDS	$41.41
				FIRE - ZORO - BINS	$8.37
				TRAVEL FIRE - PARIS - PWW EMS CONF	$148.53
BANNER BANK-HUMAN RESOURCES	111464	10/12/2023	HR	BPO - HR- FACEBOOK JOB ADVERTISEMENTS	$125.84
				MEMBER RECERTIFICATION FEE FOR NIKKI PROVINCE PROF	$100.00
BANNER BANK-IT	111465	10/12/2023	INFOSYSTMS	DOOR ACCESS CONTROLS	$1,807.00
				SCADA TRAINING	$250.00
				UPS INTERNATIONAL CHARGES	$17.22
			POLICE	UNIFI AI CAMERAS	$3,202.00
	111596	10/19/2023	INFOSYSTMS	BPO - IT - NETWORK/SECURITY HARDWARE	$1,489.01
BANNER BANK-LIBRARY	111466	10/12/2023	LIBRARY	CRICUT ACCESS SUBSCRIPTION	$101.64

				LIB - ILA MEMBERSHIP	$270.00
				PROFESSIONAL DEVELOPMENT BOOKS	$202.61
	111597	10/19/2023	LIBRARY	REG - ILA CONFERENCE 2023	$30.00
BANNER BANK-PARKS & REC 1	111467	10/12/2023	PARKSFAC	WSI CERTIFICATIONS	$205.00
	111598	10/19/2023	RECREATION	FUEL FOR VAN AND LUNCH FOR DRIVER FIRST FRIDAY	$47.39
BANNER BANK-PARKS & REC 2	111468	10/12/2023	RECREATION	FIRST FRIDAY SENIOR LUNCHES DRIVER LUNCH AND FUEL	$79.84
				GAS AND VAN DRIVERS LUNCH FOR WALLOWA TRIP 9/25	$53.66
				WALLOWA LAKE TRAMWAY RIDE SENIOR TRIP TICKETS	$297.00
BANNER BANK-PARKS & REC 3	111469	10/12/2023	PARKSFAC	Service Center HVAC Blower part, 90709700-P	$269.92
	111599	10/19/2023	PARKSFAC	2 DOOR VALVES AUTO OPENER FOR LIBRARY HANDICAP D	$417.90
				BATHROOM PARTITION STALL LOCK FOR CC	$73.16
BANNER BANK-POLICE 1	111470	10/12/2023	POLICE	PD - CAMERAS FOR POLICE DEPT SECURITY (UBIQUITI)	$853.76
				PD - REPLACEMENT GPS TRACKER FOR NARCOTICS (DATABL	$150.95
	111600	10/19/2023	POLICE	BPO PD FOOD FOR K9 ZIVA (CHEWY.COM)	$59.84
				PD RECRUITMENT BOOTH FOR LCSC JOB FAIR	$300.00
BANNER BANK-POLICE 2	111471	10/12/2023	POLICE	PD - SERVER FOR FORENSIC COMPUTER	$1,899.99
	111601	10/19/2023	POLICE	PD INK CARTRIDGES FOR DEPARTMENT PRINTERS	$57.60
BANNER BANK-POLICE 3	111472	10/12/2023	POLICE	PD - INCINERATOR FEES FOR PURGED EVIDENCE AND PROP	$197.20
				TRAVEL-REESE-IACP CONFERENCE	$261.61
	111602	10/19/2023	POLICE	PD TACTICAL RIFLE CASES FOR PATROL (MIDWAY USA)	$1,120.30
BANNER BANK-POLICE 4	111473	10/12/2023	POLICE	PD - TELEVISIONS FOR DISPATCH CENTER (WALMART)	$589.34
				TRAVEL-STORMES-DEFENSIVE TACTICS ARCON INSTRUCTOR	$1,384.98
BANNER BANK-PUBLIC INFO OFCR	111474	10/12/2023	EXECUTIVE	TRAVEL-MAURER-3CMA ANNUAL CONFERENCE	$1,126.95
	111603	10/19/2023	EXECUTIVE	12 MONTH SUBSCRIPTION TO CONSTANT CONTACT	$794.75
BANNER BANK-PUBLIC WORKS	111475	10/12/2023	TRNSPN	PW-ENG-SEWER PUSH CAMERA AND PIPE LOCATOR	$8,065.00
				REG - VARIOUS - 2023 IDAHO ASPHALT CONFERENCE	$720.00
BANNER BANK-PUBLIC WORKS TRAVEL	111476	10/12/2023	WSTWTR	PW-WWTP-AMIAD FILTERS FROM HORIZON	$1,370.00
	111604	10/19/2023	WSTWTR	TRAINING-WWC OP 1 & 2 EXAM PREP; STICKLEY/MURRELL	$800.00
				TRAVEL - N SMITH - COMPOSTING TOURS; KENOSHA, WI	$868.55
BANNER BANK-SANITATION	111477	10/12/2023	TRNSPN	TRAVEL - KAUFMAN - PNWCA CONFERENCE 2023	$433.92
	111605	10/19/2023	TRNSPN	HOTEL - THOMPSON - LHTAC ENVIRONMENTAL BMPS	$191.38

BANNER BANK-SERVICE CENTER	111478	10/12/2023	FLTMAINT	LIFT REPAIR PARTS FOR #286 BUCKET TRUCK	$560.00
BANNER BANK-SERVICE CTR	111479	10/12/2023	FLTMAINT	BPO/ LICENSE & REGISTRATION RENEWALS	$15.45
				REPL EXHAUST BRACKETS FOR #356 JETVAC	$93.23
				REPL TILT CYLINDER FOR #405 ROAD GRADER	$486.00
				SHOP TRUCK SUPPLIES	$1,429.70
				TRAVEL-WA FIRE MECHANICS CONFERENCE-WENATCHEE	$570.50
			TRANSITOP	TRANSIT WINTER TIRES FOR 708,709,713,714	$4,656.62
	111606	10/19/2023	FLTMAINT	REPL KEYPAD SWITCH FOR #500 ATTENUATOR	$446.84
BANNER BANK-TRANSIT	111480	10/12/2023	TRANSITOP	BPO - TRANSIT - LANDS END UNIFORMS	$1,497.55
				BPO: TRANSIT PA MICROPHONES	$243.97
				TRANSIT PHOTOGRAPHY OF BUS FOR WEBSITE	$200.00
				TRANSIT STAFF PHOTOS	$425.00
BANNER BANK-WATER/WASTEWATER	111481	10/12/2023	TRNSPN	PW-ADMIN-J TOLMAN APWA MEMBERSHIP	$239.00
			WATER	PW-WTP-IBOL RENEWALS;HORYZA DWD2-19665 DWT4-19666	$60.00
				PW-WWC-WDISTIII TESTING FEES; B GARZA; PSITESTING	$104.00
			WSTWTR	BPO PW WWTP DOORKING INC	$41.95
				PW-IDPT-AMP CONNECTORS; DIGIKEY.COM	$54.48
				PW-WWC-IBOL RENEWAL WWC4-24390; G CREVISTON	$30.00
				PW-WWTP-IBOL AP AND EXAM; S MITTENDORF WWT-III	$104.00
				PW-WWTP-IBOL RENEWAL B GRIESER; WWL WWTIII	$60.00
				PW-WWTP-IBOL RENEWALS L WAY WWC1-25481, T2-23697	$60.00
	111607	10/19/2023	WATER	IBOL RENEWALS-J RUARK	$60.00
				IBOL RENEWALS-K HEAVYRUNNER	$120.00
BEAUTIFUL DOWNTOWN LEWISTON	111482	10/12/2023	SPECASSMT	BID ASSESSMENT COLLECTIONS WEEK ENDING 10/06/23	$1,211.04
	111608	10/19/2023	SPECASSMT	BID ASSESSMENT COLLECTIONS WEEK ENDING 10/14/23	$385.62
BLUE RIBBON LINEN SUPPLY INC	111509	10/12/2023	FIRE	BPO - FIRE - BLUE RIBBON LINEN	$1,104.33
BOB'S GARAGE DOORS LLC	111639	10/19/2023	PARKSFAC	BPO GARAGE DOOR REPAIRS	$405.00
BRADLEY CORNELL DBA VALLEY SWEEPING LLC	111587	10/12/2023	SANITATION	BPO - TS - SWEEPING	$256.00
BRETTON S WATSON DBA ABLE LOCKSMITH	111633	10/19/2023	PARKSFAC	BPO LOCK WORK FOR CITY BULDINGS	$90.00
BRIDGEPAY NETWORK SOLUTIONS LLC	1411	10/19/2023	FINANCE	BRIDGEPAY MONTHLY TRANSACTION	$315.80
BROEMELING STEEL & MACHINE	111640	10/19/2023	PARKSFAC	fabricate metal plugs for the pickleball net post	$316.39
BROWN AND CALDWELL	111510	10/12/2023	WATER	WR051 WTP RETROFIT	$31,093.78

BRYAN BERGLUND	111483	10/12/2023	RECREATION	UMPIRED 3 GAMES FOR COED LEAGUE POSTSEASON @$30/GM	$90.00
CAMP CABIN & HOME INC	111641	10/19/2023	TRNSPN	BPO - ST - PROPANE	$39.32
CARTEGRAPH SYSTEMS LLC	111642	10/19/2023	PARKSFAC	FY 2024CARTEGRAPH ACCESS FOR FACILITIES AND PARKS	$6,834.94
			TRNSPN	FY24 CARTEGRAPH PURCHASE AGRMT PER RES 2021-5	$22,955.65
			WATER	FY24 CARTEGRAPH PURCHASE AGRMT PER RES 2021-5	$21,001.92
			WSTWTR	FY24 CARTEGRAPH PURCHASE AGRMT PER RES 2021-5	$21,001.92
CATALYST MEDICAL GROUP PLLC	111512	10/12/2023	FIRE	BPO - FIRE - CATALYST MEDICAL GROUP	$1,437.18
			TRANSITOP	BP - TRANSIT - DOT PHYSICALS	$310.00
	111643	10/19/2023	TRANSITOP	BP - TRANSIT - DOT PHYSICALS	$155.00
CATHY L BECK DBA THE PLANT LADY	111681	10/19/2023	LIBRARY	BPO - LIB - MONTHLY PLANT CARE	$100.00
CENTRAL ORCHARDS SEWER DISTRICT	111522	10/12/2023	PARKSFAC	09/30/23 BILL DATE: UTILITY CHARGES	$251.28
CENTURYLINK	111644	10/19/2023	COMDEV	10/10/23 BILL DATE: UTILITY CHARGE	$44.89
			FIRE	10/10/23 BILL DATE: UTILITY CHARGE	$300.31
			INFOSYSTMS	10/10/23 BILL DATE: UTILITY CHARGE	$1,240.70
			LIBRARY	10/10/23 BILL DATE: UTILITY CHARGE	$54.89
			PARKSFAC	10/10/23 BILL DATE: UTILITY CHARGE	$1,261.96
			POLICE	10/10/23 BILL DATE: UTILITY CHARGE	$967.08
			SANITATION	10/10/23 BILL DATE: UTILITY CHARGE	$44.89
			TRANSITOP	10/10/23 BILL DATE: UTILITY CHARGE	$89.79
			WATER	10/10/23 BILL DATE: UTILITY CHARGE	$272.35
			WSTWTR	10/10/23 BILL DATE: UTILITY CHARGE	$332.23
CHRIS SCHARNHORST	111625	10/19/2023	TRNSPN	MEALS: MUTCD & TRAFFIC SIGN RETROREFLECT: 10/24/23	$59.00
CI TECHNOLOGIES, LLC	111513	10/12/2023	POLICE	PD IAPRO ANNUAL SOFTWARE RENEWAL	$2,599.96
CINTAS CORPORATION #606	111645	10/19/2023	FLTMAINT	BPO/ FLEET UNIFORM RENT & LAUNDRY	$90.48
			PARKSFAC	BPO P&R CLEANING SUPPIES AND UNIFORM CLEANING	$70.76
				BPO PARKS UNIFORM LAUNDERED/CLEANING SUPPLIES	$99.66
CITY OF LEWISTON	1410	10/12/2023	CEMETERY	SEPT '23 W/G/S CHARGES	$33.68
			COMDEV	SEPT '23 W/G/S CHARGES	$186.80
			LIBRARY	SEPT '23 W/G/S CHARGES	$383.45
			PARKSFAC	SEPT '23 W/G/S CHARGES	$10,576.29
			SANITATION	SEPT '23 W/G/S CHARGES	$1,454.20
			TRNSPN	SEPT '23 W/G/S CHARGES	$197.30
			WATER	SEPT '23 W/G/S CHARGES	$455.49
			WSTWTR	SEPT '23 W/G/S CHARGES	$1,958.70
CITY OF LEWISTON EMPLOYEE BENEFIT PLAN TRUST	111609	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$408,025.12
CITY OF LEWISTON EMPLOYEE BENEFIT-CAFETERIA PLAN	111610	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$8,394.49
CLEARWATER FENCE LLC	111515	10/12/2023	PARKSFAC	FENCING AND POST WORK FOR PICKLE BALL COURT PROJE	$9,240.64

				RENT SAFETY FENCING FOR PICKLEBALL PRJT CONST	$745.50
CLEARWATER HYDRAULICS LLC	111516	10/12/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	$20.44
	111646	10/19/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	$141.10
CLEMENTS BROWN & MCNICHOLS	111517	10/12/2023	HR	LEGAL SERVICES RE:PERSONNEL	$136.50
			LEGAL	OUTSIDE LEGAL COUNCIL; STROMBERG; EDELBLUTE LIT	$2,365.00
			TRNSPN	PW - OUTSIDE LEGAL COUNSEL; PROFITT	$9,130.00
COLEMAN OIL COMPANY LLC DBA COLEMAN OIL COMPANY	111519	10/12/2023	COMDEV	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$225.05
				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$125.60
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$204.30
			FIRE	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$1,662.73
				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$1,353.41
				CP-0038086- 10/01/2023 BILL DATE: FUEL CHARGES	$294.95
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$1,495.54
			FLTMAINT	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	$33.87
			FLTMAINT	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	$18.00
				CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$82.65
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$56.64
			LIBRARY	CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$64.85
			PARKSFAC	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$1,301.18
				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$1,315.10
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$1,266.66
			POLICE	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$2,392.10
				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$1,717.92
				CP-0038086- 10/01/2023 BILL DATE: FUEL CHARGES	$245.48
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$2,330.91
			RECREATION	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$59.39
			STMWTR	CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$285.49
			TRANSITOP	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$1,515.21
				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$1,740.13
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$1,435.74
			TRNSPN	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$1,280.16

				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$2,243.18
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$1,002.43
			WATER	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$454.58
				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$728.93
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$181.57
			WSTWTR	CP-0031675- 09/24/2023 BILL DATE: FUEL CHARGES	$454.69
				CP-0035865- 09/30/2023 BILL DATE: FUEL CHARGES	$536.71
				CP-0039017- 10/08/2023 BILL DATE: FUEL CHARGES	$387.31
	111647	10/19/2023	FIRE	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$1,245.31
			FLTMAINT	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	$2,343.11
			HR	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$66.38
			PARKSFAC	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$1,343.19
			POLICE	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$2,071.52
			RECREATION	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$61.05
			SANITATION	BPO - TS - FUEL	$211.27
				BPO - TS - FY24 FUEL FOR SDI HAUL	$1,243.98
			STMWTR	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$140.71
			TRANSITOP	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$1,476.21
			TRNSPN	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$1,712.59
			WATER	BPO PW WTP GENERATOR FUEL	$1,240.40
				CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$420.09
			WSTWTR	CP-0040201- 10/15/2023 BILL DATE: FUEL CHARGES	$143.73
COLLIER ELECTRIC LLC	111520	10/12/2023	PARKSFAC	ELECTRICIAN HIRED TO FIX PIONEER FOUNTAIN	$2,967.00
COMPUNET INC	111648	10/19/2023	POLICE	PD GENETEC PROXIMITY ACCESS ANNUAL RENEWAL	$117.00
CONSOLIDATED ELECTRICAL DISTRIBUTORS	111521	10/12/2023	WATER	BPO PW WATER DISTRIB SUPPLIES	$24.42
	111649	10/19/2023	PROPIMPR	28 LIGHT FIXTURES FOR COMMUNITY CENTER	$2,406.70
CONTINENTAL AMERICAN INSURANCE COMPANY DBA AFLAC GROUP	111591	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$1,354.96
CUES INC	111651	10/19/2023	WSTWTR	BPO TV TRUCK SUPPLIES/REPAIRS	$1,314.98
D & D MCLAUGHLIN LLC	111523	10/12/2023	PARKSFAC	SUNSET PARK PICKLEBALL COURT DEMO AND CONST	$41,475.00
			PROPIMPR	WORK ON A T BOX AT BRYDEN CANYON GC	$13,000.00
	111652	10/19/2023	WATER	BPO PW DISTRIB CONCRETE	$396.00
DARREN TRAINOR	111500	10/12/2023	RECREATION	UMPIRED 6 GAMES FOR COED LEAGUE POSTSEASON @$30/GM	$180.00

DAVID EVANS AND ASSOCIATES INC	111524	10/12/2023	CAPITAL PROJECTS	TR036 BRYDEN AVE RECONSTRUCTION - FINAL DESIGN	$90,473.13
DELL MARKETING LP	111653	10/19/2023	INFOSYSTMS	PC & LAPTOP STOCK	$23,262.10
DEMCO INC	111525	10/12/2023	LIBRARY	LIB - BOOK ENDS	$118.70
DIGLINE INC	111526	10/12/2023	WATER	BPO PW W/WW LOCATE SERVICES	$140.25
			WSTWTR	BPO PW W/WW LOCATE SERVICES	$140.25
DYLAN MADER	111484	10/12/2023	RECREATION	UMPIRED 3 GAMES FOR COED LEAGUE POSTSEASON @$30/GM	$90.00
				UMPIRED 3 GAMES FOR M&W LEAGUE @ $30/GAME	$90.00
				UMPIRED 6 GAMES FOR M&W LEAGUE SEASON @ $30/GM	$180.00
EBSCO INFORMATION SERVICES	111527	10/12/2023	LIBRARY	INCORRECT AMOUNT TAKEN FROM CREDIT MEMO	$19.94
EFTPS	1415	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$181,980.60
	1417	10/19/2023	ADMSVC	Payroll Run 9 - Warrant 1019M2	$92.10
EMERALD SERVICES INC	111528	10/12/2023	FLTMAINT	BPO- FLEET ANTIFREEZE/ OIL DISPOSAL	$508.95
EMS MANAGEMENT & CONSULTANTS INC	111529	10/12/2023	FIRE	BPO - FIRE - EMSMC - AMBULANCE BILLING	$9,625.40
ERB'S ACE HARDWARE LLC	111530	10/12/2023	WATER	BPO PW WTP SUPPLIES	$33.96
	111654	10/19/2023	FIRE	BPO FIRE - ERBS - STATION/VEHICLE MTNC SUPPLIES	$30.22
			WATER	BPO PW DISTRIB SPLYS	$11.20
				BPO PW WTP SUPPLIES	$59.45
FASTENAL COMPANY	111531	10/12/2023	PARKSFAC	BPO SUPPLIES VENDING MACHINE AND SAFETY SUPPLIES	$367.03
	111655	10/19/2023	PARKSFAC	BPO SUPPLIES VENDING MACHINE AND SAFETY SUPPLIES	$21.44
FEDEX	111532	10/12/2023	TRNSPN	BPO - STREETS/TRAFFIC - SHIPPING	$23.03
FERGUSON ENTERPRISES #3011	111533	10/12/2023	WATER	BPO PW DISTRIB MAINT SPLYS	$322.54
	111656	10/19/2023	WATER	BPO PW DISTRIB MAINT SPLYS	$800.53
FERNO WASHINGTON INC	111534	10/12/2023	FIRE	FIRE - FERNO - STAIR CHAIRS	$14,928.30
FISHER SYSTEMS INC	111657	10/19/2023	WSTWTR	PW-WWTP-SRV CALLS/ALARM CHANGES	$212.23
FOP LEWIS CLARK LODGE #10	111611	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$1,829.92
GALLS PARENT HOLDINGS LLC DBA GALLS LLC	111658	10/19/2023	FIRE	FIRE - GALLS - NEW EMPLOYEE UNIFORMS	$252.00
GATEWAY MATERIALS	111535	10/12/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	$93.36
GOVERNMENTJOBS.COM INC	111560	10/12/2023	INFOSYSTMS	NEOGOV ONBOARD, EFORMS, SSO	$25,501.00
GRAINGER	111536	10/12/2023	WATER	BPO PW WTP P/M/M SPLYS	$640.42
			WSTWTR	BPO PW WWTP P/M/M MAINT SUPPLIES	$209.68
	111660	10/19/2023	PARKSFAC	METAL PLATES FOR CC ELECTRICAL OUTLETS	$30.52
			WATER	PW-WTP-WALL MOUNT SLEEVES (2) COMM DR RES	$1,196.94
			WSTWTR	BPO PW WWTP P/M/M MAINT SUPPLIES	$878.98
GREGORY LAMB	111485	10/12/2023	RECREATION	UMPIRED 3 GAMES FOR COED LEAGUE POSTSEASON @30/GM	$90.00

H & H BUSINESS SYSTEMS	111537	10/12/2023	COMDEV	CD- COPIER MAINTENANCE	$334.86
HACH COMPANY	111661	10/19/2023	WSTWTR	BPO PW WWTP LAB SUPPLIES	$1,710.75
HENRY SCHEIN	111538	10/12/2023	FIRE	BPO - FIRE - HENRY SCHEIN EMS SUPPLIES	$24.84
	111662	10/19/2023	FIRE	BPO FIRE - HENRY SCHEIN - EMS SUPPLIES	$817.74
HOME DEPOT CREDIT SERVICES	111539	10/12/2023	PARKSFAC	BPO CONSTRUCTION SUPPLIES	$84.70
			POLICE	BPO PD OFFICE AND VEHICLE SUPPLIES	$188.25
			WSTWTR	BPO PW WWTP SUPPLIES	$26.94
	111612	10/19/2023	UNDEFINED	RECEIVED CREDIT BALANCE CHECK AFTER APPLIED TO INV	$315.33
HORIZON DISTRIBUTORS INC	111663	10/19/2023	PARKSFAC	EXMARK 30 MOWER REPAIR	$101.71
I A F F - LOCAL #1773	111613	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$3,025.00
IDAHO CHILD SUPPORT RECEIPTING	111614	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$730.24
IDAHO DEPT OF CORRECTION	111664	10/19/2023	CEMETERY	INMATE LABOR FOR CEMETERY AND UF FOR AUG & SEPT	$7,371.00
			PARKSFAC	INMATE LABOR FOR CEMETERY AND UF FOR AUG & SEPT	$819.00
IDAHO STATE TAX COMMISSION	111486	10/12/2023	LIBRARY	SEPT '23 SALES TAX	$73.38
			PARKSFAC	SEPT '23 SALES TAX	$144.88
			RECREATION	SEPT '23 SALES TAX	$147.40
			SANITATION	SEPT '23 SALES TAX	$1,928.78
	111615	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$33,978.00
				Payroll Run 9 - Warrant 1019M2	$4.00
	111616	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$431.39
IDAHO TRUCK SALES CO	111665	10/19/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & REPAIRS	$78.96
IMCO GENERAL CONSTRUCTION INC	111541	10/12/2023	WATER	WR701 HIGH RESERVOIR PHASE I	$131,540.00
INNOVATE! INC	111666	10/19/2023	TRNSPN	PW - GIS - WO001-GISSUPPORT2022	$2,766.18
INTERMOUNTAIN CLAIMS INC	111542	10/12/2023	INSTRUST	BPO- INTERMOUNTAIN INVOICE BOI328468	$1,316.00
	111667	10/19/2023	INSTRUST	INTERMOUNTAIN CLAIMS- REIMB	$12,325.79
INTERNATIONAL ASSOCIATION OF ARSON INVESTIGATORS	111540	10/12/2023	FIRE	FIRE - IAAI - ASSOCIATION DUES	$103.00
INTERNATIONAL CITY MANAGEMENT ASSOCIATION DBA MISSIONSQUARE RETIREMENT	1414	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$5,004.66
JAMES CONNOLLY CONSULTING LTD	111569	10/12/2023	CEMETERY	FERTILIZER	$3,995.25
			PARKSFAC	25 Bags of fertilizer	$570.75
JASON KUZIK	111626	10/19/2023	POLICE	MEALS: MONTANA/ID FBINAA 2023 FALL CONF: 10/29/23	$97.00
JEFF KLONE	111627	10/19/2023	POLICE	MEALS: MONTANA/ID FBINAA 2023 FALL CONF: 10/29/23	$97.00
JEREMIAH OATES	111487	10/12/2023	RECREATION	UMPIRED 3 GAMES FOR COED LEAGUE POSTSEASON @$30/GM	$90.00
				UMPIRED 3 GAMES FOR COED LEAGUE POSTSSN PRT1@30/GM	$90.00
JOE HALL FORD	111488	10/12/2023	INSTRUST	REPAIRS TO #135 PATROL SUV	$1,000.00
				REPAIRS TO #136 PATROL SUV	$1,000.00

JOHN J VANTREASE	111501	10/12/2023	RECREATION	UMPIRED 2 GAMES FOR COED LEAGUE POSTSEASON @$30/GM	$60.00
JOHN'S SAW SERVICE	111543	10/12/2023	PARKSFAC	BPO P&R SMALL ENGINE REPAIR	$11.49
	111668	10/19/2023	PARKSFAC	BPO-PK MAINT-SMALL ENGINE REPAIR AND SUPPLIES	$17.99
				repair parts for mowers, blowers, string trimmers	$162.74
JOHNSON ELECTRICAL CONTRACTING	111544	10/12/2023	TRNSPN	PW - ST ACCIDENT - BRYDEN CANYON LIGHTPOLE 7/3/23	$49,932.70
J-U-B ENGINEERS	111545	10/12/2023	WATER	WR060 COMMUNITY DR RESERVOIR (FKA SE RESERVOIR)	$27,687.76
			WSTWTR	WW501 WWCMA TO21 FY 23 GENERAL ONCALL SVCS	$6,236.60
	111669	10/19/2023	PARKSFAC	WORK NEEDED DONE FOR THE IRRIGATION COM PARK	$466.50
KELLER ASSOCIATES INC	111547	10/12/2023	TRNSPN	TR066 21ST ST;7TH -19TH FIBERSEAL (OA SERVICES)	$7,533.75
			WSTWTR	WW052 - WWTP WATERLINE EXT - DESIGN/BIDDING SRVS	$7,021.00
KENT D BRUCE COMPANY LLC	111546	10/12/2023	FIRE	FIRE - KDBCO - LIGHTBARS	$2,059.05
KLEEN SWEEP JANITORIAL	111548	10/12/2023	WATER	BPO PW DISTRIB MONTHLY SRV	$355.00
L N CURTIS & SONS	111549	10/12/2023	FIRE	FIRE - LN CURTIS - PPE REPAIR	$4,736.86
LACAL EQUIPMENT INC	111550	10/12/2023	FLTMAINT	REPL SPREADER CHAIN FOR #559 SANDER	$1,335.00
LARGENTS INC	111551	10/12/2023	WSTWTR	PW-WWC-APPLICANCE REPAIR; SHOP FRIDGE	$21.17
LATAH SANITATION INC	111514	10/12/2023	SANITATION	BPO - TS - FY23 MONTHLY YW DISPOSAL	$30,612.99
			WSTWTR	BPO PW WWTP BIOSOLIDS DISPOSAL	$12,661.06
LES SCHWAB TIRE CENTER	111553	10/12/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	$114.99
LEWIS CLARK ANIMAL SHELTER	111554	10/12/2023	POLICE	BPO PD SHELTER CONTRACT FEES	$5,412.83
LEWIS CLARK VALLEY CHAMBER OF COMMERCE	111552	10/12/2023	LEGISLATIV	FY24 MEMBERSHIP INVESTMENT RENEWAL	$1,223.00
LEWISTON-NEZ PERCE COUNTY AIRPORT AUTHORITY	111670	10/19/2023	GOLFCRS	GOLF COURSE LEASE FOR FY 2024	$33,996.29
			PARKSFAC	LEASE ON AIRPORT PARK FOR FY 2024	$49,190.21
LHTAC	111671	10/19/2023	TRNSPN	REG - THOMPSON - LHTAC ENVIRONMENTAL BMPS	$140.00
LOID	111672	10/19/2023	PARKSFAC	FY23 IRRIGATION ASSESSMENTS	$9,189.30
LUPER AUTOMOTIVE INC	111555	10/12/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	$238.95
MATHEW LANE	111489	10/12/2023	RECREATION	UMPIRED 3 GAMES FOR COED LEAGUE POSTSEASON @$30/GM	$90.00
MATTHEW KELLEY	111628	10/19/2023	TRNSPN	MEALS: MUTCD & TRAFFIC SIGN RETROREFLECT: 10/24/23	$59.00
MCMILLEN JACOBS ASSOCIATES	111556	10/12/2023	WATER	WR050 WTP INTAKE REBUILD	$40,885.24
MERRICK & COMPANY	111557	10/12/2023	ECONOMIC DEVELOPMENT	21.027 WR0600 ARPA DWNTNW MAIN REPLACEMENT-DESIGN	$46,751.13
			WATER	WR070 PALISADES & SOUTHPORT STUDY	$4,867.50
MINERT & ASSOCIATES	111558	10/12/2023	HR	BPO - HR - DRUG TESTING SERVICES	$880.00

MISC CUSTOMER REFUND	111490	10/12/2023	WATER	UB 0403012343 1312 18TH	$201.45
	111491	10/12/2023	RECREATION	KARATE CLASS SESSION 1 CANCELED: LACK OF PEOPLE	$65.00
	111492	10/12/2023	RECREATION	KARATE CLASS SESSION 1 CANCELED: LACK OF PEOPLE	$75.00
	111493	10/12/2023	RECREATION	REGISTRATION REFUND FOR ADULT FLAG FOOTBALL	$300.00
	111494	10/12/2023	RECREATION	REGISTRATION REFUND FOR ADULT FLAG FOOTBALL	$350.00
	111495	10/12/2023	POLICE	PRE-EMPLOYMENT POLYGRAPH FOR JENNIFER WAGNER	$225.00
	111496	10/12/2023	SANITATION	UB 2100254258 3515 16TH	$27.38
	111617	10/19/2023	WSTWTR	INSTALLED 4" SEWER BACKFLOW VALVE @ 927 PROSPECT	$1,900.00
	111618	10/19/2023	RECREATION	P1FCU PUMPKIN CARVING EVENT CANCELED (3 TICKETS)	$45.00
	111619	10/19/2023	RECREATION	KOKANEE ROOM WASN'T AVAILABLE DUE TO MAINTENANCE	$142.50
	111620	10/19/2023	RECREATION	NOT ENOUGH PARTICIPANTS FOR SENIOR ACTIVITIES TRIP	$80.00
	111621	10/19/2023	SANITATION	UB 2100140163 3309 11TH	$70.26
	111622	10/19/2023	RECREATION	P1FCU PUMPKIN CARVING EVENT CANCELED (2 TICKETS)	$30.00
	111623	10/19/2023	RECREATION	NOT ENOUGH PARTICIPANTS FOR SENIOR ACTIVITIES TRIP	$40.00
	111624	10/19/2023	WATER	UB 1301001406 1023 3RD	$122.30
MOTION AUTO SUPPLY	111673	10/19/2023	FLTMAINT	BPO/ REPAIR PARTS & SUPPLIES	$34.92
MP CLOUD TECHNOLOGIES	1409	10/12/2023	FIRE	FIRE - AMBULANCE BILLING SOFTWARE	$400.00
NAPA AUTO PARTS	111559	10/12/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	$119.00
			FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	$387.14
NATHAN MILLER	111629	10/19/2023	TRNSPN	MEALS: MUTCD & TRAFFIC SIGN RETROREFLECT: 10/24/23	$59.00
NATIONWIDE RETIREMENT	1412	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$12,762.91
NATIONWIDE-RESERVE	1416	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$1,787.36
NICHOLAS MASTERS	111497	10/12/2023	RECREATION	UMPIRED 3 GAMES FOR COED LEAGUE POSTSEASON @$30/GM	$90.00
NORCO INC	111561	10/12/2023	FIRE	BPO FIRE - NORCO - O2, EMS/SUPPRESSION SUPPLIES	$162.19
	111674	10/19/2023	FIRE	BPO FIRE - NORCO - O2, EMS/SUPPRESSION SUPPLIES	$113.95
NORTH 40 OUTFITTERS	111562	10/12/2023	PARKSFAC	BPO CONSTRUCTION, MAINTENANCE, IRRIGATION SUPPLIE	$49.91
				BPO SHOP SUPPLIES	$46.97
			WATER	BPO PW DISTRIB SPLYS	$118.27
			WSTWTR	BPO PW WW COLL SUPPLIES/TOOLS	$19.98
				BPO PW WWTP SUPPLIES	$248.05
				PW-WWTP-SAFETY BOOTS W GRAHAM	$175.00
	111675	10/19/2023	WATER	BPO PW DISTRIB SPLYS	$9.99
OD SPORTS ACQUISITION INC DBA PROMOUNDS LLC DBA ON DECK SPORTS	111566	10/12/2023	RECREATION	Two Outfield Fence Kits for 200ft & 300ft field	$5,852.95

ODP BUSINESS SOLUTIONS LLC	111564	10/12/2023	LIBRARY	LIB - BPO - COPY PAPER	$120.72
	111676	10/19/2023	PARKSFAC	OFFICE SUPPLIES ORDERED IN SEPTEMBER BACKORDERED	$11.84
			POLICE	BPO PD OFFICE SUPPLIES	$192.71
			TRNSPN	BPO - PW OFFICE - OPERATING SUPPLIES	$28.34
OHIO LUMEX CO INC	111498	10/12/2023	FIRE	FIRE - OHIO LUMEX - AIR SPECTROMETER CALIBRATION	$1,390.00
OMEGA RAIL MANAGEMENT INC	111565	10/12/2023	WATER	BPO PW WTP RAILROAD LEASE AGREEMENTS	$1,162.66
O'REILLY AUTO PARTS	111563	10/12/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS	$153.00
OVERDRIVE INC	111677	10/19/2023	LIBRARY	LIB - BPO - JUVENILE OVERDRIVE	$1,074.51
OXARC	111567	10/12/2023	FIRE	BPO - FIRE - OXARC	$19.80
			FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	$90.40
			WATER	BPO PW DISTRIB SPLYS	$24.60
				PW-WTR-ACH TOTE	$3,132.25
PACWEST MACHINERY LLC	111678	10/19/2023	FLTMAINT	REPL PICK UP TUBE FOR #467 SWEEPER	$891.95
PAPE MACHINERY INC	111568	10/12/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS	$154.14
			INSTRUST	REPL ROOF FOR #834 MOWER	$3,563.45
	111679	10/19/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS	$32.03
PATRICK & COMPANY	111680	10/19/2023	POLICE	PD 500 ANNUAL AND 500 LIFETIME DOG TAGS	$700.00
PERSI	1413	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$303,285.26
PRECISION SIGNS	111570	10/12/2023	FLTMAINT	BLUE FLAG THEMED DECALS FOR #174 & 175 PATROL SUVS	$1,160.00
				GREY DECALS THEME FOR SLICKTOP #173 PATROL SUV	$300.00
PROQUEST	111571	10/12/2023	LIBRARY	LIB - FOLD3 RENEWAL	$1,718.47
RELIANCE STANDARD LIFE INSURANCE COMPANY	111630	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$98.38
RICOH USA INC	111573	10/12/2023	EXECUTIVE	BPO - EXEC - FY23 RICOH MAINT/COST PER COPY	$247.64
			FIRE	BPO - FIRE - RICOH COPIER, HQ METER IMC4500	$134.72
			PARKSFAC	BPO P&R B&W AND COLORED COPIES	$294.46
			POLICE	BPO - PD - COPY FEES	$36.20
			TRANSITOP	BPO - TRANSIT - COPIER (COPIES)	$55.25
			WATER	PW-WTR COPY FEES 7/1-9/30	$91.64
			WSTWTR	PW-WW COPY FEES 7/1-9/30	$95.73
	111682	10/19/2023	FIRE	BPO FIRE - RICOH - HQ COPIER	$193.87
				BPO FIRE - RICOH - STATIONS/METER	$129.12
			LEGAL	BPO-LEGAL-RICOH MONTHLY COPIER RENTAL FY24	$134.77
			LIBRARY	BPO - LIB - LEASE FEES	$462.06
			PARKSFAC	BPO P&R COPIER CONTRACT	$167.73
			POLICE	BPO PD COPIER RENTAL	$199.87
			WSTWTR	PW-WWCOLL-RICOH IM C4500 LEASE PAYMENT	$158.18
	111683	10/19/2023	LIBRARY	BPO-LIB- MONTHLY COPY FEES	$145.62
RUSH TRUCK CENTERS OF	111684	10/19/2023	FLTMAINT	REPL FUEL TANK #310 DUMP TRUCK	$2,543.48

IDAHO				REPL HIGH PRESSURE OIL PUMP #460 MRAP- CREDIT MEMO	($146.30)
SHAUN B ANDRES	111499	10/12/2023	RECREATION	UMPIRED 5 GAMES FOR COED LEAGUE POSTSEASON @30/GM	$150.00
SITEONE LANDSCAPE SUPPLY LLC	111575	10/12/2023	PARKSFAC	BPO PARK MAINT-IRRIGATION AND TURF SUPPLIES	$95.19
SPLASH CARWASH & DETAILING	111576	10/12/2023	FLTMAINT	BPO - FLEET - CAR WASHES FOR FLEET	$33.00
ST JOSEPH HOSPITAL LLC	111685	10/19/2023	HR	CPR AND FIRST AID TRAINING FOR GENE HARRINGTON AND	$40.00
			PARKSFAC	SJRMC - FIRST AID CARDS	$100.00
			TRANSITOP	SJRMC - FIRST AID CARDS	$220.00
			TRNSPN	SJRMC - FIRST AID CARDS	$40.00
			WSTWTR	SJRMC - FIRST AID CARDS	$60.00
STERLING BATTERY COMPANY	111686	10/19/2023	FLTMAINT	BPO - FLEET VEHICLE BATTERIES	$154.19
SUNSHINE DISPOSAL	111577	10/12/2023	SANITATION	BPO - TS - FY23 CARDBOARD	$96.00
	111687	10/19/2023	SANITATION	BPO - PW - FY24 ANNUAL CURBSIDE COLLECTION	$267,344.24
				BPO - PW - FY24 EXTRA YW & RECY CURBSIDE CARTS	$1,664.76
TAMMI L SMITH DBA THE COUNTRY STITCH	111650	10/19/2023	FIRE	BPO FIRE - COUNTRY STITCH - NEW EMPLOYEE UNI ALT	$28.13
				FIRE - COUNTRY STITCH - SEWING	$14.07
TELEFLEX LLC	111689	10/19/2023	FIRE	FIRE - TELEFLEX - EZIO DRIVER	$610.50
TELUS COMMUNICATIONS INC	111578	10/12/2023	TRNSPN	PW - ST - GPS FOR VEHICLES; ONE-TIME INSTALLATION	$9,675.50
TERRITORIAL SUPPLIES INC	111579	10/12/2023	FLTMAINT	OPTICOM FOR #173 PATROL SUV	$312.15
TERRY COLEGROVE	111518	10/12/2023	INFOSYSTMS	IT - LAND LEASE FOR TOWER	$3,260.00
			PARKSFAC	IT - LAND LEASE FOR TOWER	$1,900.00
THE HOME DEPOT PRO	111688	10/19/2023	PARKSFAC	GARBAGE BAGS, PAPER TOWEL'S, CUSTODIAL SUPPLIES	$699.13
THE UPS STORE	111584	10/12/2023	POLICE	BPO - PD - MAIL SERVICE	$181.43
TRAPEZE SOFTWARE GROUP INC	111574	10/12/2023	TRANSITOP	BPO - TRANSIT -DISPATCHING SOFTWARE (FIXED & PARA)	$30,140.73
TRIBUNE PUBLISHING CO	111580	10/12/2023	COMDEV	BPO - CD - P&ZC PUBLISHED NOTICES FOR PUBLIC HEA	$73.96
			EXECUTIVE	BPO - EXEC - PUBLISHING COSTS	$91.12
	111691	10/19/2023	TRNSPN	PW - STMW - PE&O: FLYER, ADS, BILLBOARDS, STICKY	$994.40
	111692	10/19/2023	LIBRARY	LIB - DAILY NEWS RENEWAL	$329.34
				LIB - LEWISTON TRIBUNE SUBSCRIPTION	$346.97
TRI-STATE MEMORIAL HOSPITAL	111690	10/19/2023	POLICE	PD - PRE EMPLOYMENT PHYSICALS PRINCE AND HOWARD	$120.00
TYLER TECHNOLGIES INC	111582	10/12/2023	FINANCE	2021 PRINTING REFUND (EMAIL CUSTOMERS REC PRINTED)	($983.00)
			INFOSYSTMS	TYLER TECH ANNUAL MAINTENANCE	$112,978.60
				TYLER TECH ANNUAL MAINTENANCE-CREDIT MEMO	($5,919.26)
UNIFORMS2GEAR INC	111583	10/12/2023	POLICE	BPO PD UNIFORMS/INVESTIGATIONS	$76.90
				BPO PD UNIFORMS/NEW HIRE	$718.49
				BPO PD UNIFORMS/PATROL	$133.05
				BPO PD UNIFORMS/SUPPORT SERVICES	$339.58

UNITED HEALTHCARE	111631	10/19/2023	ADMSVC	OVERPAYMENT ON AMBULANCE ACCOUNT	$436.81
URM STORES INC	111585	10/12/2023	RECREATION	BPO P&R SENIOR NUTRITION FOODS	$104.74
				BPO- SEN NUTRITION-FOOD AND CLEANING SUPPLIES	$68.46
	111693	10/19/2023	RECREATION	BPO- SEN NUTRITION-FOOD AND CLEANING SUPPLIES	$362.01
US FOODS - SPOKANE	111586	10/12/2023	RECREATION	BPO FOOD SUPPLIES FOR SENIOR NUTRITION LUNCHES	$1,958.32
W.M. SMITH & ASSOCIATES INC	111696	10/19/2023	PARKSFAC	ORCHARDS POOL LADDERS	$5,940.08
WASHINGTON STATE SUPPORT REGISTRY	111632	10/19/2023	ADMSVC	Payroll Run 1 - Warrant 101923	$358.86
WEBER ENTERPRISES LLC DBA GARLINGHOUSE MEMORIALS	111659	10/19/2023	PARKSFAC	BPO P&R LEGACY TREE PROGRAM MARKERS	$200.00
WESTERN EQUIPMENT	111581	10/12/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS	$358.88
WESTERN RECYCLERS INC	111588	10/12/2023	FIRE	BPO - FIRE - WESTERN RECYCLERS	$17.00
WEX BANK	111590	10/12/2023	POLICE	BPO - PD - FUEL/UNMARKED	$255.74
WITMER PUBLIC SAFETY GROUP INC	111589	10/12/2023	FIRE	FIRE - FIRESTORE - WILDLAND SHIRTS	$3,095.30
	111694	10/19/2023	FIRE	FIRE - FIRESTORE - WILDLAND SHIRTS	$357.15
	111695	10/19/2023	FIRE	FIRE - FIRE STORE - VEST HANGERS	$254.04
Total					$2,710,783.27

Voucher's Payable

Vendor Name	Ck#	Ck Date	Department	Description	Total
A CHILD IS MISSING INC	111749	11/2/2023	POLICE	PD A CHILD IS MISSING ALERT RENEWAL FEES	$500.00
AG-PRO	111752	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS	$368.80
ALWAYS TOWING LLC	111753	11/2/2023	FLTMAINT	BPO- FLEET TOWING SERVICES	$250.00
			POLICE	BPO PD TOW SERVICE	$200.00
AMAZON CAPITAL SERVICES	111754	11/2/2023	FIRE	*RETURN* FIRE - AMAZON - OFFICE SUPPLIES	($4.29)
				FIRE - AMAZON - MICROPHONE	$297.99
				FIRE - AMAZON - POWER CORDS	$454.27
				FIRE - AMAZON - SENSOR REPLACEMENT	($292.50)
				FIRE - AMAZON - SUPPLIES	$188.61
				FIRE - AMAZON - TACTICAL SUPPLIES	$343.26
			FLTMAINT	BPO/ FLEET REPAIR PARTS & OFFICE SUPPLIES	$255.00
			FLTMAINT	BPO/ FLEET REPAIR PARTS & OFFICE SUPPLIES	$263.19
			HR	HOLIDAY PARTY SUPPLIES - BAGS, TISSUE PAPER	$52.26
			INFOSYSTMS	SYSLOG SERVER	$2,957.02
			LIBRARY	2023 BPO - LIB - JUVENILE DVD ORDERS *RETURN*	($20.99)
				BPO - LIB - JUVENILE DVD ORDERS	$68.73
				BPO - LIB - OPERATING SUPPLIES	$99.98
			POLICE	BPO PD OFFICE AND TECHNOLOGY ITEMS	$97.97
			RECREATION	LARGE MESH ATHLETIC BALL BAGS/ BALL CART VOLLEYBA	$284.89
			TRANSITOP	2023 BPO - TRANSIT - OPERATING SUPPLIES *RETURN*	($55.41)
				BPO: TRANSIT OPERATING SUPPLIES	$88.62
			TRNSPN	BPO - ENG:DEV - FILING SUPPLIES	$17.11
				PW - ST - EFF. PHRASES FOR PERF APPRAISALS	$27.72
AMERICAN WATER WORKS ASSOC	111755	11/2/2023	WATER	PW-WTR-AWWA MEMBERSHIP DUES - B LACY	$412.00
ANATEK LABS INC	111756	11/2/2023	WATER	BPO PW WTP/TOC/COLIFORM SAMPLING ANALYSIS	$475.00
				PW-WTP-LEAD & COPPER SAMPLING (60)	$1,924.00
			WSTWTR	BPO PW WWTP LAB SAMPLE ANALYSIS	$2,677.00
ANNA L SANDERS DBA LAROCHE TOOLS	111823	11/2/2023	FLTMAINT	BPO/ FLEET TOOLS & SUPPLIES	$95.99
APPLIED INDUSTRIAL	111757	11/2/2023	PARKSFAC	HVAC belts for ALL BUILDINGS winter MAINTENANCE	$257.52
AQUATIC INFORMATICS INC	111758	11/2/2023	WATER	BPO PW WTR CROSS CONNECTION PROGRAM	$101.00
ARROW CONSTRUCTION SUPPLY INC	111759	11/2/2023	TRNSPN	TR068 5TH & BRYDEN - CRAFCO MASTIC	$4,014.00

Voucher's Payable

ARTBEAT INC	111760	11/2/2023	RECREATION	SHIRTS FOR 2023 COED SOFTBALL PROGRAM	$1,193.00
ASSOCIATION OF IDAHO CITIES	111697	10/26/2023	LEGISLATIV	ASSOCIATION OF IDAHO CITIES FY24 MEMBERSHIP DUES	$13,958.40
			WATER	PW-FED WATER QUALITY COALITION MEMBERSHIP 2024	$345.00
			WSTWTR	PW-FED WATER QUALITY COALITION MEMBERSHIP 2024	$345.00
	111698	10/26/2023	COMDEV	CD-J. PLASKON-AIC FALL DISTRICT MEETING IN MOSCOW	$50.00
ATLAS COPCO COMPRESSORS LLC	111761	11/2/2023	WSTWTR	PW-WWTP-COMPRESSOR REPAIR PARTS	$1,707.71
AWOG SYSTEMS LLC DBA AWOGS	111699	10/26/2023	FIRE	FIRE - AWOGS - SCBA STICKERS	$77.00
B&H FOTO & ELECTRONICS CORP	111762	11/2/2023	INFOSYSTMS	PTZ SECURITY CAMERA	$1,786.76
				SERVER HARD DRIVES	$8,357.86
				USB TO HDMI ADAPTER	$475.08
BEAUTIFUL DOWNTOWN LEWISTON	111700	10/26/2023	SPECASSMT	BID ASSESSMENT COLLECTIONS WEEK ENDING 10/21/23	$599.92
	111721	11/2/2023	SPECASSMT	BID ASSESSMENT COLLECTIONS WEEK ENDING 10/28/23	$387.10
BENEVATE INC DBA NEIGHBORLY SOFTWARE	111709	10/26/2023	ECONDEV	CD-CDBG-NEIGHBORLY SOFTWARE 2023 RENEWAL	$7,200.00
BLUE RIBBON LINEN SUPPLY INC	111763	11/2/2023	PARKSFAC	floor cleaner, disinfectant, glass cleaner, hand	$283.72
BOB'S GARAGE DOORS LLC	111764	11/2/2023	PARKSFAC	BPO GARAGE DOOR REPAIRS	$140.00
				SERVICE CENTER GARAGE DOOR SAFETY EDGE REPLACEMEN	$435.00
BRADY COMPANIES LLC DBA BRADY INDUSTRIES OF IDAHO LLC	111765	11/2/2023	PARKSFAC	CUSTODIAL SUPPLIES, SCRUB PADS AND URINAL SCREENS	$547.82
BRANOM OPERATING COMPANY LLC	111766	11/2/2023	WSTWTR	PW-WWTP-ANNUAL CALIBRATION; MAG(8) ULTRASONIC(3)	$3,814.50
BRETTON S WATSON DBA ABLE LOCKSMITH	111750	11/2/2023	PARKSFAC	REPAIR SUNSET MAINT RM LOCK	$90.00
			TRNSPN	PW-ENG-KEY CODE LOCK FOR SURVEY ROOM	$300.00
BRIAN E WARD DBA GUMBY ENTERPRISES INC	111849	11/2/2023	FLTMAINT	BPO - FLEET TOOLS & SUPPLIES	$117.50
BROWN & BROWN OF WASHINGTON INC DBA DIMARTINO ASSOCIATES	111723	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$2,409.29
CAMP CABIN & HOME INC	111767	11/2/2023	TRNSPN	BPO - ST - PROPANE	$43.05
CASSIE FRARY DBA SNAKE RIVER FOUR PAWS, LLC	111848	11/2/2023	POLICE	BPO PD BOARDING FEES FOR K9 ZIVA	$178.50
CELLEBRITE USA CORP	111768	11/2/2023	POLICE	PD CELL PHONE FORENSIC SOFTWARE ANNUAL MAINTENANCE	$6,450.00
CENTRAL ORCHARDS SEWER DISTRICT	111778	11/2/2023	PARKSFAC	10/31/23 BILL DATE: UTILITY CHARGES	$251.28
CENTURYLINK	111769	11/2/2023	INFOSYSTMS	10/16/23 BILL DATE: UTILITY CHARGES	$50.48

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CHS INC DBA PRIMELAND	111770	11/2/2023	WSTWTR	BPO PW WWTP OIL FOR W SECONDARY	$322.91
CINTAS CORPORATION #606	111701	10/26/2023	FLTMAINT	BPO/ FLEET UNIFORM RENT & LAUNDRY	$189.03
			PARKSFAC	BPO PARKS UNIFORM LAUNDERED/CLEANING SUPPLIES	$49.83
	111771	11/2/2023	FLTMAINT	BPO/ FLEET UNIFORM RENT & LAUNDRY	$76.23
			PARKSFAC	BPO PARKS UNIFORM LAUNDERED/CLEANING SUPPLIES	$49.83
CITY OF LEWISTON EMPLOYEE BENEFIT-CAFETERIA PLAN	111722	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$8,290.36
CLEARWATER HYDRAULICS LLC	111773	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	$641.10
COEUR D'ALENE TRACTOR CO	111751	11/2/2023	WSTWTR	PW-WWTP-LAWN MOWER AND ATTACHMENTS FOR WW PLANT	$24,341.53
COLEMAN OIL COMPANY LLC DBA COLEMAN OIL COMPANY	111774	11/2/2023	COMDEV	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$106.08
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$187.64
			FIRE	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$1,375.54
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$1,507.40
				CP-0050975- 10/31/2023 BILL DATE: FUEL CHARGES	$629.36
			FLTMAINT	BPO/ FLEET/ LUBE PRODUCTS & CAR WASHES	$251.52
			FLTMAINT	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$70.58
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$94.63
			PARKSFAC	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$1,437.33
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$1,081.25
				CP-0050975- 10/31/2023 BILL DATE: FUEL CHARGES	$671.09
			POLICE	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$1,757.99
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$1,942.54
				CP-0050975- 10/31/2023 BILL DATE: FUEL CHARGES	$435.03
			RECREATION	CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$98.01
			SANITATION	BPO - TS - FY24 FUEL FOR SDI HAUL	$1,421.93
				CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$159.08
			TRANSITOP	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$1,479.17
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$1,262.60

				CP-0050975- 10/31/2023 BILL DATE: FUEL CHARGES	$442.35
			TRNSPN	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$1,122.41
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$1,190.62
				CP-0050975- 10/31/2023 BILL DATE: FUEL CHARGES	$556.14
			WATER	BPO PW WTP OIL FOR PUMPS	$800.29
				CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$581.19
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$364.35
				CP-0050975- 10/31/2023 BILL DATE: FUEL CHARGES	$122.64
			WSTWTR	CP-0041847- 10/22/2023 BILL DATE: FUEL CHARGES	$440.09
				CP-0042870- 10/29/2023 BILL DATE: FUEL CHARGES	$723.67
				CP-0050975- 10/31/2023 BILL DATE: FUEL CHARGES	$259.22
COMMERCIAL TIRE INC	111775	11/2/2023	FLTMAINT	INV/ POLICE VEHICLE TIRES	$5,389.61
			FLTMAINT	OSL/ REPLACE ALL 6 TIRES ON #714 BUS	$658.50
				REPL STEER TIRES ON #466 SWEEPER	$875.50
				REPL TIRES FOR 708/709 TRANSIT BUSES	$1,023.26
CONSOLIDATED ELECTRICAL DISTRIBUTORS	111776	11/2/2023	PARKSFAC	Conference room lamps and switches. LED	$154.27
				BPO ELECTRICAL SUPPLIE	$82.46
			PROPIMPR	28 LIGHT FIXTURES FOR COMMUNITY CENTER	$1,060.40
			WATER	BPO PW WATER DISTRIB SUPPLIES	$126.94
				BPO PW WTP P/M/M MAINT SPLYS	$69.87
			WSTWTR	BPO PW WWTP P/M/M MAINT SUPPLIES	$290.38
CONTROL SYSTEM TECHNOLOGY INC	111777	11/2/2023	WATER	PW-WTP-INSTALL ALARM HORNS FOR VARIOUS LOCATIONS	$8,100.00
				PW-WTP-SW RESERVOIR TOUCH PANEL/TRANSDUCER	$3,765.00
				WR043 PLC SPARE PARTS; REISSUE OF 22300277	$1,817.00
				WR060 COMM DR RES - PROGRAM FILL VALVE	$1,750.00
CUES INC	111779	11/2/2023	WSTWTR	BPO TV TRUCK SUPPLIES/REPAIRS	$691.10
D & D MCLAUGHLIN LLC	111780	11/2/2023	STMWTR	PW - STMW - CONCRETE; POWERS AVE & 22ND STREET	$330.00
			WATER	BPO PW DISTRIB CONCRETE	$300.00
EDNETICS INC	111781	11/2/2023	LIBRARY	LIB - MANAGED INTERNAL BROADBAND	$8,400.00
EFTPS	1424	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$168,501.75
ELM USA INC	111782	11/2/2023	LIBRARY	LIB - DISC REPAIR SUPPLIES	$144.95

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ERB'S ACE HARDWARE LLC	111784	11/2/2023	WATER	BPO PW DISTRIB SPLYS	$12.55
				BPO PW WTP SUPPLIES	$33.97
			WSTWTR	BPO PW WW COLL SUPPLIES	$37.36
				BPO PW WWTP SUPPLIES	$10.40
FASTENAL COMPANY	111785	11/2/2023	PARKSFAC	BPO SUPPLIES VENDING MACHINE AND SAFETY SUPPLIES	$172.57
FEDEX	111786	11/2/2023	TRNSPN	BPO - ST/TR - SHIPPING SERVICES	$212.76
			WSTWTR	BPO PW WW COLL SHIPPING FEES	$151.13
FERGUSON ENTERPRISES #3011	111787	11/2/2023	WATER	BPO PW DISTRIB MAINT SPLYS	$98.63
FISHER SYSTEMS INC	111788	11/2/2023	POLICE	BPO PD EVIDENCE ALARM SYSTEM MAINTENANCE FEES	$52.00
			SANITATION	PW - TS - SEMI-ANNUAL FIRE ALARM INSPECTIONS	$1,277.30
			WATER	BPO - PW WTP SERVICE CALLS FOR ALARMS	$375.00
			WSTWTR	PW-WWTP-SRV CALLS/ALARM CHANGES	$394.93
FOP LEWIS CLARK LODGE #10	111724	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$1,792.42
GATEWAY MATERIALS	111789	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	$207.70
			TRNSPN	BPO - ST - OPERATING SUPPLIES	$116.60
GOCODES	111790	11/2/2023	FIRE	FIRE - GOCODES - INVENTORY SOFTWARE	$153.29
GOLDENWEST MOBILITY	111791	11/2/2023	TRANSITOP	TRANSIT WHEELCHAIR LIFT REPAIR 711	$560.48
GRAINGER	111792	11/2/2023	WATER	BPO PW WTP P/M/M SPLYS	$162.24
				PW-WTR-CONFINED SPACE EQUIPMENT; BACKUP EQUIP	$1,114.62
				PW-WTR-TRUCK BOXES #194; SECURE TOOL LOCATION	$1,272.34
				WR043 PW-WTP-FLOW & FLOAT SWITCHES FOR SCADACORE	$687.45
GREG RIGHTMIER	111741	11/2/2023	FIRE	UBER REIMBURSEMENT: GREG PAID 2 UBERS	$141.44
HACH COMPANY	111793	11/2/2023	WATER	WR043 PW-WTP-SURFACE SCATTER 7; SC4500 CONTROLLER	$10,029.59
HAHN RENTAL CENTER	111794	11/2/2023	PARKSFAC	3/4 MNPT COUPLER/ UNIVERSAL	$20.82
HAHN SUPPLY	111795	11/2/2023	PARKSFAC	BPO HVAC TOOLS	$93.09
				BPO TOOLS, NUTS, BOLTS, BUG SPRAY	$19.48
				GF2034 1/3 HP 115/V 1725 RPM MTR	$187.43
			WATER	BPO PW WATER DISTRIB SPLYS	$836.52
				BPO PW WTP P/M/M MAINT SPLYS	$163.32
HERCO INC DBA HERCO ASPHALT & PAVING	111796	11/2/2023	TRNSPN	WR700-HIGH RESRV FAILURE-PREP AND PAVE	$29,155.00
HOME DEPOT CREDIT SERVICES	111797	11/2/2023	COMDEV	CD-SUPPLIES FOR CONVERSION OF OPEN OFFICE TO CLOS	$43.44
			FIRE	BPO FIRE - HOME DEPOT - STATION SUPPLIES	$82.21
				STATION SUPPLIES	$0.00

			PARKSFAC	25 blocks FOR the wall at Sunset pickleball court	$132.00
				BPO CONSTRUCTION SUPPLIES	$33.24
				CEILING TILES FOR COMMUNITY CENTER KOKANEE ROOM	$1,780.08
				LUMBER AND FASTERS TO DECK VEHICLE 225	$147.95
			TRNSPN	PW-ENG-SHELVING FOR SURVEY EQUIP ROOM	$249.00
			WATER	BPO - WTP - OPERATING SUPPLIES	$123.23
			WSTWTR	PW-WWTP-BPO OPERATING SUPPLIES	$125.63
HRA VEBA TRUST	111725	11/2/2023	POLICE	VEBA - MASSEY	$1,641.54
			TRANSITOP	VEBA - ANDERSON	$343.12
I A F F - LOCAL #1773	111726	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$3,350.00
IAFF LOCAL 1773 PAC	111727	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$465.00
IDAHO CHILD SUPPORT RECEIPTING	111728	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$730.24
IDAHO DEPT OF HEALTH & WELFARE	111798	11/2/2023	FIRE	FIRE - IDAHO EMS RECERTIFICATION	$25.00
IDAHO DEPT OF LABOR ATTN: CASHIER	111799	11/2/2023	INSTRUST	BPO - FY 2024 UNEMPLOYMENT	$5,343.36
IDAHO ICE	111800	11/2/2023	LEGAL	BPO-LEGAL-WATER FOR CITY ATTORNEY'S OFFICE- FY24	$34.98
			SANITATION	BPO - TS - IDAHO ICE	$25.44
IDAHO RURAL WATER ASSOCIATION	111702	10/26/2023	WATER	TRAINING-IRWA CLASS; 11/7/23; LACY, TEED & HASENO	$360.00
IDAHO STATE POLICE	111801	11/2/2023	POLICE	PD ILETS USER FEES OCT-DEC 2023	$13,543.75
IDAHO STATE TAX COMMISSION	111729	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$30,159.00
	111730	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$436.93
IDAHO TRUCK SALES CO	111802	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & REPAIRS	$47.51
IMCO GENERAL CONSTRUCTION INC	111803	11/2/2023	WATER	WR051 WTP RETROFIT	$903,140.42
INGRAM LIBRARY SERVICES	111804	11/2/2023	LIBRARY	BPO - LIB - 1ST FLOOR NONFICTION	$877.54
				BPO - LIB - 2ND FLOOR NONFICTION	$361.31
				BPO - LIB - AUDIOBOOKS	$115.81
				BPO - LIB - JUVENILE FICTION	$901.89
				BPO - LIB - JUVENILE NONFICTION	$392.82
				BPO - LIB - LARGE PRINT	$620.15
				BPO - LIB - TEEN FICTION	$19.47
				BPO - LIB - TEEN NONFICTION	$19.80
INLAND FASTENER INC	111805	11/2/2023	FLTMAINT	BPO - FLEET REPAIR PARTS & SUPPLIES	$18.64
			WATER	BPO PW DISTRIB SPLYS	$28.00
INTERMOUNTAIN CLAIMS INC	111806	11/2/2023	INSTRUST	INTERMOUNTAIN CLAIMS- REIMB	$10,983.79

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INTERNATIONAL CITY MANAGEMENT ASSOCIATION DBA MISSIONSQUARE RETIREMENT	1423	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$4,781.02
JAMES CONNOLLY CONSULTING LTD	111839	11/2/2023	CEMETERY	1 GAL ARMORTECH TRIONE	$450.00
JGB YOGA	111807	11/2/2023	LIBRARY	LIB - BPO - YOGA INSTRUCTOR FEES	$300.00
JOHN'S SAW SERVICE	111808	11/2/2023	CEMETERY	STRING TRIMMER HEADS; CYCLE OIL, BAR OIL	$196.34
			PARKSFAC	BPO-PK MAINT-SMALL ENGINE REPAIR AND SUPPLIES	$165.31
KASSANDRA MCLAUGHLIN	111742	11/2/2023	POLICE	MEALS: ON-TARGET SOLUTIONS FOR LE EXECS: 11/14/23	$45.00
KELLER ASSOCIATES INC	111810	11/2/2023	CAPITAL PROJECTS	TR064 17TH ST SIDEWALK INFILL; CONSULTANT SRVS	$1,117.14
KENT D BRUCE COMPANY LLC	111809	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS	$126.02
			POLICE	PD 3 RIFLE LOCKS FOR SRO VEHICLES	$910.29
KING'S THRONES & PUMPING SERVICE LLC	111811	11/2/2023	CEMETERY	BPO PORTABLE TOILETS IN CITY PARKS	$83.00
			PARKSFAC	BPO PORTABLE TOILETS IN CITY PARKS	$1,223.00
			WATER	BPO PW DISTRIB PORTAPOT MONTHLY SRV	$45.00
KITTCOM	111812	11/2/2023	POLICE	PD QUARTERLY HEALTH CHECK FOR SPILLMAN	$350.00
L N CURTIS & SONS	111813	11/2/2023	FIRE	BPO FIRE - LN CURTIS - BAC & E-TOOL SVC/AIR SMPLS	$3,156.70
LATAH SANITATION INC	111772	11/2/2023	SANITATION	FINAL FY23 PAYMENT - YARD WASTE COMPOSTING SRVCS	$19,416.32
LAW ENFORCEMENT RISK MANAGEMENT GROUP DBA LEGAL AND LIABILITY RISK MANAGEMENT INSTITUTE	111814	11/2/2023	POLICE	REGISTRATION-NATIONAL INTERNAL AFFAIRS-LAS VEGAS	$1,100.00
LEGACY PAVING AND CONSTRUCTION LLC	111703	10/26/2023	WATER	BPO PW W DISTRIB EMERGENCY PATCHES	$700.00
	111816	11/2/2023	WATER	BPO PW W DISTRIB EMERGENCY PATCHES	$600.00
LES SCHWAB TIRE CENTER	111817	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	$276.52
LEWIS CLARK ANIMAL SHELTER	111818	11/2/2023	POLICE	BPO PD SHELTER CONTRACT FEES	$5,412.83
LEWIS CLARK VALLEY METROPOLITAN PLANNING ORG	111815	11/2/2023	TRNSPN	TR021 TRANS MISC - LCVMPO ANNUAL MATCH FOR FY24	$8,159.56
LEWISTON CIVIC THEATER INC	111819	11/2/2023	LEGISLATIV	LEWISTON CIVIC THEATER FY24 SERVICE AGREEMENT	$30,000.00
LEWISTON-NEZ PERCE COUNTY AIRPORT AUTHORITY	111820	11/2/2023	PARKSFAC	REAL PROPERTY PAYMENT FOR STATION 4	$7,518.61
LOID	111821	11/2/2023	PARKSFAC	10/13/23 BILL DATE: UTILITY CHARGES	$4,552.87

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MIKE'S MECHANICAL SERVICES LLC	111824	11/2/2023	WATER	PW-WTR-HVAC SERVICES; S.HIGH BOOSTER/S.PORT BOOST	$672.11
MISC CUSTOMER REFUND	111704	10/26/2023	RECREATION	REFUND FOR FENTON GYM RENTAL: 10/31/23	$60.00
	111705	10/26/2023	UNDEFINED	REFUND FOR PUBLIC RECORDS REQ 23-1369 FEES	$90.74
	111706	10/26/2023	COMDEV	REFUND: PERMITTING SOFTWARE ERROR (INCORRECT FEE)	$286.37
	111707	10/26/2023	RECREATION	SENIOR TRIP REFUND (X2): INCLUDES JOAN GUTZWILLER	$80.00
	111731	11/2/2023	SANITATION	UB 1900204935 1526 CEDAR	$15.26
	111732	11/2/2023	UNDEFINED	UB 2100036366 3120 6TH	$70.26
	111733	11/2/2023	SANITATION	UB 3000001337 812 29TH	$14.55
	111734	11/2/2023	WATER	UB 0101003514 3600 MAIN	$211.24
	111735	11/2/2023	UNDEFINED	REFUND FOR FEES RELATED TO PUB RECORDS REQ 23-1375	$10.59
	111736	11/2/2023	POLICE	REIMBURSEMENT FOR LPD IMPOUND # 21-L19194	$806.49
	111737	11/2/2023	UNDEFINED	UB 2000905607 714 VISTA	$75.72
	111738	11/2/2023	RECREATION	CANCELLED: P1FCU FALL FESTIVAL PUMPKIN CARVING X4	$60.00
	111739	11/2/2023	WATER	UB 1002004294 312 14TH	$94.80
	111740	11/2/2023	RECREATION	DECIDED AGAINST KITCHEN USE/ONLY 1 ALCOHOL PERMIT	$95.00
MOTION INDUSTRIES INC	111825	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	$293.32
MOTOROLA SOLUTIONS INC	111826	11/2/2023	POLICE	PD RADIO ENCRYPTION AND EQUIPMENT	$22,163.28
NAPA AUTO PARTS	111827	11/2/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	$964.39
			FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	$639.72
			WATER	BPO PW WTP SPLYS	$6.42
			WSTWTR	BPO PW WWTP SUPPLIES	$273.38
NATE SMITH	111708	10/26/2023	WSTWTR	MEALS: TOUR CENTRISYS FACTORY: 11/05/23	$136.00
NATIONWIDE RETIREMENT	1421	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$7,957.43
NATIONWIDE-RESERVE	1425	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$1,928.54
NCPERS GROUP LIFE INS	111743	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$1,440.00
NEZ PERCE COUNTY ASSESSOR	111710	10/26/2023	FLTMAINT	VEHICLE LICENSING / REGISTRATION	$225.70
NEZ PERCE COUNTY HISTORICAL SOCIETY	111711	10/26/2023	COMDEV	BPO-CD- PARKING CITY VEHICLE AT MUSEUM	$187.50
NEZ PERCE COUNTY SHERIFF	111744	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$295.50
NICHE ACADEMY LLC	111828	11/2/2023	LIBRARY	LIB - NICHE ACADEMY RENEWAL	$2,100.00
NORCO INC	111829	11/2/2023	FIRE	BPO FIRE - NORCO - O2, EMS/SUPPRESSION SUPPLIES	$178.27
			TRNSPN	BPO - ST - OPERATING SUPPLIES	$64.22
NORTH 40 OUTFITTERS	111830	11/2/2023	PARKSFAC	BPO CONSTRUCTION, MAINTENANCE, IRRIGATION SUPPLIE	$55.83
				BPO SHOP SUPPLIES	$46.91

				winter clothes for Gary Heimgartner	$284.98
			TRNSPN	BPO - ST - OPERATING SUPPLIES	$343.76
			WATER	BPO PW DISTRIB SPLYS	$268.28
				BPO PW WTP PERSONNEL EQUIP	$149.99
				BPO PW WTP SPLYS	$57.47
				PW-WTP-TOOLS AND EQUIP #372	$3,100.15
			WSTWTR	BPO PW WW COLL SUPPLIES/TOOLS	$14.19
				BPO PW WWTP SUPPLIES	$136.56
NORTHWEST ENGRAVING	111712	10/26/2023	FIRE	FIRE - NW ENGRAVING - NAMETAGS DUE TO PROMO	$58.00
NUANCE COMMUNICATIONS INC	111831	11/2/2023	POLICE	BPO PD LICENSES FOR DRAGON SOFTWARE	$1,250.00
ODP BUSINESS SOLUTIONS LLC	111833	11/2/2023	FINANCE	BPO - ODP OFFICE SUPPLIES	$8.99
			LIBRARY	BPO - LIB - OFFICE SUPPLIES	$95.84
			POLICE	BPO PD OFFICE SUPPLIES	$472.86
			SANITATION	PW - TS - OPERATING SUPPLIES	$71.38
			TRNSPN	BPO - PW OFFICE - OPERATING SUPPLIES	$123.72
O'REILLY AUTO PARTS	111832	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS	$512.98
OVERDRIVE INC	111713	10/26/2023	LIBRARY	BPO - LIB - ADULT OVERDRIVE	$1,301.90
				LIB - BPO - JUVENILE OVERDRIVE	$422.40
OWEN EQUIPMENT	111834	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS	$136.86
OXARC	111835	11/2/2023	WATER	BPO PW WTP PERSONNEL EQUIP	$426.14
				BPO SODIUM HYPOCHLORITE FOR WELLS	$1,909.37
				PW-WTP-CALCUIM THIOSULFATE	$1,472.03
			WSTWTR	BPO PW WW COLL PERSONNEL EQUIPMENT	$50.45
PATTS GARDEN CENTER	111836	11/2/2023	PARKSFAC	LEGACY PROGRAM TREES	$2,689.66
PERFECTION TIRE OF LEWISTON	111837	11/2/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	$316.00
				REPL ALL TIRES FOR #062 SUV	$687.96
				REPL ALL TIRES FOR #226 PICKUP	$550.00
PERSI	1422	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$213,174.99
PHOENIX RADIOLOGY	111838	11/2/2023	FIRE	BPO -FIRE - PHOENIX RADIOLOGY - NEW EMPLOYEE PHYSI	$55.00
POE ASPHALT PAVING	111840	11/2/2023	TRNSPN	TR068 5TH & BRYDEN INTERSECTION; MILL & OVERLAY	$45,320.00
POLYDYNE INC	111841	11/2/2023	WSTWTR	BPO WWTP POLYMER	$36,312.98
PRINTCRAFT PRINTING	111842	11/2/2023	POLICE	BPO PD BUSINESS CARDS	$40.00
				PD 500 ANNUAL AND 500 LIFETIME DOG LICENSE SLIPS	$390.00
				PD FIELD INTERVIEW CARDS FOR PATROL	$245.00
				PD NCIC VALIDATION POSTCARDS FOR RECORDS	$155.00
				PD RESIDENTIAL AND VISITOR PARKING PERMITS FOR NOR	$130.00
RDK CORPORATION DBA SHADOW TRACKERS	111845	11/2/2023	HR	BPO - BACKGOUND CHECKS	$645.00

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RELIANCE STANDARD LIFE INSURANCE COMPANY	111745	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$7,254.26
RICOH USA INC	111843	11/2/2023	EXECUTIVE	BPO - EXEC - FY24 C.H. COPIER RENT FOR IMC6000	$226.83
			POLICE	BPO PD DISPATCH COPIER RENTAL	$133.65
			TRANSITOP	BPO: TRANSIT COPIER (RICOH IM C3500) RENTAL	$134.76
			WATER	PW-WTP-RICOH IM C4500 LEASE PAYMENT	$161.95
	111844	11/2/2023	LEGAL	BPO-LEGAL-RICOH MONTHLY COPY FEES-FY24	$34.34
			SANITATION	BPO - PW - MPC4503 COPIER MAINTENANCE	$21.10
			STMWTR	BPO - PW - MPC4503 COPIER MAINTENANCE	$25.18
			TRNSPN	BPO - PW - MPC4503 COPIER MAINTENANCE	$201.43
			WATER	BPO - PW - MPC4503 COPIER MAINTENANCE	$1.70
			WSTWTR	BPO - PW - MPC4503 COPIER MAINTENANCE	$12.59
SCHUMANN ENTERPRISES INC DBA EMPIRE PRESSURE WASH	111783	11/2/2023	TRANSITOP	BPO: TRANSIT BUS WASHING & SANITIZATION	$240.00
SHERWIN WILLIAMS CO	111846	11/2/2023	PARKSFAC	BPO PAINT AND SUPPLIES	$95.35
SITEONE LANDSCAPE SUPPLY LLC	111847	11/2/2023	PARKSFAC	BPO PARK MAINT-IRRIGATION AND TURF SUPPLIES	$19.39
SPARKLIGHT	111850	11/2/2023	TRNSPN	BPO PW SURVEY STATION - SPLIT BETWEEN W/WW/ST	$38.85
			WATER	BPO PW SURVEY STATION - SPLIT BETWEEN W/WW/ST	$38.85
			WSTWTR	BPO PW SURVEY STATION - SPLIT BETWEEN W/WW/ST	$38.85
STERICYCLE INC	111714	10/26/2023	FIRE	BPO FIRE - STERICYCLE - HAZARDOUS DISPOSAL	$110.26
STERLING BATTERY COMPANY	111852	11/2/2023	FLTMAINT	BPO - FLEET VEHICLE BATTERIES	$87.32
T BAILEY INC	111715	10/26/2023	WATER	WR060 COMM DR RESERVOIR CONSTRUCTION	$151,444.92
THATCHER COMPANY INC	111855	11/2/2023	WATER	PW-WTP-CITRIC ACID FOR WATER TREATMENT	$8,995.00
THE HOME DEPOT PRO	111853	11/2/2023	PARKSFAC	CUSTODIAL SUPPLIES LINERS AND URINAL SCREENS	$325.90
THOMAS K THOMPSON DBA SPORT TRUCK CENTER	111851	11/2/2023	CEMETERY	AIR BAGS FOR THE CEMETERY TRUCK	$500.00
T-MOBILE	111854	11/2/2023	LIBRARY	BPO - LIB - MOBILE HOTSPOT FEES	$220.50
TREASURER'S TRUST	1419	11/2/2023	UNDEFINED	2023 IDAHO UNCLAIMED FUNDS (X35)-ACH PAYMENT	$4,336.42
	1420	11/2/2023	UNDEFINED	2023 IDAHO UNCLAIMED FUNDS (X1)-ACH PAYMENT	$65.00

Voucher's Payable

TRIBUNE PUBLISHING CO	111856	11/2/2023	COMDEV	BPO-CD-P&ZC PUBLISHED NOTICES FOR PUBLIC HEARINGS	$77.08
			EXECUTIVE	BPO -EXEC - PUBLIC HEARING/ORDINANCE PUBLICATIONS	$1,091.56
			TRNSPN	PW-ENG-LEGAL NOTICE; VA-02-2023 YONGE VACATION	$97.75
UNIFORMS2GEAR INC	111857	11/2/2023	FIRE	FIRE - UNIFORMS2GEAR - RRF BOOTS	$675.97
			POLICE	BPO PD UNIFORMS/NEW HIRE	$571.72
				BPO PD UNIFORMS/PATROL	$20.00
UNITED RENTALS (NORTH AMERICA), INC.	111716	10/26/2023	TRNSPN	TR068 5TH & BRYDEN - MESSAGING BOARDS	$1,650.00
	111858	11/2/2023	WATER	PW-WTD-2300 14TH ST; TRACKHOE & TRENCH ROLLER	$1,087.30
URM STORES INC	111859	11/2/2023	FINANCE	BPO - FIN - CITY HALL BREAK ROOM SUPPLIES	$57.15
			RECREATION	BPO- SEN NUTRITION-FOOD AND CLEANING SUPPLIES	$662.97
				CANDY FOR PUMPKIN PALOOZA EVENT	$24.38
			WSTWTR	BPO PW WW COLL SUPPLIES	$21.96
US FOODS - SPOKANE	111860	11/2/2023	RECREATION	BPO FOOD SUPPLIES FOR SENIOR NUTRITION LUNCHES	$1,234.91
				RETURN: FY '23 BPO P&R SENIOR NUTRITION FOOD	($65.71)
US POSTAL SERVICE	111717	10/26/2023	UNDEFINED	REPLENISH POSTAGE OCT '23	$10,000.00
VAG USA LLC	111861	11/2/2023	WATER	PW-WDIST-AIR/VAC KITS FOR AIR RELIEFS	$268.11
VALLEY CAR SALES INC	111862	11/2/2023	WATER	PW-WTP-BEDLINER FOR NEW UTIL TRUCK #372	$675.00
VALLEY ELECTRIC INC	111718	10/26/2023	WSTWTR	BPO WWTP ON-CALL ELEC SRV	$1,015.33
VALNET CONSORTIUM	111863	11/2/2023	LIBRARY	LIB - 2ND QUARTER BILLING FEES	$5,950.00
VANVLEET ENTERPRISE INC DBA LUCKY ACRES FENCING INC	111822	11/2/2023	POLICE	PD EXTERIOR FENCE REPAIR - EAST VEHICLE GATE	$279.00
VERIZON WIRELESS	111719	10/26/2023	COMDEV	10/12/23 BILL DATE: UTILITY CHARGES	$560.91
			EXECUTIVE	10/12/23 BILL DATE: UTILITY CHARGES	$74.20
			FIRE	10/12/23 BILL DATE: UTILITY CHARGES	$1,394.14
			FLTMAINT	10/12/23 BILL DATE: UTILITY CHARGES	$68.78
			HR	10/12/23 BILL DATE: UTILITY CHARGES	$95.39
			INFOSYSTMS	10/12/23 BILL DATE: UTILITY CHARGES	$947.77
			LEGISLATIV	10/12/23 BILL DATE: UTILITY CHARGES	$275.62
			LIBRARY	10/12/23 BILL DATE: UTILITY CHARGES	$232.15
			PARKSFAC	10/12/23 BILL DATE: UTILITY CHARGES	$721.90

			POLICE	10/12/23 BILL DATE: UTILITY CHARGES	$2,708.67
			SANITATION	10/12/23 BILL DATE: UTILITY CHARGES	$34.19
			STMWTR	10/12/23 BILL DATE: UTILITY CHARGES	$222.60
			TRANSITOP	10/12/23 BILL DATE: UTILITY CHARGES	$62.04
			TRNSPN	10/12/23 BILL DATE: UTILITY CHARGES	$1,829.08
			WATER	10/12/23 BILL DATE: UTILITY CHARGES	$2,439.50
			WSTWTR	10/12/23 BILL DATE: UTILITY CHARGES	$1,281.10
VISTA OUTDOORS SALES LLC	111864	11/2/2023	POLICE	PD AMMUNITION	$998.38
VWR INTERNATIONAL LLC	111865	11/2/2023	WSTWTR	BPO PW WWTP LAB SUPPLIES	$1,353.75
WASHINGTON DEPT OF REVENUE	1418	11/2/2023	UNDEFINED	2023 WASHINGTON UNCLAIMED FUNDS (X2)- ACH PAYMENT	$45.00
WASHINGTON STATE SUPPORT REGISTRY	111746	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$565.62
WELL CONNECTED ELECTRIC & COMMUNICATION INC	111866	11/2/2023	WATER	BPO - WATER-ON-CALL ELECTRICAL SRVS	$2,191.98
WESTERN RECYCLERS INC	111867	11/2/2023	FINANCE	BPO - FIN - WESTERN RECYCLERS - SHREDDING	$34.66
			FIRE	BPO FIRE - WESTERN RECYCLERS - DOC DESTRUCTION	$52.00
			HR	BPO - FIN - WESTERN RECYCLERS - SHREDDING	$17.34
			POLICE	BPO PD SHREDDING SERVICES	$52.00
			TRNSPN	BPO - PW - SHREDDING SERVICES	$45.00
WESTERN STATES EQUIPMENT	111868	11/2/2023	WATER	PW-WTR-ELEC DOOR CONTROL PANEL REPLACEMENT	$697.67
WILBERT PRECAST INC	111869	11/2/2023	STMWTR	PW - STMW - TYPE 1L CATCH BASINS & REDUCING SLABS	$1,800.00
			TRNSPN	TR066 21ST ST FIBERSEAL; TYPE 1 JUNCTION BOXES	$3,450.00
			WSTWTR	BPO - COLL - SSMH RINGS & LIDS	$11.50
WSCCCE	111747	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$2,059.64
WSCFF EMPLOYEE BENEFIT TRUST	111748	11/2/2023	ADMSVC	Payroll Run 1 - Warrant 110223	$3,825.00
ZIEGLER BUILDING CENTER	111870	11/2/2023	TRNSPN	BPO - ST - OPERATING SUPPLIES	$11.99
ZOLL MEDICAL CORPORATION GPO	111720	10/26/2023	FIRE	BPO FIRE - ZOLL MEDICAL - SUPPLIES	$3,440.06
	111871	11/2/2023	FIRE	BPO FIRE - ZOLL MEDICAL - SUPPLIES	$2,193.20
ZOOM VIDEO COMMUNICATIONS, INC	111872	11/2/2023	INFOSYSTMS	ZOOM PHONE MINUTES	$36.58
Total					$2,035,954.23

EMERGENCY MEDICAL SERVICES ADVISORY BOARD

Ensuring the highest quality of patient care and service delivery

17 October 2023

Lewiston Mayor and City Council Members
1134 F Street
Lewiston, Idaho 83501

Dear Honorable Mayor and City Council:

The City of Lewiston Emergency Medical Services Advisory Board held its Public Hearing October 17 to review applications to provide the City's ambulance service.

The Lewiston Fire Department was the single applicant. Upon reviewing the department's application and hearing its presentation, EMSAB unanimously approved issuing the Lewiston Fire Department Certificates of Compliance for Emergency Ambulance Service and Nonemergency Ambulance Service for Year 2024.

Sincerely,

Mike Larson, Chair
Emergency Medical Services Advisory Board

Enclosure

CERTIFICATE OF COMPLIANCE

THIS CERTIFIES THAT

LEWISTON FIRE DEPARTMENT AMBULANCE SERVICE

HAS MET ALL REQUIREMENTS OF ORDINANCE 4138
AND IS CERTIFIED TO PROVIDE NON-EMERGENCY AMBULANCE SERVICE
IN THE CITY OF LEWISTON FOR THE YEAR 2024

ISSUED 17 OCTOBER 2023

MIKE LARSON, CHAIR
EMERGENCY MEDICAL SERVICES ADVISORY BOARD

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ISSUED 17 OCTOBER 2023

MIKE LARSON, CHAIR
EMERGENCY MEDICAL SERVICES ADVISORY BOARD

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE PRELIMINARY PLAT - CANYON CREST SOUTH ADDITION	**AGENDA NO.** VI. A. **AGENDA DATE:** November 13, 2023

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

At their September 13, 2023 regular meeting, the City of Lewiston Planning and Zoning Commission considered the Canyon Crest South Addition Preliminary Plat, and voted unanimously to recommend approval of the plat contingent upon an approval of the Bryden Avenue vacation petition (VA-02-2023), to the Lewiston City Council. On September 25, 2023, the Council heard the staff report and public comments regarding VA-02-2023, and after deliberation, voted to deny the vacation request. With the denial of VA-02-2023 the Council was forced to deny the Canyon Crest South Addition preliminary plat, due to portions of the proposed Bryden Avenue vacation area being included within the proposed preliminary plat boundary. At the Council's work session meeting on October 2, 2023, the applicant addressed the City Council, and asked that the Council consider having an additional public hearing to allow for additional public comment regarding the vacation. The Council voted to approve the applicant's request for an additional public hearing. On October 23, 2023 the City Council conducted an additional public hearing, and following comments from staff clarifying City Code, and hearing additional testimony from the applicant and the public, voted to conditionally approve VA-02-2023, with the condition that the associated vacation resolution will not be filed for record until the applicant has dedicated an alternate public right-of-way in the final plat of the Canyon Crest South Addition that connects 18th Street to the remaining portion of Bryden Avenue not vacated, in a location satisfactory to the City Engineer. With the conditional approval of VA-02-2023, the City Council can now re-consider the Canyon Crest South Addition preliminary plat.

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 Canyon Crest South Addition preliminary plat proposes to plat approximately 9.4 acres of undeveloped property located east side of 18th Street, and north of Airway Avenue, into 56 lots. In accordance with Section 32-19(4) of the Subdivision Code, the development is proposed to be constructed in two phases as indicated on the preliminary plat drawing. All of the proposed lots in the subdivision will be "standard" lots which have frontage on an improved public street that exceeds the minimum required lot width for the zone. The current R-3 zoning designation allows lots to be developed utilizing the Small Lot Development Standard per LCC

Sec. 37-33, which contains provisions for zero lot line common-wall dwellings (commonly called townhouses). The developer has received conditional approval for a vacation of a portion of the existing undeveloped right-of-way of Bryden Avenue, which is located at the north end of the proposed development. The proposed subdivision area includes property currently within the southern half of the proposed Bryden Avenue vacation area. The proposed vacation and new subdivision configuration will correct the “double-frontage” issue (per Section 32-35(c)) with several of the existing lots currently located between Clearview Point Drive and undeveloped Bryden Avenue, while providing an alternate street continuation pattern for Bryden Avenue, in accordance with the provision contained in Section 32-32 of City Code, and the adopted City Master Transportation Plan, via connections provided by Gallatin Way and Glacier Drive. Once completed, these connections will also fulfil the conditional requirement imposed in VA-02-2023 by dedicating an alternate public right-of-way in the final plat of the Canyon Crest South Addition that connects 18th Street to the remaining portion of Bryden Avenue not vacated, in a location satisfactory to the City Engineer. The proposed development will require dedication of public right-of-way and construction of public improvements for approximately 1,853 lineal feet of new public streets. The proposed new streets within the subdivision will be constructed to the Local Residential Street standard. Frontage improvements along approximately 1,321 lineal feet of existing public streets south and west of the proposed subdivision, and the remaining portion of Bryden Avenue bounding the north-east corner of the subdivision will also be required. In addition to the required frontage improvements along 18th Street and Airway Avenue, the City sewer main will also be extended along the frontages of 18th Avenue and Airway Avenue to provide sewer service to the proposed subdivision. L.O.I.D. water mains already exist in 18th Street and Airway Avenue, and following the successful annexation of the development property into the L.O.I.D. boundary, can be utilized to provide water service along those frontages, and extended into the proposed new streets. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service to the development.

The subject property was recently re-zoned from R-1 to R-3, and the proposed lot configurations adhere to the requirements of the R-3 zone, as outlined in the City of Lewiston Zoning Ordinance, City Code Chapter 37.

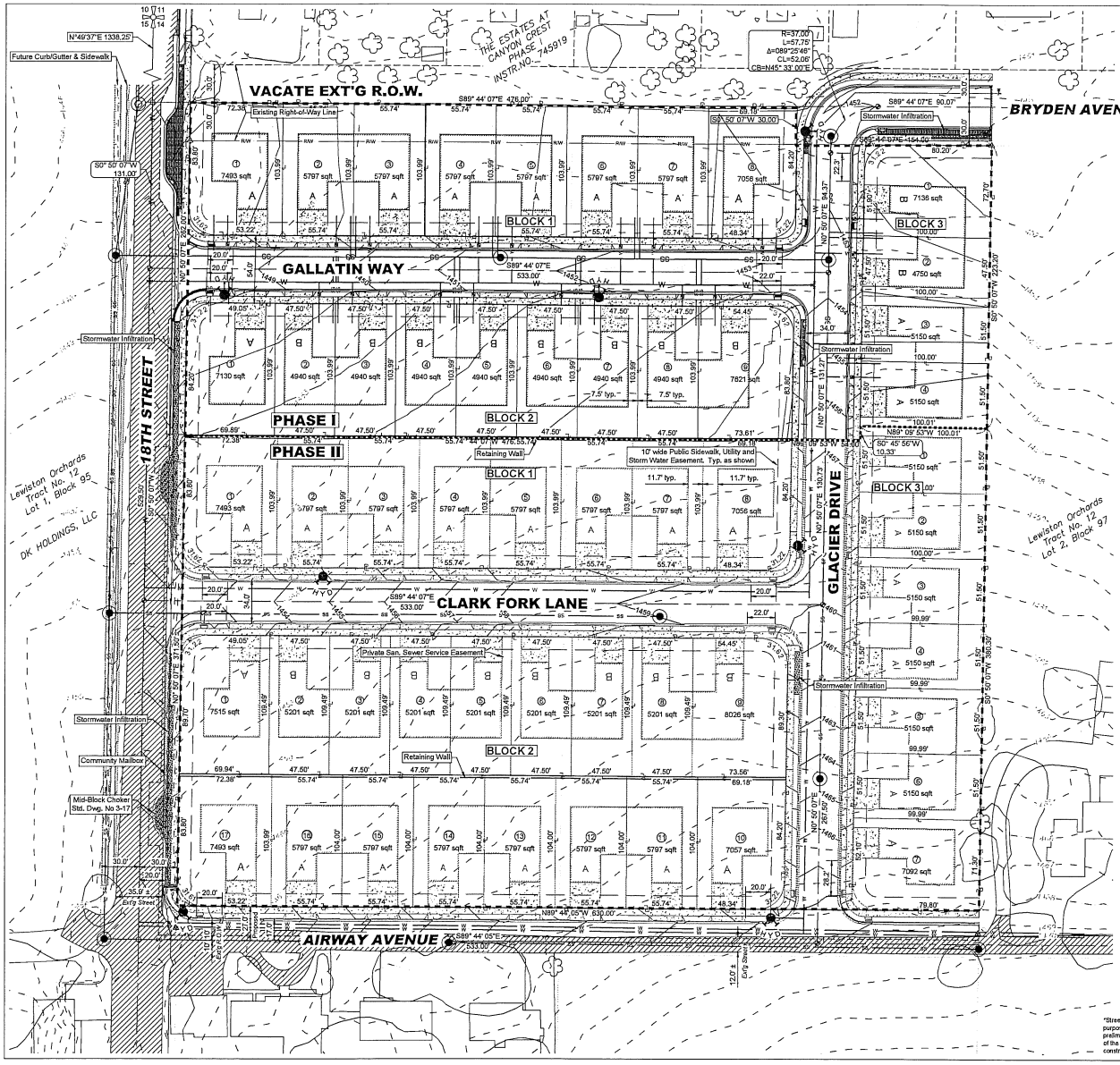
The preliminary plat complies with the applicable requirements of the City of Lewiston Subdivision Ordinance, City Code Chapter 32.

BUDGET IMPACT

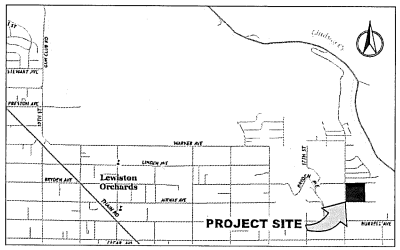
Approval of this preliminary plat will result in future impacts on Public Works’ staff and budgets due to the required maintenance associated with public improvements constructed and dedicated as part of the proposed development.

ACTION PROPOSED

City staff recommend that the Lewiston City Council accept the unanimous, conditional, recommendation of the City of Lewiston Planning and Zoning Commission, and approve the Canyon Crest South Addition, preliminary plat as presented.



VICINITY MAP



DEVELOPER INFORMATION

DK Holdings, LLC
247 Thain Road, Suite #107
Lewiston, ID
208/743-5840

UTILITY PROVIDERS

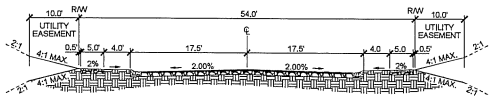
Gravity Sanitary Sewer:	City of Lewiston
Water:	L.O.I.D.
Power & Gas:	Avista Utilities
Telecomm.	Sparklight

NOTES

1. 56 Lots Proposed
2. Townhomes: "A" Unit = 1583 Sq. Ft.; "B" Unit = 1418 Sq. Ft.
3. Current Zoning is R3. Small Lot Development standards shall be used as per LCC Sec. 37-33.
4. Area of the Existing Tract is 9.4 Acres ±
5. Bryden Avenue shall be vacated as shown.
6. All Lot frontages shall have a "10' wide Public Sidewalk, Utility and Storm Water Easement."
7. Development Stormwater shall be directed to infiltration systems behind the street curbing.
8. Corner lot driveways shall be along the property line furthest from the intersection. There shall be a minimum of two-foot wide space between the driveway and property line for utilities.
9. All lots are required to provide on-site, subsurface detention for the stormwater generated by all impervious surfaces except for an allowed 500 square feet. All final grading and stormwater improvements need to be completed prior to Certificate of Occupancy will be approved.
10. An existing Easement (Book 164 of Deeds, Page 467) reserves the right of Lewiston Orchards Irrigation District to operate and maintain their water distribution system on subject property as described. Said Existing Easement shall be terminated and replaced with new Street Rights-of-way in regard to this tract of land.

LEGEND

PROPOSED SAN. SEWER	EXISTING SAN. SEWER
PROPOSED STORM SEWER	EXISTING STORM SEWER
PROPOSED WATER LINE	EXISTING WATER
PROPOSED CATCH BASIN	EXISTING CATCH BASIN
PROPOSED MANHOLE	EXISTING MANHOLE
PROPOSED GATE VALVE	EXISTING GATE VALVE
PROPOSED FIRE HYDRANT	EXISTING FIRE HYDRANT
PROPOSED CONTOUR LINE	EXISTING CONTOUR LINE
PROPOSED PROPERTY LINE	EXISTING PROPERTY LINE
PROPOSED EASEMENT LINE	EXISTING EASEMENT LINE
PROPOSED SUBDIVISION BOUNDARY	EXISTING CENTERLINE MONUMENT
PROPOSED PHASE BOUNDARY	TRAVERSE LINE
PROPOSED CENTERLINE	QUARTER SECTION CORNER
PROPOSED CENTERLINE MONUMENT	CALCULATED CORNER



TYPICAL LOCAL RESIDENTIAL STREET
STD DWG 3-4
[GALLATIN WAY, CLARK FORK LANE, GLACIER DRIVE, AIRWAY AVENUE (North half)]

*Street Sections shown for informational purposes only. Approval of this preliminary plat does not indicate approval of the street cross sections or other construction details shown on this plat.

REV	DATE	REVISION DESCRIPTION	CHECKED	APPR.

REGISTERED LAND SURVEYOR #2102 STATE OF IDAHO 8/18/23

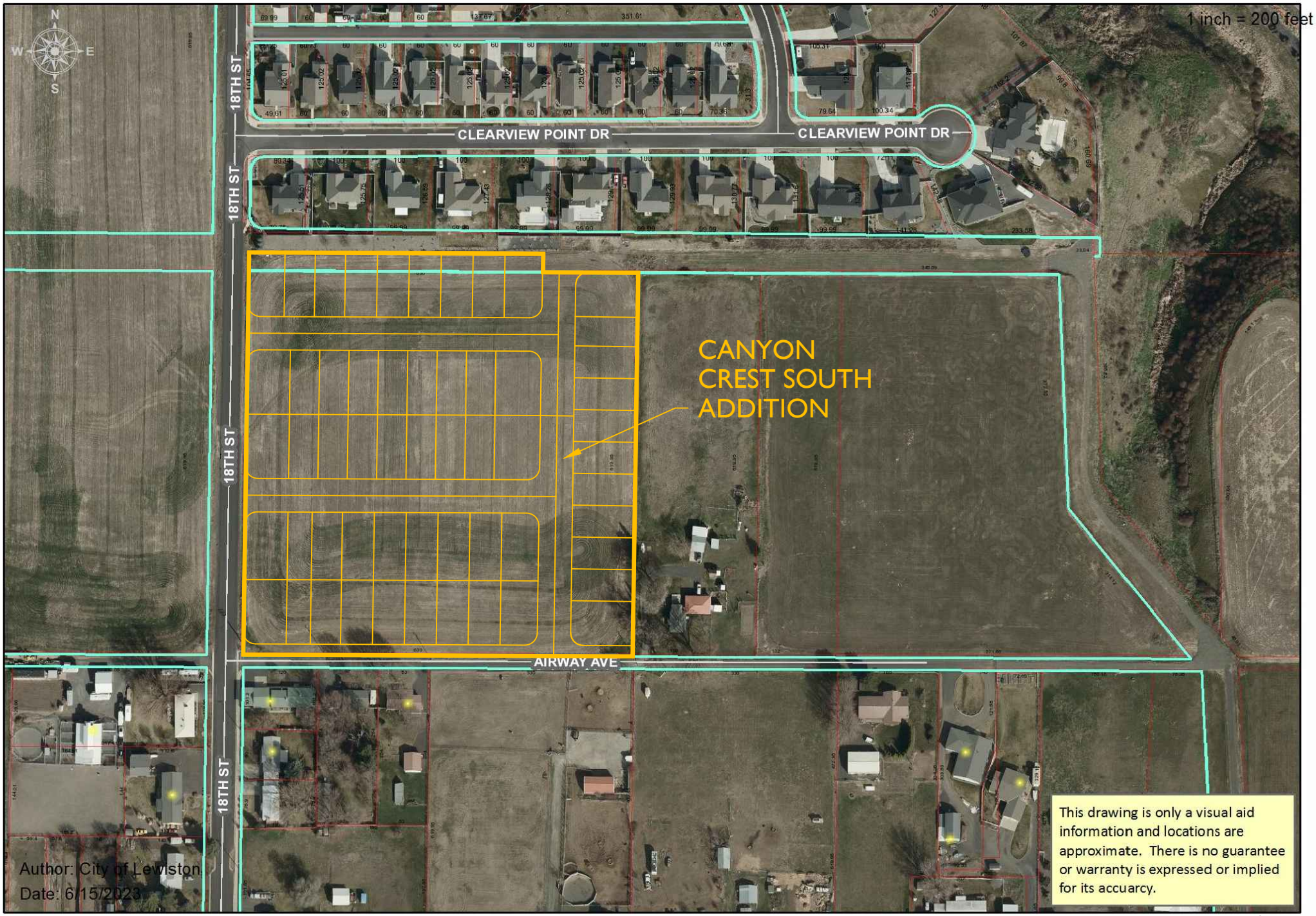
SCALE 1"=40' | PHASE FILE D | DRAWN BY MEE | CHECKED BY GSH | DATE 08-18-23 | JOB # 2219 | SHEET PP1 | DRAWING # 2219-PP1

CANYON CREST SOUTH ADDITION TO THE CITY OF LEWISTON
PRELIMINARY PLAT
DK HOLDINGS, LLC
LEWISTON, IDAHO
LOT 3 & 4, BLOCK 97, LEWISTON ORCHARDS TRACT NO. TWLEVE
NW 1/4 S. 14, T. 35 N., R. 5 W., B.M.

HEDCO
HAMMOND ENGINEERING & DEVELOPMENT CO.
22502 Powers Ave. Lewiston, Idaho 83535
(208) 843-9303

SHEET **PP1**

City of Lewiston



September 6, 2023

To: Lewiston Planning and Zoning Commission

Re: Canyon Crest South Addition - Preliminary Plat (SUB23-000004)

Commissioners:

The Canyon Crest South Addition preliminary plat proposes to plat approximately 9.4 acres of undeveloped property located east side of 18th Street, and north of Airway Avenue, into 56 lots. In accordance with Section 32-19(4) of the Subdivision Code, the development is proposed to be constructed in two phases as indicated on the preliminary plat drawing. All of the proposed lots in the subdivision will be "standard" lots which have frontage on an improved public street that exceeds the minimum required lot width for the zone. The current R-3 zoning designation allows lots to be developed utilizing the Small Lot Development Standard per LCC Sec. 37-33, which contains provisions for zero lot line common-wall dwellings (commonly called townhouses). The developer has also applied for a vacation of the existing undeveloped right-of-way of Bryden Avenue, which is located at the north end of the proposed development. The proposed subdivision area includes property currently within the southern half of the proposed Bryden Avenue vacation area. Although vacation actions are not reviewed by the Planning and Zoning Commission, final approval of this preliminary plat by the Lewiston City Council will be dependent upon a conditional approval of the related Bryden Avenue vacation petition. The proposed vacation and new subdivision configuration will correct the "double-frontage" issue (per Section 32-35(c)) with several of the existing lots currently located between Clearview Point Drive and undeveloped Bryden Avenue, while providing an alternate street continuation pattern for Bryden Avenue, in accordance with Section 32-32(b) of City Code, via connections provided by Gallatin Way and Glacier Drive. The proposed development will require dedication of public right-of-way and construction of public improvements for approximately 1,853 lineal feet of new public streets. The proposed new streets within the subdivision will be constructed to the Local Residential Street standard. Frontage improvements along approximately 1,321 lineal feet of existing public streets south and west of the proposed subdivision will also be required. In addition to the required frontage improvements along 18th Street and Airway Avenue, the City sewer main will also be extended along the frontages of 18th Avenue and Airway Avenue to provide sewer service to the proposed subdivision. L.O.I.D. water mains already exist in 18th Street and Airway Avenue, and can be utilized to provide water service along those frontages. Avista Utilities, CenturyLink/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service to the development.

215 D Street Suite B • PO Box 617 • Lewiston, ID 83501-1930 • Ph.208.746.1316 • Fx.888.397.8634 • www.cityoflewiston.org

The subject property was recently re-zoned from R-1 to R-3, and the proposed lot configurations adhere to the requirements of the R-3 zone, as outlined in the City of Lewiston Zoning Ordinance, City Code Chapter 37.

The preliminary plat complies with the applicable requirements of the City of Lewiston Subdivision Ordinance, City Code Chapter 32.

City Staff recommends that the Lewiston Planning and Zoning Commission recommend to the Lewiston City Council approval of the Canyon Crest South Addition, preliminary plat contingent upon an approval of the Bryden Avenue vacation petition.

Sincerely,

Mark Weigand, PLS
City Surveyor

LEWISTON CITY COUNCIL
REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS RECOMMENDING APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL OF A SUBDIVISION PRELIMINARY PLAT

This document shall serve as memorialization of the rationale by the Lewiston City Council for the approval, approval with conditions, or denial of a Subdivision Preliminary Plat, 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:
SUB23-000004

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 9.4 acres generally located east of 18th Street and known as tax parcel RPL0097003000A, located north of Airway Avenue and south of that portion of unimproved Bryden Avenue subject to VA-02-2023. Said subject property is proposed to be divided into 56 lots.

IV. IDENTIFICATION OF ZONING DISTRICT AND NEIGHBORHOOD OF SUBJECT PROPERTY:
Medium Density Residential (R-3) Zone

V. DATE OF CONSIDERATION:
November 13, 2023

VI. NAME OF GOVERNING BODY:
Lewiston City Council

VII. NATURE OF SUBJECT APPLICATION:
Application for approval of a subdivision preliminary plat for Canyon Crest South Addition.

VIII. DECISION:
The Lewiston City Council **APPROVES WITH CONDITIONS SUB23-000004.** Developer shall be required to comply with all conditions necessary to complete the vacation of public right-of-way for VA-02-2023.

IX. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are: None.

X. RELEVANT CRITERIA AND STANDARDS:

The following relevant criteria, standards, facts, and considerations are hereby declared as reasons for the decision on this subdivision preliminary plat:

1. The proposed subdivision **will** be in compliance with the intents and purposes of Chapter 32 (Subdivisions) of the Lewiston City Code, in accordance with Lewiston City Code § 32-18 (Preliminary plat approval). Lewiston City Code § 32-2 (Purpose and Intent) states:

   (a) The purpose of this chapter is to provide for the orderly growth and harmonious development of the City of Lewiston, to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, sanitary sewerage, and other health requirements; to insure consideration for adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal descriptions; and to provide logical procedures for the achievement of this purpose.

   (b) In its interpretation and application, the provisions of this chapter are intended to provide a common ground of understanding and a sound equitable working relationship between public and private interests to the end that both independent and mutual objectives can be achieved in the subdivision of land. Applicable commentary:

   The applicant has indicated that it intends to develop the property in two phases, with the northern portion of the subject property being included in phase one and the middle and southern portions of the subject property being included in phase two. Phase one of the subdivision will also solve the problem of double fronting lots along its northern most boundary, benefiting not only the lots within the applicant's proposed subdivision, but also the neighboring subdivision, Canyon Crest Estates, to the north. Properties to the north are single family dwellings located in a Planned Unit Development. The property to the west is undeveloped land, also owned by the applicant. The properties to the east are a mix of single family dwellings. 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.

   The subject property is comprised of approximately 9.4 acres of undeveloped land that the applicant plans to subdivide into 56 dwelling units meeting the Small Lot Development Standard in accordance with Lewiston City Code (LCC) § 37-33, which contains provisions for zero lot line common-wall dwellings (commonly called townhouses). The subject property will introduce three new streets, Gallatin Way, Clark Fork Lane, and Glacier Drive, which connect to Bryden Avenue, and will allow for the connection and continuation of the un-vacated portion of unimproved Bryden Avenue in accordance with LCC § 32-32(b). Further the new streets will be constructed to the City's Local Residential Street standard. Frontage improvements along approximately 1,321 lineal feet of existing public streets south and west of the proposed subdivision will also be required. In addition to the required frontage improvements along 18th Street and Airway Avenue, the City sewer main will also be extended along the frontages of 18th Street and Airway Avenue, and can be utilized to provide water

service along those frontages. The partial vacation of Bryden Avenue (via VA-02-2023) and proposed subdivision configuration will correct the "double-frontage" issue (per LCC § 32-35(c)) for several of the existing lots located between Clearview Point Drive and undeveloped Bryden Avenue.

2. The proposed subdivision **will** be in compliance with the intents and purposes of Chapter 37 (Zoning Code) of the Lewiston City Code, in accordance with Lewiston City Code § 32-13. Lewiston City Code § 37-2 (Purpose) states: "The purpose of this chapter is to promote the orderly development of the city according to the comprehensive plan; to conserve and stabilize the value of property; and otherwise to promote the public health, safety, and general welfare." Applicable commentary:

   The subject property is located south of the existing Canyon Crest Estates Planned Unit Development and is approximately 9.4 acres of vacant land. The subdivision concept plan for the subject property contemplates 56 dwelling units on lots ranging in size from 5,300 to 6,100 square feet, which is a density of 6.25 units per acre. A density of 6.25 dwelling units per acre falls within the range permitted for low density land use designations 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. 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 the Planned Unit Development standards, the City can also require that streets and intersection meet current City standards.

   Political subdivisions and utilities were notified of the proposed development during the rezoning phase of the subdivision process. 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: "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 stated: "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." Furthermore, Avista Utilities, Century Link/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service to the proposed subdivision. The applicant has submitted a completed Utility Services Acceptance form to the satisfaction of the Public Works Department.

3. The proposed subdivision **will** be in compliance with Chapter 37 (Zoning) of the Lewiston City Code standards (unless otherwise waived by Conditional Use Permit or Variance) to include meeting the minimum lot depth, minimum lot width, and minimum lot area standards as set forth by the zoning district which it is located in, in accordance with Lewiston City Code §§ 32-15 and 32-31(a). Applicable commentary:

As noted above, the subdivision concept plan for the subject property contemplates 56 dwelling units on lots ranging in size from 5,300 to 6,100 square feet, which is a density of 6.25 units per acre. The Medium Density Residential (R-3) Zone has a minimum lot size of 6,000 square feet for single family residential. The Medium Density 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. A density of 6.25 dwelling units per acre falls within the range permitted for low density land use designations 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.

4. The proposed subdivision **will** be in conformance with the Lewiston Comprehensive Plan's desired futures for the neighborhood the proposed subdivision will be located, in accordance with Lewiston City Code § 32-18 (Preliminary plat approval). Applicable commentary:

   The proposed subdivision is located within Neighborhood 7 – East Orchards. The subject property was rezoned to the Medium Density Residential (R-3) Zone in May 2023 under Zoning Change Application ZNC23-000002. At that time, the Comprehensive Plan's desired future land use designation was for low density residential. However, 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 was approved in conjunction with that rezone so that the desired future land use was changed to medium density residential, allowing for the subject property to be in conformance with the Comprehensive Plan and the need for higher intensity development to meet the future housing needs of the City. The proposed subdivision will create an orderly development on a currently vacant lot. The proposed subdivision, as well as the neighboring Canyon Crest Estates PUD to the north will both provide a mix of multi-family residential developments.

5. The proposed subdivision **does** include the entire tract of land, unless an approved preliminary plat, planned unit development (PUD), or approved development master plan shows development in phases, in accordance with Lewiston City Code § 32-31(b). Applicable commentary:

   The subject property is approximately 8.96 acres of vacant land that the applicant plans to subdivide into 56 building lots. The property also includes approximately 476 feet of unimproved Bryden Avenue, which was conditionally vacated pursuant to VA-02-2023 (said vacation was granted upon the condition that the applicant dedicate an alternate public right-of-way in a location satisfactory to the City Engineer in the final plat for the Canyon Crest South Addition). The entire parcel of land, including the vacated portion of unimproved Bryden Avenue, are included in this proposed subdivision.

6. The applicant **has** turned in completed Utility Services Acceptance Form, in accordance with Lewiston City Code § 32-45(j), and the proposed subdivision has received comment from the following review offices:

DEPARTMENT	YES	NO	NO COMMENT	APPLICABLE COMMENTARY:
City Engineer	x			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.
City Parks & Recreation			x	
LOID and City Sewer	x			Utility providers will supply the necessary water and sanitary sewer to the subdivision. LOID further stated: 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.
City Fire Marshall	x			Access and water supply is to comply with the International Fire Code.
City Street Superintendent	x			
North Central District Health Department for satisfaction of sanitary restrictions as required by I.C. § 50-1326			x	For final approval, applicant will provide letters from water and sewer providers. Infrastructure utilities must be constructed to DEQ and City of Lewiston Standards. Changes of plat must be submitted to Public Health Department prior to approval.
Superintendent of the Lewiston Independent School District			x	
If the land abuts state highway, to the Idaho Highway Department			x	
If the land abuts a county road, to the Nez Perce County Commissioners			x	
City Planner	x			
Public Utilities	x			Avista Utilities, Century Link/Lumen Technologies, and Sparklight have also confirmed their intent to provide utility service to the proposed subdivision.
State Department of Health and Welfare, Division of Environment			x	
Soil and Water Conservation District			x	

7. The applicant **has** complied with all elements of LCC §32-20 (Information required for preliminary plat submittal). Applicable commentary:

The applicant has completed the Preliminary Plat Application Packet to the satisfaction of the Public Works and Community Development departments. The subdivision committee has reviewed the applicant's packet and adequately addressed the items provided for in LCC §32.20.

8. Pursuant to Lewiston City Code § 32-31(c), the proposed subdivision **does not** contain all or any part of the site of a proposed park, school, flood control facility, or other public area as shown by the City's Comprehensive Plan or future acquisitions map that would subject it to the provisions of Idaho Code § 67-6517.

9. Pursuant to Lewiston City Code § 32-31(d) the proposed subdivision **is not** within a known floodplain.

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.

By: _____

Printed: Daniel G. Johnson, Mayor

Date of Signature: _____

ATTEST: _____
Tanya M. Brocke, City Clerk

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE BUSINESS IMPROVEMENT DISTRICT 2024 WORK PLAN	**AGENDA NO.** VI. B. **AGENDA DATE:** November 13, 2023
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. The Business Improvement District Advisory Board reviewed the draft 2024 Business Improvement District work plan at their regular meeting held October 12, 2023. The board voted 6-0 to recommend approval of the work plan to City Council.	
BUDGET IMPACT None.	
ACTION PROPOSED The Business Improvement District Advisory Board recommends to City Council that they approve the proposed 2024 Business Improvement District work plan.	

Business Improvement District 2024 Work Plan

Area #1: Commercial, Residential and Public Investment $12,500

1. Include links on webpage or additional webpages to properties available for lease or purchase in the BID area.
2. Complete the Mural project identified in the 2020 work plan (either utilizing the LCSC work already completed or creating a different mural and soliciting bids from artists to complete)
3. Assist BID ratepayers with locating grants, tax incentives or other financial resources to pay for improvements to their properties within the district (could contract with a grant writer to provide some "how-to" support or workshops with partner agencies).
4. Identify ways that the BID can help ratepayers fill available spaces in the BID area (open houses, advertising, tours, etc).

Area #2: Neighborhood Improvements $59,000 (plus unspent monies from previous years)

1. Finalize installation of sunshades in Brackenbury Square (solicit contractor bids to complete work)
2. Finalize design and locations for new wayfinding signage, purchase and complete installation.
3. Install already purchased planters, benches and trash receptacles.
4. Consider offering rate payers the opportunity to have a recognition plaque on planters, benches or trash receptacles placed in front of their properties.
5. Identify additional locations that would benefit from planters, benches or trash receptacles. Partner with Parks & Rec department on continued maintenance of additional items. Consider recommendation to City Council for increased funding to Parks & Rec department for the maintenance of Business Improvement District Funded items after the Business Improvement District is closed.
6. Research cost and locations for Pet Waste Station dispensers.
7. Research additional safety improvements that could feasibly be completed; such as lighting in parking lots, and along stairways from Normal Hill to the Downtown.
8. Complete installation of LED lights in City owned light posts along Main and D Streets.

Area #3: Business Promotion and Neighborhood Marketing $39,000

1. Continue event support of existing events (Dinner in the Dark, Hot August Hoops, Crazy Days, Lady's Day Out, Artwalk)
2. Finish purchase and installation of Banner Brackets and purchase and install advertising banners.
3. Identify ways to incentivize people coming into downtown during events. Research the ability of the BID sponsoring and event outside of the BID area to bring recognition to the BID.
4. Focus on isolated businesses, not just retail stores, and identify ways the BID board can provide support (advertise job openings or do business spotlight)

Area #4: Administration $63,500

1. Continue to publish a quarterly newsletter specifically for the BID ratepayers. Partner with key organizations for additional information about happenings in downtown.

2. Continue to utilize accountant for monthly bank account reconciliation. Increase number of invoices that are paid directly from BID bank account instead of reimbursements to BDL.

(Above space for Recorder's use)

RESOLUTION 2023-56

A RESOLUTION EXPRESSING SUPPORT FOR THE DONATION OF 19.5 ACRES OF LAND TO THE MODIE PARK CONSERVANCY, INC. BY KENT RANDALL AND SARA GHISLETTA.

WHEREAS, Kent Randall and Sara Ghisletta desire to preserve their family's property as a natural land reserve for the lasting enjoyment and benefit of the community of Lewiston;

WHEREAS, Kent Randall and Sara Ghisletta are working with the Modie Park Conservancy, Inc. to donate a gift of nineteen and one-half (19.5) acres of land legally described in Exhibit A and generally located along the southwest border of the Ruth Rowell Modie Wildlife Park for the eventual development and ownership by the City of Lewiston as a public recreation area;

WHEREAS, the Modie Park Conservancy, Inc. will be the trustee of the land until such time as it is in the best interests of the Modie Park Conservancy, Inc. and the City of Lewiston that title to the land be transferred to the City; and

WHEREAS, the Randall family intends to have their family's land added to the Ruth Rowell Modie Wildlife Park and known as the "Doug and Susan Randall Reserve" at such time that the Modie Park Conservancy, Inc. can obtain a match for federal and/or state grant of funds for the preservation and development of the land as a natural wildlife reserve.

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

SECTION 1: The City Council express its support and acknowledges the gift of land legally described in Exhibit A, attached hereto and incorporated herein, from Kent Randall and Sara Ghisletta and expresses its appreciation to the Randall family on behalf of the residents of the City of Lewiston, which will be held in trust by the Modie Park Conservancy, Inc.

SECTION 2: The City Council further resolves that in accordance with the wishes of Kent Randall and Sara Ghisletta, the park shall be dedicated as the "Doug and Susan Randall Reserve," and shall be used in perpetuity for open space and recreational activities for the benefit of the residents of Lewiston in keeping with the character of the park site.

SECTION 3: The City Council hereby authorizes the Mayor to send the appropriate notification to the Modie Park Conservancy, Inc. that the City intends to accept the gift of the park and will cooperate in its development and the transfer of title at the appropriate time for the benefit of all the City's residents. Formal acceptance of the land shall be accomplished via subsequent resolution adopted by the City Council.

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

PASSED this _____ day of _____ 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
Tanya M. Brocke, City Clerk

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this _____ day of _____ 2023, before me, a Notary Public, personally appeared Daniel G. Johnson and Tanya M. Brocke, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.

_____
Notary Public for the State of Idaho
Commission Expires _____

EXHIBIT A

TO RESOLUTION 2023-56

LEGAL DESCRIPTION

Parcel 1

All that portion of the Northeast Quarter of the Northwest Quarter of Section 7, Township 35 North, Range 5 West of the Boise Meridian, Nez Perce County, Idaho, lying Westerly of the following described tract:

Commencing at the brass cap monument marking the Northwest corner of said Northeast Quarter of the Northwest Quarter of Section 7, Township 35 North, Range 5 West of the Boise Meridian; thence
North 87°57'16" East along the North line of said Northeast Quarter of the Northwest Quarter, 157.19 feet to the Point of Beginning; thence continuing
North 87°57'16" East 572.07 feet to the West right of way line of Broadview Drive; thence South 0°17'28" East, along said right of way 300 feet to the Southwest corner of Walter Law Addition No. 1; thence continuing
South 0°17'28" East, 50.30 feet; thence
North 87°52'08" East 60.00 feet; thence
South 08°32'20" East 274.59 feet; thence
South 33°49'41" East 211.14 feet; thence
South 58°39'53" East 132.54 feet; thence
South 10°13'49" East 48.92 feet; thence
North 88°37'23" East 52.45 feet; thence
South 0°17'41" East 81.93 feet; thence
South 0°20'41" East 339.98 feet to the South line of said Northeast Quarter of the Northwest Quarter; thence along said South line
South 88°18'50" West 148.34 feet; thence leaving said South line
North 14°07'16" West 90.60 feet; thence
North 06°00'06" West 146.56 feet; thence
North 18°39'56" East 112.05 feet; thence
North 36°24'33" West 324.79 feet; thence
North 40°34'56" West 186.98 feet; thence
North 0°10'10" East 128.44 feet; thence
North 50°58'05" West 406.21 feet; thence
North 37°13'04" West 59.23 feet; thence
North 47°11'04" West 209.00 feet to the True Point of Beginning.

Excepting the following property:

A parcel of land in the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼) of Section 7, Township 35 North, Range 5 West, Boise Meridian, City of Lewiston, County of Nez Perce, State of Idaho, and being more particularly described as follows:

Beginning at a point on the South line of said Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼) of Section 7 at the centerline intersection of 25th Avenue and Promontory Road as shown on the Plat of the Lewiston Vineyards Tract No. One, records of Nez Perce County, said point being marked with a brass cap set in concrete; thence
North 88°18'50" East along said South line a distance of 77.07 feet to the Southwest corner of Parcel 1 as conveyed to the City of Lewiston by the Resolution and Quit Claim Deed recorded under Instrument Number 733849 of Nez Perce County records; thence North 14°07'16" West along the West line of said parcel a distance of 90.60 feet to an angle point in said parcel line; thence
South 31°21'42" West a distance of 105.55 feet to the Point of

Beginning. Parcel 2

Lots 1, 2, 4 and 5 in Block 13 of Lewiston Vineyards Tract No. 2 to the City of Lewiston, according to the recorded plat thereof, lying South and East of Dedicated ROW recorded as Instrument No. 698177, Records of Nez Perce County, Idaho.

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE CHANGE ORDER NO. 3 FOR DOWNTOWN TRANSMISSION MAIN REPLACEMENT ALN.21.027 (IFB-23-004)	**AGENDA NO.** VI. D. **AGENDA DATE:** November 13, 2023

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

In September 2022, City Council approved a professional services agreement with Mountain Waterworks, Inc. for the first phase of engineering services for Downtown Transmission Main Replacement (WR600) ALN.21.027 in the amount of $637,895. In February 2023, City Council awarded a construction agreement for the replacement of water transmission main on Main Street from 9th ST to Jefferson ST and from 18th ST to US 12 (21st ST) with LaRiviere, Inc. for $1,703,350. This project is funded by American Rescue Plan Act (ARPA) funds.

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.

Construction Change Order No. 1 (CO#1) was executed on May 3, 2023 for $95,000 which increased the contract price to $1,798,350. CO#1 established force account purpose, procedures, and budget to address the cost of additional work in the event of unforeseen field conditions.

CO#2 was executed on June 13, 2023 for a contract time extension of 17 days for Milestone 2 and 29 days for Milestone 3 to address the contract time for additional work in the event of unforeseen field conditions.

CO#3 is a negotiated final contract price agreement to close the construction project. If approved, CO#3 adds $14,000, making the final contract price $1,812,350.

BUDGET IMPACT

This project is funded by a $5.7M American Rescue Plan Act (ARPA) grant. Executed engineering and construction contracts prior to this change order total $2,436,245. The FY24 budget appropriates the remaining ARPA funding for this project, and there is sufficient ARPA funds for CO#3. There will be no local funds used for this change order.

ACTION PROPOSED

City Council to approve Change Order No. 3 for Downtown Transmission Main Replacement ALN.21.027 (IFB-23-004) for $14,000 and authorize the Mayor to execute the change order.

CHANGE ORDER NO.: 3

Owner:	City of Lewiston	Owner's Project No.:	IFB-23-004
Engineer:	Mountain Waterworks	Engineer's Project No.:	181.0240
Contractor:	LaRiviere	Contractor's Project No.:	
Project:	Downtown Transmission Main Replacement		
Contract Name:			
Date Issued:	11/1/2023	Effective Date of Change Order:	11/1/2023

The Contract is modified as follows upon execution of this Change Order:

Description:

Contract price adjustment to close project per negotiated agreement between Owner and Contractor. Both parties agree that final payment will bring the total of all payments equal to $1,812,350 in settlement of all claims between the parties regarding payment for materials, equipment, labor, and Contract Time.

Attachments:

None.

Change in Contract Price	**Change in Contract Times**	
Original Contract Price:	Original Contract Times:	
	Milestone 1:	150 days from NTP
$ 1,703,350	Milestone 2:	75 days from 4/3/23
Increase from previously approved Change Orders No. 1 to No. 2:	**Increase** from previously approved Change Orders No.1 to No. 2:	
	Milestone 1:	0 days
	Milestone 2:	17 days
$ 95,000	Milestone 3:	29 days
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:	
	Milestone 1:	150 days from NTP
	Milestone 2:	92 days from 4/3/23
$ 1,798,350	Milestone 3:	104 days from 4/3/23
Increase this Change Order:	**Increase** this Change Order:	
	Milestone 1:	0 days
	Milestone 2:	0 days
$ 14,000	Milestone 3:	0 days
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:	
	Milestone 1:	150 days from NTP
	Milestone 2:	92 days from 4/3/23
$ 1,812,350	Milestone 3:	104 days from 4/3/23

	Recommended by Engineer (if required)	Accepted by Contractor
By:		Paul Loska Digitally signed by Paul Loska DN: C=US, E=paul@lariviere.co, O="Lariviere CO", CN=Paul Loska Date: 2023.11.01 10:38:01-07'00'
Title:	Project Manager	PROJECT MANAGER
Date:	10/31/2023	11/01/2023
	Authorized by Owner	Approved by Funding Agency (if applicable)
By:		
Title:		
Date:		

EJCDC® C-941, Change Order.
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CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE THE INTERLOCAL PURCHASING SYSTEM (TIPS) PURCHASING COOPERATIVE MEMBERSHIP	**AGENDA NO.** VI. E. **AGENDA DATE:** November 13, 2023

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

Idaho Code § 67-2807 allows political subdivisions (including cities) to participate in certain cooperative purchasing agreements and programs.

The City joined Houston-Galveston Area Council (HGAC) in November 2011 and the National Joint Power Alliance (NJPA), currently known as Sourcewell, in February 2013 and has realized savings on a fire pumper, two street sweepers, TV truck, Toro Mower and more as a result of the memberships.

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 Interlocal Purchasing System (TIPS) is a nationwide purchasing cooperative that offers competitively solicited contracts to educational, governmental, and nonprofit entities. Originally established in 2002 as a small regional cooperative of the Region 8 Education Service Center in Texas, TIPS was initially intended to serve municipalities, counties, and schools within Texas. However, over time, it expanded its reach to serve entities on a national scale as The Interlocal Purchasing System (TIPS).

TIPS conducts competitive bidding for a wide range of services and commodities, encompassing national markets. This approach leverages the power of volume purchasing, resulting in more favorable pricing for its members. Consequently, TIPS saves its members valuable time and effort by reducing the need to create detailed specifications and engage in the process of individually soliciting bids for desired items.

Transit would like to utilize the cooperative's competitively bid contracts to procure Transit Buses from ABC Bus, Inc. Given the recent escalation in the cost of new buses, staff believe that sourcing through a cooperative like TIPS would provide access to more competitive pricing.

BUDGET IMPACT

There is no cost to join TIPS and the City is not obligated to purchase off TIPS contracts, but when we do, the City should realize savings from the contract pricing and reduced staff time.

ACTION PROPOSED

Staff recommends that Council approve the membership with TIPS and authorize the Mayor to execute the agreement between TIPS and the City.

INTERLOCAL AGREEMENT
Region 8 Education Service Center

City of Lewiston _____ - _____
PUBLIC ENTITY (TIPS MEMBER) Control Number (TIPS will Assign)

and

Region 8 Education Service Center 225 - 950
Pittsburg, Texas Region 8 Texas County-District Number

The Texas Education Code §8.002 permits Regional Education Service Centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university financial operations. Region 8 Education Service Center is an Education Service Center which is defined as a "political subdivision" in Texas Education Code 8.009 and falls under the definition of "Unit of State Government" in Chapter 2260 of the Texas Government Code.[1] Pursuant to Section 791 of the Texas Government Code (The Interlocal Cooperation Act) to increase the efficiency and effectiveness of local governments, Region 8 Education Service Center may enter into an interlocal agreement with any political subdivision or local government of this state or any other state to provide purchasing functions and services.[2]

Vision:
TIPS will continue to become the premier purchasing cooperative in North America through the qualifying and procurement of quality vendors and through serving all public entities and qualifying non-profits.

Purpose:
The purpose of this Agreement shall be to improve procurement process efficiencies and assist in achieving best value for the participating public entities through cooperative purchasing.

Duration:
This Agreement is effective immediately and shall be in effect for one (1) year and automatically renews for an additional year annually. The Agreement may be terminated without cause immediately if the public entity Member provides written notice of termination to Region 8 Education Service Center or if Region 8 Education Service Center provides the public entity Member Sixty (60) days prior written notice of termination.

Statement of Services to be Performed:
Region 8 Education Service Center, by this Agreement, agrees to provide cooperative purchasing services to the above-named public entity through a program known as The Interlocal Purchasing System ("TIPS") Program.

Role of the TIPS Purchasing Cooperative:

- Provide for the organizational structure of the program.
- Provide staff for efficient operation of the program.
- Promote marketing of the TIPS Program.
- Coordinate the Solicitation Process for all Vendor Awarded Contracts.
- Provide members with procedures for placing orders through TIPS PO System.

[1] Tex. Edu. Code Sec. 8.009; Tex. Gov. Code Sec. 2260.001.
[2] Tex. Gov. Code Chapter 791, The Interlocal Cooperation Act.

- Maintain filing system for Due Diligence Documentation.
- Collect fees from vendors as the method of financing this undertaking and supporting the operational costs of TIPS.

Role of the Public Entity:

- Commit to participate in the program by an authorized signature on membership forms.
- Designate and keep current a Primary Contact and Secondary Contact for entity.
- Commit to purchase products and services from TIPS Vendors when in the best interest of the entity.
- Submit Purchase Orders and/or Vendor Contracts through the TIPS PO System by emailing the pdf document to tipspo@tips-usa.com.
- Accept shipments of products ordered from Awarded Vendors.
- Process Payments to Awarded Vendors in a timely manner.
- Report all TIPS purchases to TIPS through TIPS authorized methods.
- Determine when a TIPS purchase is legal and appropriate under Federal, State, and Local law and policy before proceeding with a TIPS purchase.

General Provisions:

The Parties agree to comply fully with all applicable federal, state, and local statutes, ordinances, rules, and regulations in connection with the programs contemplated under this Agreement. This Agreement is subject to all applicable present and future valid laws governing such programs.

No joint agency or joint real property ownership is created by this Agreement.

This Agreement shall be governed by the law of the State of Texas and venue shall be in the county in which the administrative offices of RESC 8 are located which is Camp County, Texas.

This Agreement contains the entire agreement of the Parties hereto with respect to the matters covered by its terms, and it may not be modified in any manner without the express written consent of the Parties.

If any term(s) or provision(s) of this Agreement are held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect.

The Parties to this Agreement expressly acknowledge and agree that all monies paid pursuant to this Agreement shall be paid from legally appropriated and budgeted available funds for the current fiscal year of each such entity.

Before any party may resort to litigation, any claims, disputes or other matters in question between the Parties to this Agreement shall be submitted to nonbinding mediation. The site of the mediation shall be in Camp County, Texas or a site mutually agreed by the parties. The selection of the mediator shall be mutually agreed. The cost of mediation shall be shared equally.

No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and performance of the functions and obligations described herein.

The Parties agree that the Public Entity TIPS Member is solely responsible for identifying when utilization of a TIPS Contract for procurement is legal and appropriate under Federal, State, and Local law and policy. TIPS

contracts are available for TIPS Member use when the TIPS Member determines that such a procurement is appropriate and legal. TIPS cannot and does not analyze TIPS Member procurements for legality. The Parties agree that TIPS shall not be responsible or liable for any claims, challenges, audit findings, legal holdings, or damages resulting from the TIPS Member's decision to utilize a TIPS Contract when it is not appropriate to do so under the laws and policies applicable to the purchase.

This Agreement may be negotiated and transmitted between the Parties by electronic means and the terms and conditions agreed to are binding upon the Parties.

Authorization:

Region 8 Education Service Center and The Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide cooperative purchasing opportunities to entities as outlined above through awarded vendor agreements procured by public solicitation in accordance with applicable Texas statutes.

This Interlocal Agreement process was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the respective state.

The individuals signing below are authorized to do so by the respective parties to this Agreement.

Membership Entity-	**Region 8 Education Service Center**
_____	
By:_____	By: _____
Authorized Signature	Authorized Signature
Title: Mayor	Title: Executive Director, Texas Region 8 ESC
Date _____	Date _____

Public Entity Contact Information

Candy McHargue	cmchargue@cityoflewiston.org		
Primary Purchasing Person's Name	Primary Person's Email Address		
PO Box 617	Lewiston	ID	83501
Entity Address	City	State	Zip
Deb Lewis	deblewis@cityoflewiston.org		
Secondary Person's Name	Secondary Person's Email Address		
208-746-3671 ext 6212			
Entity Phone Number	Entity Fax Number		

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE ORDINANCE 4908	**AGENDA NO.** VI. F. 1. a. **AGENDA DATE:** November 13, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) Currently, the Police Department is the only department that can issue parking tickets.	
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. Community Development has a new position that will enforce Lewiston City Code violations, which includes issuing parking tickets. The Lewiston City Code needed to be changed in order to give Community Development the authority to issue parking tickets.	
BUDGET IMPACT N/A.	
ACTION PROPOSED Staff's recommendation is to approve the first reading of Ordinance 4908.	

CITY ORDINANCE NO. 4908

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTIONS 35-80 AND 35-81 OF THE LEWISTON CITY CODE TO GIVE THE COMMUNITY DEVELOPMENT DEPARTMENT THE AUTHORITY TO ISSUE CITY PARKING TICKETS, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: Lewiston City Code § 35-80 is hereby amended as follows:

Sec. 35-80. Continuing violations.
Unless a shorter time period is specified by a particular section, each consecutive twenty-four-hour period that a vehicle is parked, stopped, or left standing in any manner contrary to the provisions of this article shall constitute a new offense and the police department or the community development department shall issue additional parking citations for each such period in which the vehicle is improperly parked, stopped, or left standing.

SECTION 2: Lewiston City Code § 35-81 is hereby amended as follows:

Sec. 35-81. Parking violation notice and procedures.
The police department and the community development department shall have the authority to issue parking violation notices.
. . .

SECTION 3: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____ 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
Tanya M. Brocke, City Clerk

CITY ORDINANCE NO. 4896

AN ORDINANCE OF THE CITY OF LEWISTON REPEALING SECTION 37-159.1 OF THE LEWISTON CITY CODE TITLED "SETBACK FROM OVERHEAD ELECTRICAL TRANSMISSION LINES" AND RESERVING SUCH SECTION, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: Lewiston City Code § 37-159.1, titled "Setback from overhead electrical transmission lines," is hereby repealed and reserved for future use.

SECTION 2: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

_____
_____, City Clerk

CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE ORDINANCE 4896	**AGENDA NO.** **AGENDA DATE:** November 13, 2023
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.	
BUDGET IMPACT	
ACTION PROPOSED	

RECEIVED 10/25/2023 DB

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 10/24/2023

Commissions/Boards applying for: Cemetery & Urban Forestry

Name: Hensley (Last) Richard (First) B (MI)

Telephone (Home): 208-743-2735

Work Telephone:

E-Mail Address: bhensley52@yahoo.com

Address 1013 (Number) 11th Avenue (Street) Lewiston (City) Id (State) 83501 (Zip)

If residing in Lewiston, for how long? 74 yrs

Employer: Retired USFS - Clearwater National Forest

Occupation: Forestry

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).

Former Board member

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

Retired Forester

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

Name	Telephone
Richard Shedd	208-790-3283
Wilma Green	208-743-4300

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!

Dear Mayor Johnson and City Council members,

The Planning and Zoning Commission held their regularly scheduled meeting October 25, 2023 and voted 5-0 to recommend the removal of Commissioner Justin Merwin from the Lewiston Planning and Zoning Commission to the Mayor and City Council, pursuant to Lewiston City Code Section 2-45. – Absenteeism. Commissioner Merwin has not attended a regular meeting of the Lewiston Planning and Zoning Commission since the July 26, 2023 and has not responded to any attempted communication regarding his attendance.

Sincerely,

The Lewiston Planning and Zoning Commission