****AMENDED****

URBAN RENEWAL AGENCY BOARD
MEETING AGENDA
Tuesday, January 9, 2024 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 "F" Street, Lewiston, Idaho

AS A MATTER OF GOVERNMENTAL TRANSPARENCY, THIS MEETING MAY BE RECORDED, STREAMED LIVE AND/OR ACCESSED AT A LATER TIME. NOTE THAT THIS MAY INCLUDE VIDEO AND AUDIO OF ALL PERSONS PRESENT IN THE ROOM.

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's website at www.cityoflewiston.org.

I. **CALL TO ORDER-**

II. **ELECTION OF CHAIR AND VICE CHAIR FOR 2024 – Action Item**
The Chairperson and Vice-Chairperson shall be elected annually by the Agency at the first regular meeting of the Agency, pursuant to the Urban Renewal Agency bylaws Article 5, B.

III. **CITIZEN COMMENTS** – An opportunity for citizens to address the Agency. Citizens are asked to limit their time to three (3) minutes each. Comments and questions may be made by:
- ✓ Attending in-person
- ✓ Emailing comments and questions prior to the start of the meeting to sgrow@cityoflewiston.org or dortiz@cityoflewiston.org
- ✓ Mailing written comments prior to the start of the meeting to Shannon Grow, PO Box 617, Lewiston ID 83501
- ✓ Calling 208-746-1318 x 7265 and leave a message. Your comments will then be forwarded to the Urban Renewal Agency Board.

IV. **CORRECTIONS OR ADDITIONS TO AGENDA – Action Item**

V. **ACTIVE AGENDA**
- A. **Approval of Minutes, December 12, 2023 – Action Item**
- B. **Approval of Invoices**
  1. **O'Sullivan Law, December 2023 Legal Services, $1007.00 – Action Item**
- C. **Review of Financial Summary, December 2023 – Information Item**

V. **UNFINISHED AND NEW BUSINESS**
- A. **Main / East Main #4: Review of Legal Advice – Possible Action Item**
- B. **Downtown RAA#7: Update**
- C. **East Orchards Sewer #5: Update**

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages 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.

D. **Board Member Comments**
E. **Staff Comments**

VI. ADJOURN - Action Item

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BYLAWS OF
THE URBAN RENEWAL AGENCY
OF THE CITY OF LEWISTON, IDAHO

ARTICLE 1
PUBLIC CORPORATION

The Urban Renewal Agency of the City of Lewiston, Idaho (Agency), is an independent public body, corporate and politic created pursuant to Title 50 Chapter 20 Idaho Code (the Act) and Resolution 99-75 of the City of Lewiston passed on October 18, 1999. These Bylaws are subject to any limitation contained herein.

ARTICLE 2
NON LIABILITY OF COMMISSIONERS

The private property of the commissioners shall be exempt from execution or other liability from any debts of the Agency and no commissioners shall be liable or responsible for any debts or liabilities of the Agency.

ARTICLE 3
COMMISSIONERS

Section A. General Powers. The business and affairs of the Agency shall be managed by the board of commissioners which shall exercise all of the powers of the Agency.

Section B. Compensation. Commissioners shall serve without compensation but commissioners shall be entitled to out-of-pocket costs and compensation for their services for projects carried out by the agency.

Section C. Membership. The Agency membership shall consist of representation as follows:

1. An elected official from the Lewiston City Council;
2. An elected official from the Nez Perce County Commission;
3. An elected official from the Port of Lewiston;
4. An official from Valley Vision;
5. Three at large members from the community.

The at large members of the commission shall be appointed by the Lewiston City Council, the remaining members shall be nominated by their respective bodies and appointed by the Lewiston City Council.

An elected official may designate an alternate who may participate as a voting member if qualified as an elected official identified in C 1, 2 & 3 above and so identified by the elected body as an appointed alternate.

Section D. Term of Office. Members of respective governing bodies shall hold office only during their respective terms of office. The representative of Valley Vision and the at large members shall serve terms of four years and may be reappointed.

ARTICLE 4
MEETINGS OF THE COMMISSIONERS

Section A. Regular Meetings. Regular meetings of the commissioners shall be scheduled on a monthly basis at the Lewiston City Hall, 1134 'F' Street, Lewiston, Idaho, for the purpose of transacting such business as may come before the board at such meetings. The annual meeting will be the first meeting held at the beginning of each year. All regular meetings shall be set and conducted in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter.

Section B. Special Meetings. A special meeting of the board of commissioners may be called at any time by the Chairperson or by any two commissioners by giving written notice to the Chairperson specifying the time, date, place and purpose of such meeting. Any special meeting shall be set and conducted in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter. Upon receipt of such notice the Chairperson shall cause written notice of such time, date, place and purpose of such meeting to be given to each commissioner of the Agency as hereafter provided in this Article 4.

Section C. Notice of Special Meetings. Notice of special meetings of the Agency shall be made in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter.

Section D. Waiver of Notice. Any commissioner may waive, in writing, any notice of a meeting required to be given by these Bylaws. The attendance of a commissioner at any meeting shall constitute waiver of notice of such meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting has not been lawfully called or convened.

Section E. Resolutions. Resolutions adopted by the Agency in connection with the exercise of any of its powers hereunder, or under the Act, shall be signed by the Chairperson and attested by the Vice-Chairperson, provided that the person who attests shall not be the same person as the person who signs.

Section F. Alternate. The designated Agency elected official members may, in their absence, appoint an alternate to represent them at the Agency meetings. Said alternate must meet the eligibility requirements described in Article 3, Section C of the member being represented and will participate as a voting member.

Section G. Quorum. A quorum for the transaction of business shall consist of a majority of four (4) members of the commission.

Section H. Participation in Meetings. URA Board members shall participate in Board meetings in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter.

ARTICLE 5
OFFICERS

Section A. Number and Qualifications. The officers of the Agency shall be a Chairperson and Vice-Chairperson. Such other officers as may be determined by the Agency from time to time to perform such duties as may be designated by the Agency.

Section B. Election and Term of Office. The Chairperson and Vice-Chairperson shall be elected annually by the Agency at the first regular annual meeting of the Agency. Each officer shall hold office until his successor shall have been elected. Any vacancy in any office shall be filled by the Agency by election for the unexpired portion of the term.

Section C. Chairperson. The Chairperson:

1. Shall be the principal executive officer of the Agency and, unless otherwise determined by the members of the Agency, shall preside at all meetings of the Agency.
2. May execute any resolutions adopted by the Agency and any documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Agency.
3. Shall in general perform all duties incident to the office of the Chairperson and such other duties as may be prescribed by the Agency from time to time.

Section D. Vice-Chairperson.

1. In the absence of the Chairperson or, in the event of the Chairperson's inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and when acting shall have all the powers of and be subject to all of the restrictions of the Chairperson. The Vice-Chairperson shall also perform such other duties as from time to time may be prescribed by the Agency. In the event of either the Chairperson's or Vice-Chairperson's prolonged absence or inability to perform such duties, the Agency shall elect a *Pro Tem* Officer who shall assume and perform such duties until either the return or resumption of such duties by the elected Chairperson or Vice- Chairperson occurs or until the next annual election of officers, whichever occurs first.
    2. Shall attest any resolutions adopted by the Agency and any documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Agency to be attested, except in cases in which the attestation thereof shall be expressly delegated by the Agency, or by the Bylaws of the Agency, to some other officer or agent of the Agency, or shall be required by law to be otherwise made.

ARTICLE 6
RULES OF ORDER

Section A. Agenda. The agenda of each regular and special meeting shall be established by the Chair of the Agency in consultation with Agency staff.

Section B. Conduct of the Meeting. The Chair shall be responsible for opening the meeting, confirming the agenda, entertaining discussion on each agenda item, accepting motions and seconds to authorize any action of the Agency to be taken in the meeting and adjourning the meeting.

Section C. Motions. The action to be taken by the Agency shall be confirmed by a vote on a motion to act or not act. The Chair is the arbiter of the course of the discussion and can determine that it is time to consider the motion before the Agency. Because of the statutory requirements of the Agency, roll call votes may be required, otherwise motions are to be voted on by voice vote.

ARTICLE 7
FINANCIAL TRANSACTIONS

Section A. Contracts. Except as otherwise provided in these Bylaws, the Agency may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Agency, and such authority may be general or confined to specific instances.

Section B. Checks, Drafts, etc. All checks, drafts or other orders for payment of monies, and all notes, bonds, or other evidences of indebtedness issued in the name of the Agency shall be signed by such officer or officers, agent or agents, employee or employees of the Agency and in such manner as shall from time to time be determined by resolution of the Agency.

Section C. Deposits. All funds of the Agency may be deposited from time to time to the credit of the Agency in such banks or other financial institutions as the Agency may select.

Section D. Fiscal Year. The fiscal year of the Agency shall begin on the first day of October of each and every year and shall end on the last day of September of the following calendar year.

ARTICLE 8
MISCELLANEOUS

Section A. Rules and Regulations. The Agency shall have the power to make and adopt such rules and regulations not inconsistent with law, or these Bylaws, as it may deem desirable for the management of the business and affairs of the Agency.

Section B. Accounting System and Reports. The Agency shall cause to be established and maintained, in accordance with generally accepted principles of accounting, an appropriate accounting system.

ARTICLE 9
AMENDMENTS

These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the commissioners then in office, at any regular or special meeting, provided the notice of such meeting shall have contained a copy of the proposed alteration, amendment or repeal.

The foregoing Bylaws were adopted by motion of the board of commissioners on the 14th day of March, 2006, and amended by motion of the board of commissioners on April 11, 2023.

JoAnn Cole-Hansen, Chair

Attest: Sheila Bond

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO, met in a regular meeting Tuesday, December 12, 2023, at Lewiston City Hall. Chairperson Sheila Bond called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

BOARD MEMBERS PRESENT: Sheila Bond, Chairperson; Joe Anderson, Vice Chairperson (via Zoom); Don Beck; Joe Gish; Jim Kleeburg; A.L. “Butch” Alford; Tim Switzer

BOARD MEMBERS EXCUSED: None

STAFF MEMBERS PRESENT: Shannon Grow, URA Director; Katie Hollingshead, Assistant URA Director; Aaron Butler, IT; Dustin Johnson, Public Works Director; Luke Antonich, City Engineer; Joe Kaufman, Engineering Supervisor

OTHERS PRESENT: Tom Gerding, Wallowa River Properties; Jordan Gerding, Wallowa River Properties; Thad O’Sullivan, URA Legal Counsel

II. CITIZEN COMMENTS

None.

III. CORRECTIONS OR ADDITIONS TO AGENDA

None.

IV. ACTIVE AGENDA (ACTIVE ITEM)

A. Approval of Minutes, November 14, 2023 – Action Item

Board members Switzer and Gish moved and seconded, respectively to approve the November 14, 2023 meeting minutes. Motion passed 7-0.

B. Approval of Invoices

None.

C. Review of Financial Summary, November 2023 – Information Item

Director Grow reviewed the financial summary for November.

Board member Gish asked if it was possible to receive the financial statement with the meeting packet. Director Grow said possibly, the issue is the timing of the URA meetings and when the finance department receives the bank statement from Twin River in order to prepare the financial summary. Director Grow told the board that she can’t promise the financial summary can be included in the packets each month, but she can email it to the board once she has received it from the finance department.

D. Authorization to invest in the Idaho State Treasurer’s Pool (STP) – Action Item

Director Grow stated that this is the follow up to Board member Gish’s question at the November meeting about being about to sweep funds into a money market account. Director Grow met with City Treasurer Aimee Gordon who calculated that the URA would receive approximately $4,000 additional interest income each money by utilizing the Idaho State Treasurer’s Pool with the current interest rate. The interest rates in the pool have historical been good and it is a low risk investment that keeps the funds very liquid if they need to be withdrawn.

Board member Alford made a motion to approve the Authorization to Invest in the Idaho State Treasurer's Pool. Board member Switzer provided the second.

Board member Gish asked if it was easy to sweep the current accounts into this fund?

Director Grow stated yes, but that it may make the most sense to have the accounts sweep twice a year after the county makes the largest of the increment deposits. The recommendation is that the URA maintain $16,000 in each revenue allocation area's account to cover regular expenses.

Board member Gish asked if the motion should be amended to include keeping a balance of $16,000 in each account?

Director Grow stated yes, you could amend the motion to reflect that.

Board member Gish motioned to amend the motion set forth by Board member Alford to include maintaining a balance of $16,000 in each of the revenue allocation area's accounts. Board member Alford provided the second. Motion passed 7-0.

Board member Beck asked how the interest would be tracked for each of the separate revenue allocation areas? Director Grow stated that finance is already keeping the amounts separate in the Twin River bank accounts and she was sure they would be able to keep the interest amounts separate in the Idaho State Treasurer's Pool accounts.

There being no further discussion, the vote was called. Motion to approve the authorization to invest in the Idaho State Treasurer's Pool, while maintaining an account balance of $16,000 for each of the revenue allocation areas, passed 7-0.

V. UNFINISHED AND NEW BUISNESS

A. **Main/East Main RAA #4: Consideration of partnership with Wallowa River Properties –** Director Grow provided a recap of the Main/East Main Revenue Allocation Area #4 including open date in 2017 with three (3) projects identified, the URA participated in one (1) project so far and at the June 2023 URA meeting the board discussed what actions they wanted to take and decided to keep the RAA #4 open and to revisit the plan in March of 2024. Since then, a developer (Wallowa River Properties) has reached out to staff regarding a property within the Revenue Allocation Area and a possible collaboration between the developer and the URA.

Wallowa River Properties owns a vacant property of approximately 8 acres on 8th Avenue between 27th Street and 29th Street that is served by a sewer line that Wallowa River Properties installed, but is not served by water. The current Main/East Main Revenue Allocation Area #4 plan does not include a water line project for this particular area or parcel. If the board is interested in pursuing this project, staff would have to do additional research to bring what options are available to the board. Options could be amending the plan, or closing the existing plan and opening a new revenue allocation area. Director Grow let the board know that she had met with Public Works Director, Dustin Johnson regarding water in this area and there are some questions about how the City could best serve this area with water. There would need to be an engineering study regarding the water.

Director Grow then introduced Tom Gerding and Jordan Gerding from Wallowa River Properties. Tom Gerding told the board that he had purchased the property in 2005 and had installed the sanitary sewer and the stormwater system and had built 13 homes on the lots along 27th Street. The hope at that time was that the water problem would be solved by the City and development could be continued. Water has not been installed to serve 30 additional lots that could be created. Mr. Gerding stated that the property cannot be developed without water. Currently, the property generates approximately $3,000 in property taxes and if the property could be developed and built out with the 30 additional lots, it would generate approximately $100,000 in property taxes. Without water this property will remain vacant.

Chairperson Bond asked how many houses could be built? Assistant Director Hollingshead stated that based on the size of the lots and the lot minimums in the Low Density, R2, Zoning District that the property exists in, on the 30 lots remaining, 17 of the lots could support a duplex and 13 of the lots could support a single family dwelling.

Board member Gish asked if water meant water and sewer infrastructure. Assistant Director Hollingshead stated that the developer had already installed a sewer line and a stormwater line.

Board member Beck asked if there was water that could be hooked into from the surrounding streets. Director Grow stated that there were lines, but not the water capacity needed to serve additional development.

Board member Switzer asked about engineering that had already been done for the water improvements. Mr. Gerding stated that yes, a preliminary study had been done in 2005 with some sizing and hydrant calculations.

Public Works Director, Dustin Johnson let the board know that the property sits between two separate pressure zones, low reservoir and high reservoir. There isn't enough pressure to serve the proposed development because it does not have a large diameter pipe serving the area. The transmission line that currently runs down 29th Street is on the priority list for review and possible improvement. Director Johnson does have interest in partnering to improve the water lines.

Board member Alford stated that he felt the board should continue its interest in the project and learn more about the options.

Board member Gish asked if developments like this should be something the City does as part of their normal operations. New residential homes are highly needed but questioned if a project like this was really something the URA should be supporting.

Director Grow stated that a water line for this project would be similar to the water line project that is identified in the plan (2,100 feet of water line from east main to city limits) because properties surrounding the line are not able to increase density or develop undeveloped lands because the existing line cannot support any additional use.

Mr. Gerding let the board know that one of the challenges faced with this property is that the area that the property is located in is not what would be considered an attractive location to develop. Mr. Gerding said that he had previously spoken with local developers about developing in this area and they agreed that the water line issues make the development of the property hard to pencil out financially.

Director Grow stated that modifying a plan is very restricted from state law and so staff has not yet gone through what a plan modification would like with the legal team.

Board member Alford asked if the information could be brought back to the next meeting about the viability of amending the plan.

Board member Beck said he would also like to have more information brought back.

B. **Downtown RAA #7 -** Director Grow stated there was no update as the City is waiting for a Department of Environmental Quality report that is due to be completed the first week of January. Director Grow stated she will continue to bring updates to the board as she receives them.

C. **East Orchards Sewer #5 –**
Assistant Director Hollingshead reviewed that the board had asked at the November meeting the number of homes that had and had not hooked up to the trunk line installed with the East Orchards Sewer project. Hollingshead provided that there 103 existing homes along the trunk line, with 48 completing a full sewer hook-up and abandonment of septic system, 23 homes having the sewer stubbed in to the property line but have not abandoned their septic system yet and 32 homes (27 within City limits and 5 outside of City limits but adjacent to the trunk line) who had not taken any action. In addition, 26 new homes have been completed along the trunk line route and have hooked up to the sewer system.

Assistant Director Hollingshead shared that she had just received from Joe Kaufman, Engineering Supervisor, a draft proposal for the rock boring study, but that staff had not yet met to review the proposal for completeness. If the draft proposal is complete it could possibly be on the January agenda for the board to review.

D. **Board Member Comments -**
Board member Gish apologized to the Board for not completing the graph on the East Orchards Sewer RAA #5.

Vice Chair Anderson apologized to the Board for not attending the meeting in person. He also invited the board to the Port of Lewiston's Holiday Open House on December 20th from 3 to 5 pm.

E. Staff Comments

Assistant Director Hollingshead handed out a Save the Date flyer for a volunteer appreciation reception that would be held on February 5, 2024.

VI. ADJOURN (ACTION ITEM)

There being no further business, Board members Alford and Beck moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Urban Renewal Agency Board adjourned at approximately 12:47 p.m.

RESPECTFULLY SUBMITTED,	ATTEST:
___________________________	___________________________________
KATIE HOLLINGSHEAD, RECORDING SECRETARY	URBAN RENEWAL AGENCY CHAIR

Approved this _____ day of ________________, 2024.

O'Sullivan Legal PLLC

PO Box 8027
3120 S Grand Blvd
Spokane, 99203

PHONE: 5094344547

INVOICE

INVOICE NUMBER: 188
INVOICE DATE: DECEMBER 26, 2023

City of Lewiston URA
215 D Street
Lewiston, ID 83501

DATE	PROJECT	DESCRIPTION	HOURS	RATE	AMOUNT
DEC-07-23	General Legal	Review agenda	0.10	$265.00	$26.50
DEC-08-23	General Legal	Telephone conference with client; legal research	0.80	$265.00	$212.00
DEC-11-23	General Legal	Legal research; review documents	0.50	$265.00	$132.50
DEC-12-23	General Legal	Attend Board meeting	0.90	$265.00	$238.50
DEC-13-23	General Legal	Client correspondence	0.20	$265.00	$53.00
DEC-18-23	General Legal	Review documents; attend teleconference regarding multiple matters	1.30	$265.00	$344.50
		Total amount of this invoice			$1,007.00

ACCOUNT INFORMATION	
Prior account balance	$0.00
Invoice 188 DEC-26-2023	$1,007.00
Current account balance	$1,007.00

AMOUNT DUE: $1,007.00