URBAN RENEWAL PLAN

FOR
REVENUE ALLOCATION AREA #4
Main East Main (MEM)

THE CITY OF LEWISTON
URBAN RENEWAL AGENCY

Prepared by

Urban Renewal Agency of the City of Lewiston

Joe Hulett, Chairman
Bob Blakey, Vice-Chairman
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MARCH 14, 2017
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXECUTIVE SUMMARY</td>
<td>1</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>2</td>
</tr>
<tr>
<td>PURPOSE</td>
<td>3</td>
</tr>
<tr>
<td>OBJECTIVES</td>
<td>4</td>
</tr>
<tr>
<td>ORGANIZATION</td>
<td>4</td>
</tr>
<tr>
<td>POWERS</td>
<td>4</td>
</tr>
<tr>
<td>DUTIES</td>
<td>5</td>
</tr>
<tr>
<td>SOURCE OF AGENCY REVENUES</td>
<td>5</td>
</tr>
<tr>
<td>FINANCING IMPROVEMENTS</td>
<td>6</td>
</tr>
<tr>
<td>ELIGIBLE PROJECT ACTIVITIES</td>
<td>6</td>
</tr>
<tr>
<td>EXHIBITS 1 AND 2</td>
<td>8</td>
</tr>
<tr>
<td>COOPERATION BETWEEN THE CITY AND AGENCY</td>
<td>9</td>
</tr>
<tr>
<td>DESCRIPTION OF PROJECTS</td>
<td>9</td>
</tr>
<tr>
<td>MAIN AND EAST MAIN</td>
<td>9</td>
</tr>
<tr>
<td>EXHIBIT 3: E MAIN MAPS</td>
<td>12</td>
</tr>
<tr>
<td>EXHIBIT 4: PROPOSED INTERSECTION DESIGN</td>
<td>13</td>
</tr>
<tr>
<td>EXHIBIT 5: LOCOMOTIVE PARK PEDESTRIAN/BIKE PATH</td>
<td>14</td>
</tr>
<tr>
<td>OTHER PROJECTS AND REVENUE ALLOCATION AREAS</td>
<td>15</td>
</tr>
<tr>
<td>ECONOMIC FEASIBILITY STUDY</td>
<td>15</td>
</tr>
<tr>
<td>FISCAL IMPACT TO OTHER TAXING ENTITIES</td>
<td>15</td>
</tr>
<tr>
<td>CONCLUSION AND RECOMMENDATION</td>
<td>16</td>
</tr>
<tr>
<td>APPENDIX A: SUMMARY STATEMENTS, LEGAL INSTRUMENTS</td>
<td>A-1</td>
</tr>
<tr>
<td>APPENDIX B: DEFINITIONS</td>
<td>B-1</td>
</tr>
<tr>
<td>APPENDIX C: INCREMENT PROJECTION</td>
<td>C-1</td>
</tr>
<tr>
<td>APPENDIX D: IDAHO STATUTE 50-2905</td>
<td>D-1</td>
</tr>
<tr>
<td>APPENDIX E: ADOPTION PROCESS</td>
<td>E-1</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

The Lewiston City Council has formed an Urban Renewal Agency (URA) to promote economic development, create jobs and improve the tax base. This is done in part by strategically targeting public investments to create these benefits, promote development of under-utilized properties, eliminate blighted conditions and beautify the built environment.

Revenues available to finance this URA project come from a Revenue Allocation Area (RAA) which the URA recommends be established by the City of Lewiston. The base year for this area is 2017. Increases in the valuation resulting from new growth or appreciation over the base year, multiplied by current levies of the four taxing districts, generates the revenues for URA investment.

Revenues generated through the term of the RAA, August 2029, will be used for the construction of water lines under the intersection of Highway 12 and 21st street, flood control in the vicinity of the intersection and pedestrian access improvements in and through this general area to the levee trail and waterlines along Mill Road if revenues permit. The Urban Renewal Agency intends to implement the projects described in this plan and then terminate Revenue Allocation Area #4 without delay.
INTRODUCTION

The Urban Renewal Agency provides financing options to pay for improvements that will eliminate blight and enhance development, job creation or private investment. In so doing, the assessed value of the area is increased. The City of Lewiston has established an Urban Renewal Agency (URA) to help develop blighted areas, build roads and infrastructure, enhance the climate for private investment and put vacant properties to work for the community. By returning formerly vacant or underused properties to the tax rolls, at an increased value, the URA creates new sources of revenue. These revenues can be used for improvements in the RAA without raising taxes in the community. The Agency’s investments in these areas are repaid through new jobs and improved, productive properties that become permanent revenue generators because of increased assessed value.

Private investors are not likely to locate within a city that cannot provide adequate infrastructure or within areas that are considered blighted or under used. There are a few areas in Lewiston that meet these descriptions. If an area is designated a Revenue Allocation Area (RAA) the Agency can utilize Tax Increment Financing (TIF) to improve and extend infrastructure, improve the ability of properties to develop, eliminate blight, assemble parcels and a full range of other powers and activities as provided by law.

URA’s were originally developed in the 1950’s to help cities with their economic development efforts. Many cities use URA’s and TIF as a tool to attract businesses into the community using the incremental tax increase to fund infrastructure and other improvements. When improvements are made that directly facilitate a specific business interest, the program should require commensurate improvements or job commitments from the business/property owner. The amount of negotiated assistance can be based upon specific criteria, for example:

- The projected increase in the assessed valuation of the property.
- The number and quality of new jobs created or retained.
- The amount of other revenue generated for the Community by the project.
- The financial strength of the applicant.
- The ability of the applicant to further the Community’s development and economic goals.

The City of Lewiston Urban Renewal Agency was originally formed in 1999 but lay dormant until 2005 when an Urban Renewal Plan was adopted along with three revenue allocation areas. In 2014, Urban Renewal Plan 2 was adopted adding a project to RAA #1 (18th Street North), clarifying the cost of Nez Perce Drive Extension (RAA #2), and adding a potential list of projects to RAA #3. This plan is separate and distinct from
Urban Renewal Plan #2. The purpose of this plan is to scope and implement projects in a new RAA #4 (Main Street and East Main Street). This plan area falls within the Urban Renewal Agency’s boundary established by Resolution 2005-76 adopted September 26, 2005. Findings of deteriorated conditions were addressed at that time.

The Agency does not anticipate long-term ownership of any assets at this time. Public improvements will be dedicated to or become the property of another governmental agency or public utility as selected by the Board. Should the Agency own any assets derived from tax revenues on the termination date, their disposition shall be negotiated by the Agency and local taxing districts.

**PURPOSE**

Idaho law gives cities and counties the authority to establish Urban Renewal Agencies, which are mechanisms for the rehabilitation, clearance and redevelopment of deteriorated and deteriorating areas in municipalities (Statute 50-2005). Open land can, under certain circumstances, constitute a deteriorated or deteriorating area. In addition the law allows urban renewal activities for competitively disadvantaged border communities—those within 25 miles of a state or international border (Statute 50-2903). When a community determines it is at a disadvantage in its ability to attract business, private investment or commercial development, it is allowed to form Revenue Allocation Areas and fund projects to remedy the situation.

The purposes of the law which will be attained through and the major goals of this plan are:

- Enlarging the economic base of the project areas and the community by installation of needed public improvements and facilities to stimulate new commercial expansion, employment, economic growth and connectivity and utilization of the rivers as a major public asset;
- Strengthening the tax base by encouraging and facilitating private investment, thus increasing the assessed valuation of properties in the project area and community-wide;
- Elimination of environmental deficiencies in the project area, including among others inadequate public improvements, infrastructure and facilities;
- Creation of public spaces, gateways, entries and the like;
- Provision of adequate land for parks, open space, street rights of way and pedestrian rights of ways;
- Public transportation facilities;
- Leverage funds of other local, state or federal agencies.
OBJECTIVES

Agency objectives are:

- Improve infrastructure to leverage, encourage, and support additional land development and/or job growth.
- Improve the local tax base and community aesthetics.
- Fund projects that solve community problems caused by a lack of infrastructure.
- Pay off debts early, when possible.
- Improve pedestrian access to the Clearwater River
- Use the increment to leverage other funds such as matching the Federal Lands Access Program grant submitted by the City of Lewiston in 2017.

ORGANIZATION

The Agency is governed by a seven-member board appointed by the Lewiston City Council. Three of the four taxing districts operating within the plan area have a seat (Lewiston, Nez Perce County and Port of Lewiston). The City’s Administrative Services Director, a representative of Valley Vision and two community members at-large complete the Board.

On the board in 2017:
- Chairman, Joe Hulett, Member-at-Large
- Vice-Chairman Bob Blakey, Lewiston City Council
- Secretary Dan Marsh, Administrative Services Director, City of Lewiston
- A.L.”Butch” Alford, Jr., Valley Vision
- Jo Ann Cole-Hansen, Member-at-Large
- Mary Hasenoehrl, Port Commissioner
- Bob Tippett, Nez Perce County Commissioner

Administration of the Agency has been provided by Laura Von Tersch, Community Development Director, City of Lewiston.

POWERS

The Agency has broad powers with respect to any urban renewal plan, including the power to acquire property by purchase from a willing seller. Urban renewal agencies have the power to issue bonds to finance the undertaking of approved projects; however the Agency does not have the power to levy taxes. Bonds and other obligations of a URA are paid by the tax increment collected from the revenue allocation areas. The bonds do not become a debt of any other political agency.

This plan provides the agency with powers, duties and obligations to implement and further the program generally formulated in this plan for urban renewal, rehabilitation,
revitalization of the areas within the boundaries of the Revenue Allocation Area.

Implementation of this plan will require public co-investment to help stimulate desired private investment. Typically the agency will fund enhanced public facilities like streets, sidewalks, parking facilities, parks, public buildings, plazas, infrastructure (utilities, storm drainage, and fiber) and streetscape which in turn create an attractive setting for adjacent private investment in office, retail, housing or other commercial and industrial facilities.

**DUTIES**

The URA is responsible for writing and administering the urban renewal plan adopted by the City Council and associated record keeping and retention. The URA shall have the same fiscal year as the City of Lewiston and shall be subject to the same audit requirements as a municipality. As required by the Law and the Act, the Agency will adopt more specific budgets annually. The Agency will report on its activities at least once per year to the City Council. This annual report will address all requirements in Statute including an accounting of the Agency’s activities and financial position.

The Agency will comply with all statutory requirements including the Local Government Entity Registry and the State Tax Commission Reporting Repository for Urban Renewal Plans.

The URA Board shall meet regularly to discuss URA business. The URA will seek ways to increase the overall tax base with the goal of ultimately turning the tax revenues over to the local governmental taxing entities. The URA will dispose of all assets upon expiration of the Revenue Allocation Area in August 2029. A disposal plan will be developed in consultation with the other taxing entities closer to the termination date.

**SOURCE OF AGENCY REVENUES**

The agency will contribute to financing the projects described in this plan using a revenue allocation area (RAA). The base year for this area is 2017. Increases in the valuation resulting from new growth or appreciation over the base year, multiplied by current levies of the four taxing districts, generates the revenues for URA investment. This revenue value is called the “increment”. The City of Lewiston contributes most of the increment available to the Agency, and has the largest share of assessed valuation within the RAA boundaries.

*See Exhibits 1 and 2.*

It should be noted that Exhibit 2 reflects conditions as of 10/1/16; RAA #1 has been closed, RAA #2 and RAA #3 are open. In 2017, RAA #2 should be closed (current taxable value is $52,414,246) and RAA #4 should be open (approximately $63.6 million in taxable value).
FINANCING IMPROVEMENTS

The Agency may issue bonds that are special obligations payable from the tax increment as described earlier in this document or payable from any funds available to the authority in connection with any urban renewal project. The bonds are obligations of the Agency and are not an indebtedness of the City.

The Agency may fund projects with any revenues on-hand, or commit, in partnership with other private or public entities to fund projects over time as revenues materialize. The “pay as you go” method is ideal for small or phased projects and avoids costs associated with issuing bonds. In RAA #4, the Agency anticipates that the City will fund the water and flood control improvements upfront, with the URA paying for a percentage of the work as revenues materialize. The URA may be able to match the Federal Land Access Program if awarded in one lump sum. The implementation of this plan anticipates that the URA will enter into a Memorandum of Agreement with the City of Lewiston.

The Agency anticipates entering into an agreement with the City of Lewiston regarding the funding of the urban renewal projects described in this Plan shortly after this Plan is approved by the City of Lewiston, likely during the summer of 2017. At that time, the Agency will incur monetary obligations to help fund such projects. It is expected that the costs related to the reconstruction of water and storm sewer utilities will be incurred in 2019. Costs for the proposed pedestrian improvements may be incurred when sufficient revenues are received by the Agency, which might not occur until in or around 2028.

ELIGIBLE PROJECT ACTIVITIES

Idaho State Statutes establish the activities in which an urban renewal agency is allowed to engage. Project elements and activities include:

- Acquisition of deteriorated areas and real property;
- Management of any property acquired by the agency;
- Demolition and removal of buildings and improvements;
- Construction or reconstruction of streets, utilities (including sewer, water, storm drainage, fiber, electrical or natural gas distribution), parks, playgrounds, off-street parking facilities, public facilities or buildings, walkways, public open space, visitor information center;
- Disposition of any property at fair market value, except for disposition of property to another public body that can be at less than fair market value;
- Telecommunication infrastructure;
• Issuance of bonds, notes or other financial obligations from time to time; and
• All other actions as necessary or authorized under State law to accomplish this Plan.
EXHIBITS 1 AND 2

SOURCE OF URA REVENUES FY2016

Nez Perce County: 33.6%
City of Lewiston: 60.4%
Independent School District No 1: 5.1%
Port of Lewiston: .9%

PERCENTAGE OF TAXING DISTRICTS' ASSESSED VALUES SUBJECT TO URA

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<th>Taxing District</th>
<th>Percentage</th>
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<td>City of Lewiston</td>
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<tr>
<td>Nez Perce County</td>
<td>2.6%</td>
</tr>
<tr>
<td>Independent School District No 1</td>
<td>2.9%</td>
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<tr>
<td>Port of Lewiston</td>
<td>2.6%</td>
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2.
COOPERATION BETWEEN THE CITY AND AGENCY

The Agency recommends that the City aid and cooperate with the Agency in carrying out this Plan and take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and prevent the recurrence or spread in the area of conditions causing deterioration.

In addition to the above, by adoption of this plan, the City commits to take the following actions:

(a) Accept ownership and on-going maintenance of improvements made by the URA in the public domain (excepting improvements retained by a public utility for the Community’s benefit, or those dedicated to another taxing entity).

(b) Apply zoning, land development standards and business licensing strategies to further the objectives of this plan.

(c) Negotiate agreements with the Agency for administration, support services, funding sources, personnel, office space and the like.

(d) Undertake and complete any other proceedings necessary to carry out projects.

DESCRIPTION OF PROJECTS

MAIN AND EAST MAIN

The Main East Main (MEM) revenue allocation area is within the City of Lewiston and determined to be eligible for urban renewal. It is part of the area that the Urban Renewal Agency (URA) is authorized to work. In order to “activate” the Revenue Allocation Area (RAA), a plan has to be developed and adopted by the City Council. The base year of the plan will be the year in which the plan is adopted, 2017.

Tax increment revenues for MEM are projected at $1,240,000 in 10 years assuming 1.5% appreciation. Based on low rates of appreciation historically, the 1.5% figure is reasonable.

In the center of the proposed MEM RAA, is one of the largest intersections in the City—Highway 12 and 21st Street. All travelers entering the City from the North or East have to travel through this intersection. It is part of the corridor between the Port of Lewiston and Clearwater Paper & Idaho Forest Group, two of the Valley’s largest employers. The current intersection has an unusual configuration, too many legs and insufficient stacking for critical movements and does not sufficiently accommodate pedestrian access to and from the Clearwater River levee system.

The Idaho Transportation Department has plans to rebuild the Highway 12/21st Street intersection in 2019 for a projected cost of $5,000,000 (recently increased from $2
ITD has asked the City to verify that utilities under the proposed road bed can be expected to function properly for the next 25 years. The City Engineer has determined that the water mains need to be replaced at a cost of $350,000. With the intersection torn up, the City would like to take the opportunity to upsize storm water line from the Red Lion Hotel parking lot through the intersection tying into ITD’s work. This line is expected to cost approximately $650,000. Flooding experienced by area businesses such as the Red Lion Hotel, Hells Canyon Harley Davidson and Hahn Supply will be reduced.

Limited pedestrian improvements would be part of the intersection rebuild. Medians would be constructed on the northwest and southwest corners of the intersection to provide pedestrian refuge. Two trail connections to the existing path through Locomotive Park will be constructed. Even so, expecting pedestrians to cross 6-7 lanes of two-way traffic may be unreasonable. Additional mid-way pedestrian refuges through the intersection should be explored.

One improvement that ITD will make is pulling the retaining wall at Baldwin Falls and 21st back to allow the sidewalk on 21st to be widened. It is currently only two feet wide. This reconstructed sidewalk would connect into sidewalk now existing on East Main. The exact cost of this work is unknown.

Lewiston will be applying for a FLAP grant this year (Federal Lands Access Program). The purpose will be to move pedestrians though the intersection to the levee trail. A formalized crossing of the railroad tracks is not planned. Site distance and grades are good making the crossing safe. The plan contemplates the creation of a pedestrian route through Locomotive Park to the levee trail. On the east side of the intersection pedestrians would be routed through ITD right of way to the Memorial Bridge and levee system. Costs for these improvements are in the $130,000 range. The FLAP grant has a local match of 7.34%. ITD has pledged a match of $8,955 reducing costs to the URA.

If revenues permit, up to 2,100 feet of waterlines will be upsize along Mill Road east to city limits. Portions of this line are only 3” in diameter, insufficient to support commercial development and required fire flows.

Revenues from the RAA will trickle in slowly over time. Appreciation and new growth are not sufficiently hardy to guarantee a bond, and bond costs would take a large percentage of available revenues. Therefore, any assistance the URA can provide for the upgrade of the intersection will be limited to “pay as you go” based on the incremental revenue. The City will have to guarantee and pay for the work up front, with the URA contributing funds as revenues materialize.

The URA believes a Revenue Allocation Area along Main East Main as shown on the
attached maps has great promise. It will leverage a $5,000,000 investment by ITD to upgrade the largest intersection in town. It is part of improving pedestrian access to the levee system, a stated goal of the City Council in the Comprehensive Plan, Waterfront Plan and City Vision statements. Flooding experienced by area businesses will be reduced.

See Exhibits 3, 4 and 5.

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<thead>
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<th>PROJECT SUMMARY ESTIMATED COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT</td>
</tr>
<tr>
<td>US 12/21ST ROADWAY</td>
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<tr>
<td>WATERLINES</td>
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<tr>
<td>STORM WATER</td>
</tr>
<tr>
<td>PEDESTRIAN IMPROVEMENTS</td>
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<tr>
<td>(through Locomotive Park)</td>
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<tr>
<td>WATERLINES EAST MAIN</td>
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<td>2,100’ 12” D.I.</td>
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(1) A formal cost sharing agreement has not yet been approved
(2) If the FLAP grant is not approved
(3) If the FLAP grant is approved.
(4) Soft match, grant administration, project management
EXHIBIT 3: E MAIN MAPS

City of Lewiston
COMMUNITY DEVELOPMENT

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

City of Lewiston
COMMUNITY DEVELOPMENT

This drawing is only a visual aid. Information and locations are approximate. There is no guarantee or warranty expressed or implied for its accuracy.
Recommended Improvements For The US-12 And 21st Street Intersection Include:

- Standard intersection configuration.
- Consolidated turning movements at a single location.
- Reduced number of conflict points.
- Increased storage for turning vehicles and trucks.
- Closes G Street at 21st Street.
- Right-in, right-out, and left-in turning movements at 21st Street/Idaho Street.
- Reduced travel delays.
- Concrete pavement.
- Improved pedestrian crossings and connectivity.
EXHIBIT 5: LOCOMOTIVE PARK PED/BIKE PATH PROJECT

Legend

- **Blue Line**: Proposed Ped/Bike Path
- **Dashed Line**: Army Corp of Engineers Ped/Bike Path
- **Green Area**: Army Corp of Engineers Property
- **Green Line**: City Parks / ITD Right of Way
OTHER PROJECTS AND REVENUE ALLOCATION AREAS

In developing Revenue Allocation Area #4, Main East Main, the Agency discussed other areas that could be considered blighted, or lacking sufficient infrastructure to support land development. These other areas include the East Orchards Sewer, Bryden Avenue Corridor and Circulation around the Airport. This Plan only addresses Main and East Main.

ECONOMIC FEASIBILITY STUDY

Cost of projects described for Area #4 fit within available revenues, provided the city pays half of water and flood control upgrades. If the city does not contribute, the Agency will be tasked with finding other sources of revenues to complete the projects or reducing the project scope. See Appendix C for an economic feasibility analysis using increment projections.

FISCAL IMPACT TO OTHER TAXING ENTITIES

It is expected that the agency will complete the projects described in this plan and scoped as part of their annual budget throughout the duration of this Plan and Revenue Allocation Area #4 (August, 2029).

Section 63-301A, Idaho Code, prohibits taxing entities from including, as part of the new construction roll, the increased value of new construction within the revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Urban Renewal District will no longer be available for inclusion by the taxing entities to increase their budgets. Therefore, less tax revenue projected in the future will be available to those taxing entities. Generally, the impact on those entities could be determined by taking the Agency’s projected revenue and distributing the funds in the same ratio as the respective levy rates of each taxing district.

Appendix C incorporates estimates of increment revenue flowing to the Agency. If the appreciation or overall levy rate is less than assumed, the Agency will receive less funds from revenue allocation. Market value changes and levy rates are influenced by many factors beyond the Agency’s control, so the actual numbers may vary.

Revenue projections in Appendix C will give the other taxing entities a sense of the fiscal impact they might experience prior to the termination of the Agency if all increment revenue materializes and is directed to the described capital projects. Revenue estimates are based on the Agency’s present knowledge and expectations.

Using the 2016 Tax Year levies, the four taxing entities will forgo as much as $1,240,782 in tax revenues proportioned as follows;

City of Lewiston: $749,184
County of Nez Perce: $417,275  
Lewiston Independent School District No. #1: $63,528  
Port of Lewiston: $10,795

The total base value contained in the RAA in 2016 is 3.6% of the total taxable value in the municipality. The total taxable value of the City of Lewiston in 2016 is $1,882,944,161.

CONCLUSION AND RECOMMENDATION
The Urban Renewal Agency of the City of Lewiston, in cooperation with the City of Lewiston, believes exercising the powers provided by Statute will benefit all residents of the Community.
APPENDIX A:
SUMMARY STATEMENTS, LEGAL INSTRUMENTS

This is the Urban Renewal Plan (the “Plan”) for Revenue Allocation Area #4, Main, East Main for the City of Lewiston. The Plan consists of the text and all attachments thereto, including a map of the proposed revenue allocation area, a project description, revenue projections, tax impacts, and financing methods.

This Plan provides the agency with powers, duties and obligations to implement and further the program formulated in this Plan for the redevelopment and revitalization of the area within the boundaries of Tax Revenue Allocation Area #4 (RAA) as set forth in Exhibit 3 attached hereto. This Plan contains specific recommendations on ways the Agency can immediately remedy these deficiencies and encourage new private investment within the project areas.

On November 15, 1999, the Lewiston City Council adopted Resolution No. 99-85, creating the Urban Renewal Area. At that time the RAA boundaries were the Business and Technology Park in the Nez Perce Terrace Area. The Business and Technology Park was found to be a deteriorated area.

The Urban Renewal Agency of the City of Lewiston, Idaho (the “Agency”) is an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Title 50, Chapter 20 of the Idaho Code, as amended (the “Law”), and the Local Economic Development Act, Title 50, Chapter 29, as amended (the “Act”), and a duly created and existing urban renewal agency of the City of Lewiston, Idaho.

On September 26, 2005, pursuant to Resolution 2005-76 adopted by the City Council, the City determined that all real property within the corporate limits of the City and North of Eighth Avenue, East of 29th Street and the real property North of Stewart Avenue, west of Juniper Drive and East of Thain Grade; has deteriorated or deteriorating areas as provided in Idaho Code Sections 50-2018 and 50-2903 (8). The conditions are resulting in the economic underdevelopment of the area and arresting the sound economic growth of the City of Lewiston.

The Plan allows financing of urban renewal projects with revenue allocation funds pursuant to the Act.
APPENDIX B:
DEFINITIONS

Act means collectively the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as the same shall be amended from time to time.

Agency means the Urban Renewal Agency of the City of Lewiston, Idaho, a body politic and corporate created pursuant to the Act.

Assessment Roll means the assessment roll used in connection with the taxation of the properties in the RAA by the taxing agencies, as such roll is equalized as provided by the law of the State of Idaho.

Authorized Officer of the Agency shall mean the Chairman of the Board, or a representative designated by the Board.

Base Year means 2017

Board shall mean the Board of Commissioners of the Agency.

Bonds shall mean bonds issued by the Agency.

Cost of Acquisition and Construction, with respect to Projects, shall include together with any other proper item or cost not specifically mentioned therein, the cost of demolition, the cost of acquisition and construction of the Project and the financing thereof, the cost, whether incurred by the Agency or another, of field surveys and advance planning undertaken in connection with the Project, and the cost of acquisition of any land or interest therein required as the sites thereof or for use in connection therewith, the cost of preparation of the sites thereof and of any land to be used in connection therewith, the cost of any indemnity and surety bonds and insurance premiums, allocable administrative and general expenses of the Agency, allocable portions of inspection expenses, financing changes, legal fees, and fees and expenses of financial advisors and consultants in connection therewith, cost of audits, the cost of utilities, architectural services, design, plans, specifications and surveys, estimates of cost, the payment of any notes of the Agency (including any interest and redemption premiums) issued to temporarily finance the payment of any item or items of cost of the Project and payable from the proceeds of any bonds, and all other expenses necessary or incident to determining the feasibility or practicability of Projects, and such other expenses not specified herein as may be necessary or incident to the construction and acquisition of Projects, the financing thereof and the placing of the same in use and operation.
Cost(s) of Issuance shall mean printing, rating agency fees, legal fees, underwriting fees, fees and expenses of the Trustee, bond insurance premiums, if any, and all other fees, charges, and expenses with respect to or incurred in connection with the issuance, sale, and delivery of a series of Bonds.

Debt Service for any period shall mean, as of any date of calculation, an amount equal to the Principal Installment and interest accruing during such period on the Bonds. Such Debt Service on the Bonds shall be calculated on the assumption that no portion of the Bonds Outstanding at the date of calculation will cease to be Outstanding except by reason of the payment of the Principal Installment on the Bonds on the due date thereof.

District means Main and East Main Area #4 designated by the City as a Revenue Allocation Area under the Act.

Fiscal Year shall mean the annual accounting period of the Agency, beginning October 1 in a year and ending September 30 of the following year.

Infrastructure shall mean without limitation above and below ground utilities such as water, sewer, storm drainage, telephone, cable, internet, fiber, electricity, gas, road, curb, gutter, sidewalk, bridges, tunnels, benches, bike racks, trash receptacles, pedestrian and bicycle paths; parking lots, signage, landscaping, place making and public art.

Investment Securities shall mean and include any securities that are legal investments under Section 67-1210, Idaho Code.

Operation and Maintenance Expenses with respect to the Project, shall mean all actual operation and maintenance expenses incurred by the Agency in any particular Fiscal Year or period to which said term is applicable or charges made therefore during such Fiscal Year or period.

Plan shall mean the Urban Renewal Plan for Revenue Allocation Area #4.

Project shall mean the infrastructure improvements and pedestrian access further described in the text of the Plan.

Revenue Allocation Revenues means that incremental portion of Taxes exceeding the amount of Taxes collected in the Base Year, allocated to the Agency under the Plan and in accordance with the provisions of the Act.

Secretary means the Secretary of the Agency.

Taxes means all levies on ad valorem basis upon land, real property, personal property or any other property, tangible or intangible, included within the Districts.
Tax Increment Financing means a mechanism for financing local economic development projects in through taxes generated by increased property values.
## East Main

<table>
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<th>Year</th>
<th>1</th>
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<td>$65,585,990</td>
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<th>Year</th>
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<td>RAA Value</td>
<td>$71,714,559</td>
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Total Assessed Value 2017 $67,828,754
less Homeowner Exemption $4,166,942
Taxable Value $63,661,812
APPENDIX D:
IDAHO STATUTES
TITLE 50 MUNICIPAL CORPORATIONS
CHAPTER 29 LOCAL ECONOMIC DEVELOPMENT ACT

50-2905. Recommendation of Urban Renewal Agency. In order to implement the provisions of this chapter, the urban renewal agency of the municipality shall prepare and adopt a plan for each revenue allocation area and submit the plan and recommendation for approval thereof to the local governing body. The plan shall include with specificity:

(1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;

(2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;

(3) An economic feasibility study

(4) A detailed list of estimated project costs;

(5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing district levying taxes upon property on the revenue allocation area;

(6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;

(7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan;

(8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets; and

(9) Any changes to an urban renewal plan as provided in subsections (2) and (6) of this section shall be noticed and shall be completed in an open public meeting.


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APPENDIX E
ADOPTION PROCESS

This appendix is a record of the Plan adoption process and (will) contain copies of meeting agendas, staff reports, meeting minutes, resolutions, ordinances and public hearing notices.

The information in this appendix will be compiled over time as documents are produced. It is recognized that some documents will be inserted after Plan adoption, such as the meeting minutes of the hearing adopting the Plan.
PUBLIC NOTICE

The Urban Renewal Agency of the City of Lewiston, Idaho will hold a public hearing 3/14/2017 at 12:00 noon, 1134 “F” Street, City Hall Conference Room, to discuss and potentially adopt an Urban Renewal Plan entitled Urban Renewal Plan. This plan incorporates a revenue allocation area along Main Street at Lincoln Street continuing to the east city limit line. A Revenue Allocation Area will cause property taxes resulting from any increase in equalized assessed valuation as shown on the base assessment roll to be allocated to the Urban Renewal Agency for urban renewal projects. The projects being considered include:

- Replacement of water and storm sewer lines near and underneath the intersection of US 12 and 21 street in conjunction with a rebuild of the intersection by the Idaho Transportation Department;

- Pedestrian improvements to create a safe route from the north end of 21st street through the intersection of US 12 and 21st to the levee trail.

- Construction of up to 2,100’ feet of water line along Mill Road east to city limits.

Copies of the draft plan can be obtained or viewed on-line at http://www.cityoflewiston.org/content/848/6585/default.aspx at Community Development (215 “D” Street), the City Library (411 “D” Street) and from the City Clerk, (City Hall, 1134 “F” Street). Comments on the plan are welcome and may be submitted in writing to URA, P.O. Box 617, Lewiston, Idaho 83501; by email to lvontersch@cityoflewiston.org; or at the public hearing.

Please note the content of this notice was accurate at the time of preparation. The draft plan may be continually revised until its adoption by the City Council. Please check the website for the most current version.
URBAN RENEWAL AGENCY BOARD
REGULAR MEETING AGENDA
Tuesday, March 14, 2017 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

I. CALL TO ORDER

II. PUBLIC COMMENT

III. CONSENT AGENDA
A. Approval of Minutes 01/31/17
B. Approval of Minutes 02/14/17
C. Approval of Invoice Litteneker, General Business, $1,122.50
D. Approval of Invoice #13 McCann LP $xxxx (Total Invoice $xxxx. Total paid to date $xxx).

IV. PUBLIC HEARINGS
A. Accepting Public Comment on the 2016 Annual Report.
B. Accepting Public Comment on Urban Renewal Plan, Revenue Allocation Area #4, Main East Main.

V. ACTIVE AGENDA
A. Approval of Invoices, Tribune Publishing, $80.64
B. Adoption of the 2016 Annual Report
C. Adoption of Urban Renewal Plan, Revenue Allocation Area #4, Main East Main.
D. Status of Nez Perce Drive Extension Agreement and Project Timeline.
E. Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School

VI. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments
   Presentation on East Orchard Sewer Project and Finance Options will be on the April agenda

VII. ADJOURN

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.
THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO, met in a regular meeting Tuesday, March 14, 2017 at Lewiston City Hall. Chair Joe Hulett called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

BOARD MEMBERS PRESENT: Chair, Joe Hulett; Vice Chair, Bob Blakey; A.L. “Butch” Alford; Jo Ann Cole-Hansen; Mary Hasenoehrl; Dan Marsh; Bob Tippett;

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Tanya Brocke, Community Development Specialist; Ed Litteneker, URA Attorney; Jim Bennett, City Manager; Danny Santiago, IT; Pat Severance, Public Works; Courtney Kramer, Beautiful Downtown Lewiston Executive Director;

II. PUBLIC COMMENT

None.

III. CONSENT AGENDA

A. Approval of Minutes 01/31/17
B. Approval of Minutes 02/14/17
C. Approval of Invoice Litteneker, General Business, $1,122.50
D. Approval of Invoice #13 McCann LP $xxx (Total paid to date $xxx).

Board members Hasenoehrl and Cole-Hansen moved and seconded, respectively, approval of the consent agenda minus item D. The motion carried 7-0.

IV. PUBLIC HEARINGS

A. Accepting Public Comment on the 2016 Annual Report

Chair Hulett opened the public hearing and asked for any public comment. There being none, the public hearing was closed.

B. Accepting Public Comment on Urban Renewal Plan, Revenue Allocation Area #4, Main East Main

Chair Hulett opened the public hearing and asked for any public comment.

Dan Anderson, Nez Perce County Assessor, PO Box 896, questioned the “pay as you go” method and if it was legal for the city to loan money to the URA. Mr. Litteneker indicated that would be a question for City Attorney, Jana Gomez.

Mr. Litteneker clarified that it is not a loan but is an agreement between the City and URA in how the project is funded. The “pay as you go” method has been used on past URA projects and is nothing different from those projects.

There being no other public comment, the public hearing was closed.
V. ACTIVE AGENDA

A. Approval of Invoices, Tribune Publishing, $80.64
   Board members Marsh and Cole-Hansen moved and seconded, respectively, approval of the tribune invoice. The motion carried 6-0-1 with Board member Alford abstaining.

B. Adoption of the 2016 Annual Report
   Board members Hasenoehrl and Alford moved and seconded, respectively, adoption of the 2016 Annual Report with modifications to the fourth and fifth paragraphs as follows:
   • Fourth paragraph – change “A second Revenue Allocation Area...” to “Another Revenue Allocation Area...”; and
   • Fifth paragraph beginning with “Sewer trunk lines...” moved above the fourth paragraph.
   The motion carried 7-0.

C. Adoption of Urban Renewal Plan, Revenue Allocation Area #4, Main East
   Board members Marsh and Alford moved and seconded, respectively, adoption of Urban Renewal Plan, Revenue Allocation Area #4, Main East Main with the addition of a table summarizing the projects on the bottom of page 10. The motion carried 7-0.

D. Status of Nez Perce Drive Extension Agreement and Project Timeline
   Ms. Von Tersch informed board members that the Nez Perce Extension would not be done by August 3, 2017 due to utility issues. Ms. Von Tersch noted the agreement provides for a one-year extension with a written request from the McCann's.

   Pat McCann provided board members with a written request for an extension of the projected completion date from August 10, 2017 to August 10, 2018. Mr. McCann informed board members that they are down to a handful of items to complete and it will be a great contribution to the Valley and tax base.

   Staff was directed to place the discussion of the extension on next month's agenda to allow board members to review the written request from Mr. McCann.

E. Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School
   Ms. Von Tersch noted Idaho Statute caps the taxable value in Revenue Allocation Areas at 10% of the community’s taxable value and they would not be able to do all four RAA's under the cap.

   Board member Tippett noted an error in the calculation and asked staff to bring a corrected version to the next meeting.
VI. **UNFINISHED AND NEW BUSINESS**

A. **Board Member Comments**
   Board member Blakey noted that City Council approved Board member Cole-Hansen’s reappointment.
   Board member Marsh noted the first two timeline dates on the written request from the McCann’s appeared to be transposed.

B. **Staff Comments**
   Presentation on East Orchards Sewer Project and Finance Options will be on the April Agenda

VII. **ADJOURN**
Chair Hulett adjourned the meeting at approximately 1:25 p.m.

RESPECTFULLY SUBMITTED,  

ATTEST:

TANYA BROCKE,  
RECORDING SECRETARY

URBAN RENEWAL AGENCY CHAIR

Approved this 11th day of April, 2017.
URBAN RENEWAL AGENCY BOARD
REGULAR MEETING AGENDA
Tuesday, April 11, 2017 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

I. CALL TO ORDER

II. PUBLIC COMMENT

III. CONSENT AGENDA
A. Approval of Minutes 03/14/17
B. Approval of Invoice Litteneker, General Business, $3,181.25

IV. ACTIVE AGENDA
A. Approval of Invoice, Tribune Publishing $18.72
B. Presentation and Approval of FY 16 Audit
C. Adoption of Resolution of 2017-02 Approving Urban Renewal Plan, Revenue Allocation Area #4, Main East Main.
D. Adoption of Resolution 2017-01 Recommendation to Terminate RAA#2 to the City Council.
E. Extension of Time on Nez Perce Drive Reimbursement Agreement
F. Approval of Invoice #13 McCann LP $xxxx (Total Invoice $xxxx. Total paid to date $xxx).
G. Attorney Communications
H. East Orchard Sewer Project and Finance Options (Stubbers)
I. Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments
   Draft Urban Renewal Plan, East Orchards Sewer request to notice for public hearing.

VI. ADJOURN

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.
THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO, met in a regular meeting Tuesday, April 11, 2017 at Lewiston City Hall. Chair Joe Hulett called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

BOARD MEMBERS PRESENT: Chair, Joe Hulett; Vice Chair, Bob Blakey; A.L. "Butch" Alford; Jo Ann Cole-Hansen; Mary Hasenoehrl; Dan Marsh; Bob Tippett;

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Tanya Brocke, Community Development Specialist; Ed Litteneker, URA Attorney; Danny Santiago, IT; Shawn Stubbers, City Engineer;

Board members Alford and Blakey moved and seconded, respectively, to add a discussion about the Memorandum of Understanding as a new Item C on the Active Agenda. The motion carried 7-0.

II. PUBLIC COMMENT

Jerry Northrup expressed his opposition to East Orchards and noted that sewers are needed but the URA is going about it the wrong way as the area is not blighted.

Wayne Wood questioned why he, as a county resident, should pay for someone else's sewer.

III. CONSENT AGENDA

A. Approval of Minutes 03/14/2017

B. Approval of Invoice Litteneker, General Business, $3,181.25

Board member Tippett noted he had a question in regards to item A on the consent agenda. Chair Hulett noted the Approval of Minutes would be moved to the first item on the Active Agenda.

Board members Marsh and Alford moved and seconded, respectively, approval of the consent agenda. The motion carried 7-0.

IV. ACTIVE AGENDA

A. Approval of Minutes 03/14/2017

Board member Tippett noted he felt the minutes were very broad and he was unable to access the meeting on the internet. He recalled they were not approving the plan. Mr. Tippett explained he remembered things differently and if he had known they were voting to approve the plan he would have voted against it.
Board members Hasenoehrl and Marsh moved and seconded, respectively, to approve the minutes as presented. The motion carried 6-1 with a nay from Board member Tippett.

B. Approval of Invoices, Tribune Publishing, $18.72
Board members Hasenoehrl and Blakey moved and seconded, respectively, approval of the tribune invoice. The motion carried 6-0-1 with Board member Alford abstaining.

C. Presentation and Approval of FY16 Audit
Dawn Aliverti from Presnell Gage provided Board members with a handout out and summarized the audit. Ms. Aliverti noted there were no findings presented or concerns.

Board members Cole-Hansen and Hasenoehrl moved and seconded, respectively, approval of the audit. The motion carried 7-0.

D. Discussion of Memorandum of Understanding
URA Attorney Ed Litteneker provided a draft MOU for discussion purposes on Main East Main (MEM) and informed Board members that City Attorney Jana Gomez and County Attorney Nance Ceccarelli had not had a chance to review the draft.

Board member Tippett noted that the project was discussed thoroughly at a meeting with elected officials, the general feeling was to support the improvement of water and drainage under the road but the pedestrian path should be done through City Parks and Recreation.

Mr. Litteneker was asked to make some changes and clarifications to the draft MOU and bring it back to the Board.

E. Adoption of Resolution of 2017-02 Approving Urban Renewal Plan, Main East Main, Revenue Allocation Area #4,
Board members Blakey and Marsh moved and seconded, respectively, adoption of Resolution 2017-02. The motion carried 5-1-1 with an abstention from Board member Alford and a nay from Board member Tippett.

F. Adoption of Resolution 2017-01 Recommendation to Terminate RAA #2 to the City Council
Board members Cole-Hansen and Hasenoehrl moved and seconded, respectively, adoption of Resolution 2017-01. The motion carried 7-0.
G. Extension of Time on Nez Perce Drive Reimbursement Agreement

Community Development Director, Laura Von Tersch, presented her thoughts on conditions for the extension to Board members. The conditions were as follows:

**Time line**
- July 1, 2017 advertise for bid
- July 15, 2017 pre-bid meeting
- August 1, 2017 bid date
- September 1, 2017 award contract
- October 1, 2017 notice to proceed
- May 30, 2018 completion of roadwork for Nez Perce Drive extension
- July 15, 2018 project closeout

**Financial considerations**

The contract between the McCann’s and Keltic is $650,000 lump sum with a scope of services but no estimate by task.

We need to put a general scope in place as follows:
- Engineering design-- $ 360,000 (12%, a little light. 15% would be standard but it would seriously under fund testing and inspection)
- Bid/Testing/Inspection-- $ 290,000 (9.6% is short, 12% about right)
- Contingency of 350,000 ( 11.6% is ok)

Construction at $3,000,000 takes us to a $4,000,000 project.

As of 2/14/17 we had paid out $169,837.25. I recommend we only payout another $10,162.75 until 7/1/17 when they advertise for bids. We have a valid interest in making sure enough funding is set aside for testing and inspection.

On testing and inspection we can pay 50% of actual with a not to exceed figure of $18,125 per month. We can settle up for any remaining funds up to the $145,000 limit at the end of the job.

For the contractors bills we pay 50% of actual on a monthly basis not to exceed our overall commitment of $2,000,000.

We need to make sure that moving of rock for pad grades is not to be part of the bid package for constructing the road.

Mr. Ron Blewett, representative for the McCann’s, noted the McCann’s were working faithfully on the project and numerous meetings have been held to fix the challenges. Mr. Blewett would like to review and consider the conditions proposed by Ms. Von Tersch and feels that it shouldn’t matter where the money is spent because a dollar is a dollar.

Mr. Litteneker commented against placing conditions on the agreement, as he didn’t see any basis for the considerations, which are inconsistent with the original agreement. Mr. Litteneker feels it isn’t a URA issue, but rather an issue between the city, the developer, and the developer’s engineer. The URA agreement with the McCann’s was to reimburse them up to $2 million without any
allocation of how the expenses were to be incurred. Mr. Litteneker urged the URA to accept the extension and anticipate the project will be completed July 15, 2018 without influencing the relationship between the developer, engineer and city.

Board members Tippett and Blakey moved and seconded, respectively, to grant an extension on Nez Perce Drive with the criteria provided by Ms. Von Tersch. The motion carried 5-2 with Chair Hulett and Board member Alford voting no in consensus with Mr. Litteneker.

H. Approval of Invoice #13 McCann LP $XXX (Total invoice $xxx. Total paid to date $xxx).

As an invoice had not been received, no action was taken on this item.

I. Attorney Communications

Mr. Litteneker summarized the memo from City Attorney Jana Gomez and himself in regards to the St. Joseph's Regional Medical Center real and personal property values. The memo noted that if the sale closes prior to the designation of a new revenue allocation area, then the value of the property is placed on the assessment roll as base. If the revenue allocation area is created prior to the sale, the estimated market value of the real property at the time of the sale is placed on the assessment roll as base and any increased value since the originally estimated value is considered increment.

Mr. Litteneker also summarized a second memo in regards to whether an election is necessary to establish a new urban renewal area. Based on consultation with other attorneys who practice urban renewal law and further review of the urban renewal statutes, City Attorney Jana Gomez and Mr. Litteneker agree that an election is not necessary to create a new urban renewal area.

Board member Tippett had to leave for a meeting but reiterated the Nez Perce County elected officials disagreed with East Orchards. Mr. Tippett left at approximately 1:49 p.m.

J. East Orchards Sewer Project and Finance Options (Stubbers)

City Engineer Shawn Stubbers presented and reviewed handouts with Board members in regards to the East Orchards sewer project. The existing private septic systems within City Limits and the ACI are contributing to poor water quality in the surrounding watershed of Lindsay Creek and Tammany Creek. The lack of public sewer in this area is creating a serious environmental and public health concern and also limits the City's ability to grow and provide efficient public services to the area. Mr. Stubbers also reviewed the increment projections and cost estimate of the East Orchards Sewer Project.
K. Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School. Discussion to continue on the May agenda.

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments
Draft Urban Renewal Plan, East Orchards Sewer request to notice for public hearing. Board members Marsh and Hasenoehrl moved and seconded, respectively, to direct staff to move ahead with the public hearing. The motion carried 6-0.

Board member Hasenoehrl left at approximately 2:45 p.m.

VI. ADJOURN
Chair Hulett adjourned the meeting at approximately 2:47 p.m.

RESPECTFULLY SUBMITTED, ATTEST:

TANYA BROCKE, URBAN RENEWAL AGENCY CHAIR
RECORDING SECRETARY

Approved this 9th day of May, 2017.
RESOLUTION NO. 2017-2

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF LEWISTON APPROVING THE URBAN RENEWAL AGENCY’S PLAN FOR REVENUE ALLOCATION AREA #4 MAIN EAST MAIN AND PROVIDING EFFECTIVE DATE.

WHEREAS, as the Urban Renewal Agency has considered in a public hearing held March 14, 2017 an Urban Renewal Plan for Revenue Allocation Area #4 the Main East Main (MEM) project, which is attached hereto;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioner of the Urban Renewal Agency, that:

1) The Urban Renewal Plan for Revenue Allocation Area #4 the Main East Main (MEM) project shall be and is hereby approved as attached hereto as Exhibit 1.
2) The Urban Renewal Agency upon approval of this resolution hereby submits the MEM project to the City pursuant to I.C. § 50-2008 for the approval of the Plan.
3) This Resolution shall be in full force and effect upon its passage and approval.

DATED this 13th day of April, 2017.

BOARD OF COMMISSIONERS:

By: Joe Hulett, Chairman

ATTEST:

Dan Marsh, Secretary
AGENDA
APRIL 26, 2017
5:30 P.M.
LEWISTON PLANNING AND ZONING COMMISSION
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING,
SECOND FLOOR MEETING ROOM,
215 “D” STREET

COMMISSION MEMBERS: Chair, Gerald Bateman; Vice Chair, Kathy Schroeder; Robert Arleth; Forrest Dinnell; Richard Kremer; Wes McCoy; Paula Pintar;

I. CALL TO ORDER

II. APPROVAL OF APRIL 12, 2017 MEETING MINUTES

III. CITIZENS COMMENTS – An opportunity for citizens to address the Commission with comments and/or questions. Citizens are asked to limit their time in front of the Commission to three minutes each.

IV. DETERMINATION AS TO WHETHER THE MAIN STREET-EAST MAIN STREET URBAN RENEWAL PLAN IS IN CONFORMITY WITH THE CITY OF LEWISTON COMPREHENSIVE PLAN.

The projects being considered include:

- Replacement of water lines and improved storm water capacity in the vicinity of the US12/21st street intersection.
- Pedestrian improvements in the vicinity of the intersection and trail connections to the existing path in Locomotive Park and the levee trail.
- Replacement and upsizing of 2,100 feet of waterline along Mill Road (if funding permits).

V. PUBLIC HEARING, ZA-01-17: Consideration of a zoning code amendment to correct a state code citation regarding appeals in city code at Sect. 37-185(d).

VI. PUBLIC HEARING, ZA-02-17: Consideration of a city code amendment to cross reference Chapter 37 (Zoning) and Chapter 23 (R.V. Parks) of city code and to specify that waivers of or modifications to r.v. park development standards may be applied for through the Variance process authorized in Chapter 37.
VII. **POTENTIAL ZONING CODE AMENDMENT REGARDING SPECIAL CONDITIONS REQUIRED FOR MORTUARIES, CHURCHES, SCHOOLS PARKS, DAY CARE CENTERES, AND PRESCHOOLS:** Providing direction to staff on whether or not to initiate an amendment to Zoning Code Sect. 37-20.1 to revise or omit special conditions required for the aforementioned land uses.

VIII. **WORK-SESSION ON R.V. PARK STANDARDS:** A review of and discussion about development standards for r.v. parks, as established in City Code Chapter 23, including minimum required lot size.

IX. **STAFF-COMMISSION COMMUNICATIONS:**
A. A query of Commissioners planning to attend the next meeting scheduled for May 10.
B. Other

X. **FUTURE AGENDA ITEMS:**
A. Waterfront Plan Downtown Sub-area Form and Impact Based Zone draft
B. Central Orchards Special Planning Area
C. Appropriate/acceptable sizes and related matters for parks and public open spaces in new subdivisions.
D. New Airport Chapter for the Comprehensive Plan

XI. **ADJOURN**
The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Upstairs Conference Room at 215 "D" Street. Chair Bateman called the meeting to order at 5:30 p.m.

I. CALL TO ORDER
COMMISSIONERS PRESENT: Gerald Bateman, Chair; Kathy Schroeder, Vice Chair; Robert Arleth; Forrest Dinnell; Richard Kremer; Wes McCoy; Paula Pintar;

STAFF MEMBERS PRESENT: Joel Plaskon, Planner Local Initiatives; Laura Von Tersch, Community Development Director; Jana Gomez, City Attorney; Tanya Brocke, Community Development Specialist; Neal Drury, IT;

II. APPROVAL OF APRIL 12, 2017 MEETING MINUTES
Commissioners Schroeder and Dinnell moved and seconded, respectively, approval of the April 12, 2017 minutes. The motion carried 6-0-1 with Commissioner Arleth abstaining.

III. CITIZEN COMMENTS
Dorothy Nash, 2727 4th Avenue North, thanked the Commission and noted she was happy to see the Lewis Clark Valley promoting tourism and grateful to work with the Commission in regards to city rules and allowances of RVs.

IV. DETERMINATION AS TO WHETHER THE MAIN STREET-EAST MAIN STREET URBAN RENEWAL PLAN IS IN CONFORMITY WITH THE CITY OF LEWISTON COMPREHENSIVE PLAN.
Community Development Director, Laura Von Tersch, presented and summarized the URA plan to Commissioners. Ms. Von Tersch recommended that the Commission find the plan in conformance with the City of Lewiston Comprehensive Plan.

Commissioners Dinnell and Kremer moved and seconded, respectively, the finding that the Main Street-East Main Street Urban Renewal Plan is in conformance with the City of Lewiston Comprehensive Plan. The motion carried 7-0.
V. **PUBLIC HEARING, ZA-01-17:** Consideration of a zoning code amendment to correct a state code citation regarding appeals in city code at Section 37-185(d). Chair Bateman provided background information on the public hearing process, opened the public hearing, and asked for the staff report.

City Planner, Joel Plaskon, informed Commissioners that the amendment was a simple cleanup to correct a code citation.

Chair Bateman asked for any public comments. There being none, he closed the public hearing and asked for staff recommendation. Mr. Plaskon recommended approval to City Council.

Commissioners Schroeder and Dinnell moved and seconded, respectively, to recommend approval of ZA-01-17 to City Council. The motion carried 7-0.

VI. **PUBLIC HEARING, ZA-02-17:** Consideration of a city code amendment to cross reference Chapter 37 (Zoning) and Chapter 23 (RV Parks) of city code and to specify that waivers of or modification to RV Park and development standards may be applied for through the Variance process authorized in Chapter 37.

Chair Bateman provided background information on the public hearing process, opened the public hearing, and asked for the staff report.

After a short summary of the zoning amendment, Chair Bateman asked if there were any public comment. There being none, Chair Bateman asked for staff recommendation. Mr. Plaskon recommended approval of the zone amendment to City Council.

Commissioners Kremer and Dinnell moved and seconded, respectively, to recommend approval of ZA-02-17 to City Council. The motion carried 7-0.

VII. **WORK SESSION ON FORM AND IMPACT BASED ZONE:** A review of and discussion about the draft, new zoning for the Downtown Sub-area of the Waterfront Plan.

City Planner, Joel Plaskon, presented an email received from Ned Cannon stating he was pleased and encouraged with the waterfront plan effort.

Commissioners revisited the points and shopping list of the draft. Discussion will continue at the next meeting.
VIII. WORK-SESSION ON ZONING FOR RV PARKS: A review and discussion about which areas and zoning districts are most appropriate for RV park allowance, whether they are most appropriately allowed by right vs. by conditional use permit, and related development standards. Commissioners discussed the zoning for RV parks as well as defining an RV park to make a distinction between an RV and trailer park. Commissioners asked staff to prepare a first draft of changes to the code for review at the next meeting.

IX. REVIEW OF BYLAWS: A discussion about the Planning and Zoning Commission bylaws to discuss potential revisions regarding scheduling of special meetings and timeframe to adopt written decisions. Commissioners Kremer and Arleth moved and seconded, respectively to change Section H. on page 4 from 30 days to 45 days. The motion carried 6-1 with a nay from Commissioner Pintar.

Commissioners Arleth and Dinnell moved and seconded, respectively, to omit the provisions that staff notify the Commissioners of a meeting at least 72 hours in advance on page 2, Section B as well as update the terminology on Section H. page 4 from Findings of Fact, Conclusions of Law, and Decision of the Commission to Reasoned Statement of Relevant Criteria and Standards. The motion carried 7-0.

Commissioners Kremer and Dinnell moved and seconded, respectively, to change the title of H. from Findings of Fact and Conclusions of Law to Reasoned Statement of Relevant Criteria and Standards to reflect the new terminology. The motion carried 7-0.

X. STAFF-COMMISSION COMMUNICATIONS

A. A query of Commissioners planning to attend the next meeting scheduled for May 10. Commissioners Schroeder, McCoy, Dinnell, and Kremer planned to attend. Commissioners Bateman, Arleth, and Pintar could not attend.

B. Other

City Planner Joel Plaskon offered that the Commission might request that City Council designate a Council member as a liaison to the Planning and Zoning Commission. Commissioners discussed and asked Chair Bateman to make a request to the Mayor.
XI. FUTURE AGENDA ITEMS:
   A. Waterfront Plan Downtown Sub-area Form and Impact Based Zone draft.
   B. Zoning Code Amendment regarding restrictions and allowances of certain land use types in the BASPAA Zone.
   C. RV Park Zoning.
   D. Appropriate/acceptable sizes and related matters for parks and public open spaces in new subdivisions.
   E. New Airport Chapter for the Comprehensive Plan.

XII. ADJOURN
There being no further business, Commissioners Schroeder and Dinnell moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission adjourned at approximately 7:50 p.m.

RESPECTFULLY SUBMITTED,

[Signature]
Tanya Brocke
Recording Secretary

[Signature]
Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 18th day of May, 2017.
Enclosed for your consideration is an Urban Renewal Plan for the Main East Main area. Idaho Statute 50-2008 (b) requires that this plan be submitted to the Planning and Zoning Commission for “review and and recommendations as to its conformity with the general plan for the development of the municipality as a whole”.

The Main East Main (MEM) plan proposes to fund up to three projects, listed in priority order:

* **50% of the cost of water lines and storm sewer lines in the vicinity and under the US 12/21st street intersection.** The City of Lewiston will fund the other 50%. These improvements will be made in conjunction with a complete rebuild and reconfiguration of this major intersection by Idaho Transportation Department (ITD) in 2019 at a cost of 5 million dollars. ITD will not proceed with the work unless improvements are made to these utilities.

* **Pedestrian improvements to and through the intersection connecting with paths in Locomotive Park and ultimately the levee trail.** A federal grant has been submitted to cover most of the cost with the URA providing local matching funds.

* **Replacement of 2,100 feet of 3" and 8" water lines along Mill Road to the city-limit line.**

Comprehensive Plan Policies in support of these projects include:

*A Vision for Lewiston, Fifth, we have a superior transportation system, serving the needs of all segments of our community, from walkers to drivers, bicyclists and joggers.*

*LU-10.8* Assure that existing commercial nodes achieve and/or maintain convenience and accessibility.

*LU-17.2* Facilitate pedestrian and bike use in neighborhoods.
Memo

LU-17.3 Create pedestrian connections to other uses within and between neighborhoods, where feasible.

The Comprehensive Plan includes this observation 4. In general, infrastructure in East Lewiston must be upgraded to encourage its proper development, whether for residential, commercial or industrial. In particular, the following issues have been identified: Site access must be improved in many areas...Area drainage throughout the area must be upgraded with curb, gutter and sidewalk installed and surface or underground storm water collection systems installed....seek funding for infrastructure improvements from grants tied to economic development or abatement of blighting influences, tax increment financing and local improvement districts.

The Waterfront Plan includes many policies aimed at improving pedestrian access and use of the levee trail.

Staff recommends that the Planning and Zoning Commission find that the Urban Renewal Plan for Main and East Main is in conformity with the Comprehensive Plan of the City of Lewiston.
Notice for publication May 14, 2017

PUBLIC NOTICE

The City Council of the City of Lewiston, Idaho, will hold a public hearing 6/12/2017 at 6:00 p.m., 215 “D” Street, Bell Building second floor, on the Main East Main Urban Renewal Plan and proposed Revenue Allocation Area #4. The Revenue Allocation Area is generally located along Main Street from Lincoln continuing easterly along Main Street, East Main Street and Mill Road to the City limit line.

An Urban Renewal Plan has been proposed and is being considered for adoption. The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. A public hearing on the plan will be held by the City Council pursuant to section 50-2008 (c), Idaho Code.

The projects being considered include:

*Replacement of water lines and improved storm water capacity in the vicinity of the US12/21st street intersection.
*Pedestrian improvements in the vicinity of the intersection and trail connections to the existing path in Locomotive Park and the levee trail.
*Replacement and upsizing of 2,100 feet of waterline along Mill Road (if funding permits).

Copies of the draft plan can be obtained or viewed on-line at http://www.cityoflewiston.org/content/848/6585/default.aspx, at Community Development (215 “D” Street), the City Library (411 “D” Street) and from the City Clerk, (City Hall, 1134 “F” Street). Comments on the plan are welcome and may be submitted in writing to City Clerk, P.O. Box 617, Lewiston, Idaho 83501; by email to lvontersch@cityoflewiston.org or at the public hearing.
May 12, 2017

I, Tanya Brocke, personally delivered “Urban Renewal Plan Main East Main” along with a cover memo and public hearing notice to Lewiston City Manager Bennett, Nez Perce County Auditor/Clerk Weeks, Port of Lewiston Manager Doeringsfeld and Superintendent Donaldson at their place of business on this date.

[Signature]

May 12, 2017
Memo

To: TAXING ENTITIES  
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR  
Date: MAY 12, 2017  
Re: URBAN RENEWAL PLAN, MAIN EAST MAIN

The City Council of the City of Lewiston, Idaho, will hold a public hearing 6/12/2017 at 6:00 p.m., 215 “D” Street, Bell Building second floor, to consider adoption of the Main East Main Urban Renewal Plan and proposed Revenue Allocation Area #4. The Revenue Allocation Area is generally located along Main Street from Lincoln continuing easterly along Main Street, East Main Street and Mill Road to the city limit line.

An Urban Renewal Plan has been proposed and is being considered for adoption. The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. A public hearing on the plan will be held by the City Council pursuant to section 50-2008 (c), Idaho Code.

The City of Lewiston Urban Renewal Agency recommends adoption of the Plan and Revenue Allocation Area #4 to the City Council. Attached is a copy of the public hearing notice to be published May 14, 2017 and the plan.
I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN 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 City Manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: MAIN EAST MAIN (MEM) URBAN RENEWAL PLAN AND REVENUE ALLOCATION AREA #4: A proposal to approve the Main East Main Urban Renewal Plan and proposed Revenue Allocation Area #4, which is generally located along Main Street from Lincoln continuing easterly along Main Street, East Main Street and Mill Road to the city limit line.

B. PUBLIC HEARING: ZONING CODE AMENDMENT – ZA-01-17: A proposal to amend Lewiston City Code, Section 37-185(d), to update and make compliant with current state statute in terms of persons entitled to appeal an action of the Planning and Zoning Commission and according to which state statutes. The Planning and Zoning Commission conducted a public hearing on this matter on April 26, 2017, and unanimously recommended that it be approved by City Council.

C. PUBLIC HEARING: ZONING CODE AMENDMENT – ZA-02-17: A proposal to amend Lewiston City Code, Section 37-57.2 and 37-57.5, to specify that recreational vehicle parks in the MXD-NL Zone are subject to the standards and minimum lot size requirements of Lewiston City Code Chapter 23; to amend Lewiston City Code, Section 37-57.5, to delete the provision limiting nonconforming lots to a single family residential use; and to amend Sections 37-66, 37-73 and 37-83 to specify that recreational vehicle parks in the C-2, C-4 and C-6 Zones, respectively, are subject to the minimum lot size requirements of Lewiston City Code Chapter 23. The Planning and Zoning Commission conducted a public hearing on this matter on April 26, 2017, and unanimously recommended that it be approved by City Council.

V. CONSENT AGENDA

A. CITY COUNCIL MEETING MINUTES: 04/10/17 Regular; 04/24/17 Regular; 05/08/17 Regular; 05/22/17 Joint City/Nez Perce County Budget Work Session.

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 03/15/17 Parks and Recreation Commission
VI. ACTIVE AGENDA

A. **ORDINANCE 4690 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY):** Considering designating the title of Chapter 40 as “Incentive Programs”; redesignating the current content of Chapter 40 as Chapter 40, Article I; reserving Sections 40-8 through 40-20; amending Sections 40-1 and 40-2; enacting Article II of Chapter 40, titled “Developer Incentive Program”; providing a savings and severability clause.

B. **ORDINANCE 4693 (FIRST READING):** Considering the findings required by Idaho Code, Section 50-2008, to approve an Urban Renewal Plan and Urban Renewal Projects; approving the Urban Renewal Plan for Revenue Allocation Area #4 Main East Main (MEM); creating a Revenue Allocation Area as part of such Urban Renewal Plan; describing the requirement for how the Nez Perce County Commissioners are to levy taxes by or for each taxing district in which Revenue Allocation Area #4 is located.

C. **ORDINANCE 4687 (FIRST READING):** Considering an amendment to Section 37-185(d) of the Lewiston City Code to correct Idaho Code citations and modify judicial review requirements in accordance with Idaho Code.

D. **ORDINANCE 4685 (FIRST READING):** Considering an amendment to Section 37-57.2(21) of the Lewiston City Code to add that a recreational vehicle park in the North Lewiston Mixed Use Development (MSC-NL) Zone is subject to the standards of Chapter 23 of the Lewiston City Code, and an amendment to Section 37-57-5 of the Lewiston City Code to modify provisions regarding minimum lot size in the North Lewiston Mixed Use Development (MXD-NL) Zone.

E. **RESOLUTION 2017-32:** Considering the destruction of Lewiston Police Department records from the year 2005, except the 2005 records specified to be retained.

F. **BID AWARDS – IFB-17-016 LIQUID ASPHALT:** Considering the bid awards for MC-500 to Idaho Asphalt Supply, Inc., in the amount of $623 per ton and for Quickseal 50 to Herco, Inc., for $917.50 per ton.

G. **RESOLUTION 2017-34:** Considering approving the purchase of real property located at the intersection of 5th Street and Bryden Avenue, commonly known as 3338 5th Street, for a purchase price of $385,000.

H. **LIBRARY MATERIALS AND SERVICES:** Considering a contract between the City of Lewiston and Baker & Taylor of Charlotte, NC, for library materials and services.

I. **RESOLUTION 2017-33:** Considering approval of a lease agreement between the City of Lewiston and the Lewis Clark Valley Metropolitan Planning Organization for one office located in the Bell Building at 215 D Street.

J. **POLICE DEPARTMENT RANGE USE AGREEMENT:** Considering an agreement between the City of Lewiston and the City of Clarkston for the use of the outdoor shooting range located at 5676 Mill Road.
K. **VOUCHERS PAYABLE:** 05/05/17 through 05/18/17 - $1,622,881.41.

VII. **NEW BUSINESS**

   A. **CITY COUNCILOR COMMENTS**
   B. **CITY MANAGER COMMENTS**
   C. **ADVISORY BOARD AND COMMISSION APPOINTMENTS**
   D. **WORK SESSION AGENDA TOPICS**

VIII. **EXECUTIVE SESSION RE: ACQUIRING AN INTEREST IN REAL PROPERTY AND RECORDS EXEMPT FROM DISCLOSURE:** Idaho Code Section 74-206(1) (c) and (d).

IX. **ADJOURNMENT**

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact City Clerk Kari Ravencroft at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6203.
**ITEM TITLE**
Urban Renewal Plan, Main East Main
RAA #4

**ORIGINATING SOURCE**
Urban Renewal Agency

**FUNDING CERTIFICATION (IF APPLICABLE)**
Date: 06/12/17

**DIVISION MANAGER REVIEW (If applicable)**
Laura M. Von Tersch

**DEPARTMENT MANAGER REVIEW (If applicable)**

**RECOMMENDED FOR COUNCIL ACTION**
CITY MANAGER

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

January 9, 2017—City Council directed the Urban Renewal Agency to begin work on an urban renewal plan for the Main East Main area including utilities under the US 12/21st Street intersection.

January 19, 2017—In a joint meeting with the Board of County Commissioners, the Main East Main project was discussed and received support from both groups.

February 6, 2017—City Council affirmed that the utility work associated with the rebuild of US 12 and 21st Street was their highest priority urban renewal project with East Orchards Sewer second.

**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 Main East Main (MEM) plan proposes to fund up to three projects:

* 50% of the cost of water lines and storm sewer lines in the vicinity and under the US 12/21st street intersection. The City of Lewiston will fund the other 50%. These improvements will be made in conjunction with a complete rebuild and reconfiguration of this major intersection by Idaho Transportation Department (ITD) in 2019 at a cost of 5 million dollars. ITD will not proceed with the work unless improvements are made to these utilities.
*Pedestrian improvements to and through the intersection connecting with paths in Locomotive Park and ultimately the levee trail. A federal grant has been submitted to cover most of the cost with the URA providing local matching funds.

*Replacement of 2,100 feet of 3" and 8" water lines along Mill Road to the city-limit line.

The Planning and Zoning Commission reviewed this plan and found it in conformity with the Comprehensive Plan.

The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. These funds will collect slowly. As a result the URA will not be able to cover their 50% of the storm sewer and waterline improvements at the time of construction. A Memorandum of Agreement is being developed to identify the responsibilities of the parties.

Since adoption of the Plan, staff has learned that ITD will include widening of the sidewalk along 21st Street in their portion of the project. As a result, some changes to pages 9 and 10 of the Plan are needed. Staff would also like to take this time to make other minor changes and corrections as shown on the attached sheets. If these changes are acceptable to Council, the Plan attached to Ordinance 4693 will also be modified.

In summary, if it were not for the URA’s contribution to this project, area flooding would not be remedied and the City might lose out on the expected 5 million dollar project funded by the Idaho Transportation Department.

ACTION PROPOSED: Adopt Ordinance No. 4693
THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, June 12, 2017, in the upstairs conference room of the Bell Building, 215 “D” Street, Lewiston. Mayor Kleeburg called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Kleeburg; Blakey; Maldonado; Randall.

Councilors Excused: Collins; Johnson; Miller.

II. PLEDGE OF ALLEGIANCE

Mayor Kleeburg led the Pledge of Allegiance.

Councilor Blakey apologized for missing the earlier budget meeting.

III. CITIZEN COMMENTS: Provides 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 city manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

There were no citizen comments.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: MAIN EAST MAIN (MEM) URBAN RENEWAL PLAN AND REVENUE ALLOCATION AREA #4

Mayor Kleeburg indicated the public hearing for the Main East Main Urban Renewal Plan and Revenue Allocation Area #4 was advertised to take place this evening. Therefore, he opened the hearing and called for a staff report.

Community Development Director Von Tersch explained an Urban Renewal Plan has been proposed and is being considered for adoption. The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. The Urban Renewal Agency recommends adoption of the Plan and Revenue Allocation Area #4. The first improvement would be to pay for half the costs to upgrade storm sewer and water lines at the US 12 and 21st Street intersection. One lane would be removed to improve stacking capabilities for logging trucks turning onto East Main Street. If funding permits after that portion of the project, some pedestrian
amendments will be addressed that will provide pedestrian access to the levy system. With the potential of receiving a grant for various projects at this location, the total costs would be $785,000 with completion of all improvements expected by the end of 2029. Ms. Von Tersch noted no public comment has been received at this time and there has been substantial noticing of the Plan, the URA’s recommendation, and public hearings before the Planning & Zoning Commission and the Council.

The Mayor called for testimony both in favor and in opposition of the Urban Renewal Plan.

Commissioner Doug Havens asked somebody to check into traffic diversion on East Main Street, stating he believes it is a mess. There have been many near accidents as through-traffic using the turn lane and people coming off the bridge get confused.

Mr. Havens continued talking about Area #4, noting the Commissioners agree with replacing and upsizing the water line along Mill Road and believe it is a very viable urban renewal plan. However, he noted the Commissioners do have a problem with the other two items and don’t believe they fit into the URA standards. Commissioner Havens said the Council formed the URA to promote economic development, create jobs and improve the tax base and questioned how sidewalks or an overpass to the levy would meet those standards. He stated he believes less people actually understand how urban renewal works then the amount of people in the audience this evening. Nez Perce County is responsible for housing prisoners, assessing properties, collecting taxes and disbursing tax dollars. He questioned how they can continue to accomplish these tasks if their revenues are being siphoned off.

Mayor Kleeburg said increasing the size of the water mains on East Main betters both the city and county.

There being no further testimony, Mayor Kleeburg closed the public hearing.

In response to a question raised by Councilor Blakey, Community Development Director Von Tersch reported the council’s vote was 7 to 0 to support the East Main project. Mr. Blakey explained that an urban renewal area increases the tax base. If this project is not completed, the area could stay flat to nothing and would see no growth. Ms. Von Tersch added this is a very important project from the standpoint of the Red Lion, Harley Davidson, Adcope, etc. At some point, these property owners could say the current situation doesn’t work for them anymore. Councilor Blakey noted this is a prime piece of property that is waiting to be further developed. The city has an opportunity to enhance the infrastructure and make it buildable.
Mayor Kleeburg indicated this project is similar to what happened in the first URA District in North Lewiston. The water lines were upgraded and building followed, allowing the Area to be closed. The increment got to a point where it paid for the project 14 years earlier than anticipated.

B. PUBLIC HEARING: ZONING CODE AMENDMENT – ZA-01-17

Stating it was the time and place advertised for the public hearing regarding ZA-01-17, Mayor Kleeburg declared the hearing open and called for a staff report.

Community Development Director Von Tersch reported the City Attorney’s office notice some outdated code section citations in the Zoning Code and recommended updating them. The recommendation was as follows: “...Section 37-185(d) of the Lewiston City Code states that an applicant may seek judicial review under the procedures provided by Sections 67-5215 and 67-5216 of the Idaho Code. These sections of the Idaho Code were repealed in 1993, but Section 37-185(d) of the Lewiston City Code was enacted in 1994 – one year after Sections 67-6215 and 67-5216 of the Idaho Code were repealed. Sections 67-6215 and 67-5216 of the Idaho Code refer to the Idaho Administrative Procedures Act (IAPA), which provides a right of judicial review of certain “agency actions”, Idaho Code Section 67-5270. Under the IAPA, a city is not an “agency,” and a city’s actions do not constitute “agency action.” See Idaho Code Section 67-5201. Instead, Idaho Code Section 6521 is the statute governing what actions of the Planning and Zoning Commission or the City Council are appealable to district court. Accordingly, proposed Ordinance 5687 corrects the incorrect Idaho Code citations and modifies the judicial review requirements so that such requirements are consistent with Idaho Code. This is merely housekeeping to make sure the right citations are referenced in State Code.

Mayor Kleeburg called for testimony either in support or in opposition to the zoning amendment. There was none and he closed the public hearing.

Mr. Steve Martin, Lewiston, said if the city can get in line with the state maybe it would run a bit smoother.

C. PUBLIC HEARING: ZONING CODE AMENDMENT – ZA-02-17

It was announced by Mayor Kleeburg that this was the time and place advertised for the public hearing regarding ZA-02-17. He declared the hearing open and asked staff to make a brief presentation.

Community Development Director Von Tersch explained the Community Development Department requested a legal opinion on whether a person could
request a Variance, pursuant to Lewiston City Code Chapter 37 (Zoning), from a standard establishment in Lewiston City Code Chapter 23 (RV Parks). The City Attorney’s Office recommended that City Code amendments be implemented to clarify the matter, as per the following excerpt from the related advice memo: “Lewiston City Code Section 37-57.2(21) currently states that an RV park is a use permitted outright in the North Lewiston Mixed Use Development (MXD-NL) Zone. However, this section fails to reference Chapter 23 of the Lewiston City Code, which sets forth development standards and licensing requirements for RV parks. Notably, other sections in Chapter 37 regarding RV parks specifically reference Chapter 23. See LCC Sections 37-71(25) and 37-81(20). It appears that such reference was inadvertently left out of Lewiston City Code Section 37-57.2(21). That section should state that RV parks are subject to the standards set forth in Chapter 23. Accordingly, Ordinance 4685 is proposed to amend Lewiston City Code Sections 37-57-2(21) and 37-57.5 to clarify the standards, including minimum lot size, that apply to RV parks.

Councilor Randall asked if there is a grandfather clause in place. Ms. Von Tersch confirmed, noting the city cannot take away a right so that is how the ordinance is managed.

Testimony in favor and in opposition was sought by Mayor Kleeburg. None was offered and the Mayor closed the public hearing.

V. CONSENT AGENDA

Mayor Kleeburg explained that items on the Consent Agenda are considered routine in nature and would be enacted with one motion unless a councilor wished to have an item removed for discussion. Councilor Blakey offered a motion to read the Consent Agenda by title only. Councilor Randall seconded the motion and it carried 4 to 0.

A. CITY COUNCIL MEETING MINUTES: 04/10/17 REGULAR; 04/24/17 REGULAR; 05/08/17 REGULAR MEETING; 05/22/17 JOINT CITY/NEZ PERCE COUNTY BUDGET WORK SESSION

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 03/15/17 PARKS AND RECREATION COMMISSION

Mayor Kleeburg asked for the following correction to the April 10, 2017, Regular meeting minutes: Page 1, Third Paragraph, “Mike Martin” should read “Steve Martin”.

Following the reading of the Consent Agenda, a motion was made by Councilor Maldonado and seconded by Councilor Randall to adopt. The motion
carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

VI. **ACTIVE AGENDA**

A. **ORDINANCE 4690 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)**

A motion was offered by Councilor Maldonado to read Ordinance 4690 for the third time by title only, suspending the rules. Councilor Randall seconded the motion.

Councilor Randall stated he still has a problem with Section 40-24 (c) regarding the waiver of fees. Therefore, he offered an amendment to delete “eliminate if there is more than one building or whichever is less” and add “not to exceed $75,000 per certificate”. Councilor Blakey seconded the motion for purposes of discussion.

Councilor Randall said he finds the current language a bit confusing. He noted he doesn’t see a need for the seven calendar years. City Manager Bennett clarified with Mr. Randall that the intent of the motion is to try to limit the waiver of fees to no more than $75,000.

Councilor Randall amended his amended motion to state that “any waiver of fees shall not exceed $75,000”. The council discussed the amendment, noting the current cap is at $50,000. Due to lack of a second to raise it to $75,000, the motion failed.

Councilor Randall then moved to strike “current financial statement” from Page 5, Section 40-25 (c) (5). He noted he believes it is sufficient to have a description of how the development would be financed. Councilor Blakey seconded the motion.

Community Development Director Von Tersch suggested that if the current wording gives the council trouble, perhaps requiring a statement from the bank or lending institution indicating there are sufficient assets to follow through with the project would be appropriate. She noted she views this amendment as a policy choice rather than a clean-up. The amendment carried 3 to 1 with Councilor Maldonado voting Nay and Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

The motion to read failed 3 to 1, with Councilor Blakey voting Nay and Mayor Pro Tem Collins and Councilors Johnson and Miller excused.
ORDINANCE 4690: “AN ORDINANCE OF THE CITY OF LEWISTON DESIGNATING THE TITLE OF CHAPTER 40 AS “INCENTIVE PROGRAMS;” RE-DESIGNATING THE CURRENT CONTENT OF CHAPTER 40 AS CHAPTER 40, ARTICLE I; RESERVING SECTIONS 40-8 THROUGH 40-20; AMENDING SECTIONS 40-1 AND 40-2; ENACTING ARTICLE II OF CHAPTER 40 TITLED “DEVELOPER INCENTIVE PROGRAM;” PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE”

B. ORDINANCE 4693 (FIRST READING)

Councilor Randall moved to read Ordinance 4693 for the first time by title only. Councilor Blakey provided a second and it carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

ORDINANCE 4693: “AN ORDINANCE OF THE CITY OF LEWISTON MAKING THE FINDINGS REQUIRED BY IDAHO CODE SECTION 50-2008 TO APPROVE AN URBAN RENEWAL PLAN AND URBAN RENEWAL PROJECTS; APPROVING THE “URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4 MAIN EAST MAIN (MEM)”; CREATING A REVENUE ALLOCATION AREA AS PART OF SUCH URBAN RENEWAL PLAN; DESCRIBING THE REQUIREMENT FOR HOW THE NEZ PERCE COUNTY COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH TAXING DISTRICT IN WHICH REVENUE ALLOCATION AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE NEZ PERCE COUNTY AUDITOR AND TAX ASSESSOR, THE AFFECTED TAXING DISTRICTS, AND THE STATE TAX COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE”

C. ORDINANCE 4587 (FIRST READING)

Following a motion and second from Councilors Randall and Maldonado, respectively, Ordinance 4587 was read for the first time, by title only. The motion carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

ORDINANCE 4587: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-185(D) OF THE LEWISTON CITY CODE TO CORRECT IDAHO CODE CITATIONS AND MODIFY JUDICIAL REVIEW REQUIREMENTS IN ACCORDANCE WITH IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE”
D. **ORDINANCE 4685 (FIRST READING)**

Councilor Maldonado moved and Councilor Blakey seconded the first reading of Ordinance 4685 by title only. The motion carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

**ORDINANCE 4685: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-57.2(21) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE IS SUBJECT TO THE STANDARDS OF CHAPTER 23 OF THE LEWISTON CITY CODE; AMENDING SECTION 37-57.5 OF THE LEWISTON CITY CODE TO MODIFY PROVISIONS REGARDING MINIMUM LOT SIZE IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE; AND PROVIDING AN EFFECTIVE DATE”**

E. **RESOLUTION 2017-32**

Following a motion and second from Councilors Maldonado and Randall, respectively, Resolution 2017-32 was adopted. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.**


F. **BID AWARDS – IFB-17-016 LIQUID ASPHALT**

A motion was offered by Councilor Blakey to approve the bid award for MC-500 to Idaho Asphalt Supply, Inc., in the amount of $623 per ton and for Quickseal 50 to Herco, Inc., for 917.50 per ton. Councilor Randall seconded the motion.

Councilor Blakey expressed concern for the odors and poor air quality emanating from the asphalt plant on Port of Lewiston property. Although a licensed, permitted business, he said he doesn't believe this is an appropriate location. Councilor Randall agreed.

The motion carried 4 to 0. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.**
G. **RESOLUTION 2017-34**

Councilor Maldonado moved and Councilor Randall seconded adoption of Resolution 2017-34. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.

**RESOLUTION 2017-34:** “A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT THE INTERSECTION OF 5TH STREET AND BRYDEN AVENUE, LEWISTON, IDAHO, COMMONLY KNOWN AS 3338 5TH STREET, FOR A PURCHASE PRICE OF $385,000”

H. **LIBRARY MATERIALS AND SERVICES**

Library Director Eccles explained the library has been purchasing materials and services from several vendors over the past five years. After reviewing internal processes and what the industry is moving towards, it was determined now is a great opportunity to do a large part of the library’s business with an exclusive vendor. Through the bidding process, Baker & Taylor were able to significantly increase their discounts.

A motion and second were offered by Councilors Randall and Blakey to approve a contract between the City of Lewiston and Baker & Taylor of Charlotte, North Carolina, for library materials and services. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.

I. **RESOLUTION 2017-33**

Resolution 2017-33 was adopted when Councilor Maldonado moved and Councilor Randall seconded adoption. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.

**RESOLUTION 2017-33:** “A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LEWISTON AND THE LEWIS CLARK VALLEY METROPOLITAN PLANNING ORGANIZATION FOR ONE (1) OFFICE LOCATED IN THE BELL BUILDING AT 215 D STREET, LEWISTON”

J. **POLICE DEPARTMENT RANGE USE AGREEMENT**

A motion was offered by Councilor Randall to approve an agreement between the City of Lewiston and the City of Clarkston for the use of the outdoor shooting range located at 5676 Mill Road. Councilor Maldonado seconded the motion. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.
K. VOUCHERS PAYABLE

Councilor Blakey moved to approve the Vouchers Payable dated May 5, 2017, through May 18, 2017, in the amount of $1,622,881.41. Councilor Randall seconded the motion.

Councilor Randall suggested the payment in the amount of $90,000 to Liberty Theater Preservation Alliance for economic development be listed as a CDBG grant so the public better understands this item.

The motion to approve carried 4 to 0 with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

VII. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Randall indicated he recently attended the four-day Integrated Emergency Management Course at LCSC put on by FEMA. The courses were very well led by the Emergency Management Coordinator and the process was extremely interesting.

Public Information Officer Maurer said she too attended the Emergency Management sessions, stating participants learned everything from preparing for, responding to and recovering from an emergency. She stated she learned how to notify the public and let them know what they need to do to stay safe.

Councilor Blakey thanked Chris Davies, Ed George and the red shirts who worked to stabilize the civic theater. He encouraged staff to review the possibility of preserving the stained glass windows by possibly covering them with boards to protect them. City Attorney Gomez’ noted a group in Boise who provided a grant to the Civic Theater for the windows said if the building were to be demolished, the cost of those windows would have to be paid back. Ms. Gomez’ said she disagrees that this would be a requirement of the city as the agreement was with the Civic Theater.

Responding to a question raised by Councilor Blakey, City Manager Bennett noted two small pumps in the water system that add alum and other chemicals to the water supply at the plant recently broke. As a result, the water treatment plant had to shut down and is now operating off the well system for a day or two. The downtime will be minimal, but city water users are asked to not use their irrigation water during this time.
Councilor Maldonado congratulated library staff on a great grand opening for the second floor. This is an amazing facility and everyone should be extremely proud.

Mayor Kleeburg indicated he has been receiving calls from the public regarding weed abatement. Public Information Officer Maurer noted an informational video on how to properly take care of weeds has been added to the city’s website.

B. CITY MANAGER COMMENTS

City Manager Bennett had no additional comments.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

There were no advisory board or commission appointments.

D. WORK SESSION AGENDA TOPICS

There were no new items offered for future work session discussion.

It was noted there was no need for an executive session.

VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Kleeburg adjourned the June 12, 2017, Regular Council Meeting at 7:20 p.m.

_____________________________________  ______________________________
Kari Ravencroft, Recording Secretary   Date approved by City Council
Lewiston City Council
REGULAR MEETING AGENDA
Monday, June 26, 2017 – 6:00 p.m.
Bell Building – 215 D Street (Upstairs Conference Room)
Lewiston, Idaho 83501

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN 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 City Manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. PUBLIC HEARINGS AND PRESENTATIONS
A. PUBLIC HEARING: 2016 CDBG ACTION PLAN AMENDMENT: A proposal to reallocate funds to the Mill End Building at 800 Main Street.

V. CONSENT AGENDA
A. CITY COUNCIL MEETING MINUTES: 05/22/17 Joint NPC/City of Lewiston Budget Work Session; 06/05/17 Work Session; 06/12/17 Budget Work Session
B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/04/17 and 05/25/17 Historic Preservation Commission

VI. ACTIVE AGENDA
A. CDBG PLAN AMENDMENT: Considering approval of the Plan Amendment.
B. ORDINANCE 4690 (ADOPTION AND ORDINANCE SUMMARY): Considering a Developer Incentive Program.
D. ORDINANCE 4687 (SECOND READING): Considering an amendment to Lewiston City Code to correct Idaho Code citations and modify judicial review requirements.
E. ORDINANCE 4685 (SECOND READING): Considering an amendment to Lewiston City Code to add that a recreational vehicle park in the North Lewiston Mixed Use Development Zone is subject to the standards of Chapter 23, and an amendment to Lewiston City Code to modify provisions regarding minimum lot size in the North Lewiston Mixed Use Development Zone.
F. RESOLUTION 2017-37: Considering approval of a lease agreement between the city and Sanitary Disposal, Inc.
G. **RESOLUTION 2017-35**: Considering declaring various items of property to be surplus.

H. **RESOLUTION 2017-36**: Considering conveying ownership of two wooden desks to Nez Perce County.

I. **VOUCHERS PAYABLE**: 05/19/17 through 06/01/17 - $1,113,145.

VII. **NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**

C. **ADVISORY BOARD AND COMMISSION APPOINTMENTS**

D. **WORK SESSION AGENDA TOPICS**

VIII. **EXECUTIVE SESSION RE: PERSONNEL AND RECORDS EXEMPT FROM DISCLOSURE**: Idaho Code Section 74-206(1) (b) and (d).

IX. **ADJOURNMENT**

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The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact City Clerk Kari Ravencroft at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6203.
CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE
Urban Renewal Plan, Main East Main
RAA #4

AGENDA NO.______
AGENDA DATE
06/26/17______
1ST READING______
2ND READING_x_____
3RD/ADOPTION______

CONSENT:□ ACTIVE:x□

FUNDING CERTIFICATION (IF APPLICABLE)
Date:_____

DIVISION MANAGER REVIEW (If applicable)
Laura M. Von Tersch
Date:06/12/17

DEPARTMENT MANAGER REVIEW (If applicable)

Date:4/24/19

RECOMMENDED FOR COUNCIL ACTION
CITY MANAGER

Date:_____

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

January 9, 2017—City Council directed the Urban Renewal Agency to begin work on an urban renewal plan for the Main East Main area including utilities under the US 12/21st Street intersection.

January 19, 2017—In a joint meeting with the Board of County Commissioners, the Main East Main project was discussed and received support from both groups.

February 6, 2017—City Council affirmed that the utility work associated with the rebuild of US 12 and 21st Street was their highest priority urban renewal project with East Orchards Sewer second.

June 12, 2017—City Council Conducted a Public Hearing on RAA#4 and read Ordinance 4693

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.

Revised cost estimates have been received from the City Engineer. Water lines are firm at $350,000, a reduction of $50,000. Storm sewer has increased from $450,000 to $650,000. To reflect these changes, plan pages 9 and 10 need to be revised as shown on the attached sheets.

A graphic of the intersection redesign is now available and should be inserted before Exhibit 4, original page 12. This graphic will help the public visualize the proposed work.
Staff requests two separate motions.

(1) Approve the revised sheets for inclusion in Urban Renewal Plan, Revenue Allocation Area #4, Main East Main attached to the 6/12/17 and 6/26/17 staff reports.

(2) Approve second reading of Ordinance 4693 as amended.

ACTION PROPOSED: Adopt Ordinance No. 4693
JUNE 26, 2017  
(Revised 07/11/17)

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, June 12, 2017, in the upstairs conference room of the Bell Building, 215 “D” Street, Lewiston. Mayor Kleeburg called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall.

II. PLEDGE OF ALLEGIANCE

Mayor Kleeburg led the Pledge of Allegiance.

III. CITIZEN COMMENTS: Provides 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 city manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

Mr. Walter Phillips, 3724 10th Street E, stated he is the part owner of 653 Thain Road. He expressed concern for the amount of dust produced by the round-a-bout project, noting his mother with cancer is unable to stay in the house. Further, he encouraged additional enforcement because drivers are not abiding by the posted speed limit.

Mr. Steve Martin, Lewiston, applauded the efforts of staff and the council to create an incentive program for large businesses. However, he stressed the importance of creating something similar for small businesses.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: 2016 CDBG ACTION PLAN AMENDMENT

Mayor Kleeburg indicated the public hearing for the 2016 CDBG Action Plan Amendment was advertised to take place this evening. Therefore, he opened the hearing and called for a staff report.

Community Development Specialist Brocke explained the council previously approved the 2016 CDBG Action Plan which allocated in part $15,000 for three safe rooms in the Northwest Children’s Home. The Plan indicates if program income is received it will be used for qualified infrastructure projects and/or additional safe rooms at the NCH.
She continued by explaining since adoption of the Plan, NCH’s state license has not been in good standing, indicating to staff to be cautious about investing more CDBG funds into the facility until all issues are resolved. The city has received approximately $50,000 in program income to date and proposes to reallocate the funds to the Mill End Building at 800 Main Street, thus ensuring our timely expenditure of funds.

Ms. Brocke said recently the Mill End Building has changed hands and the new owners want to take this long blighted and vacant building and convert it back to two separate buildings with a public walkway from Main to F Street. Small retail spaces will also be created. The new owners have requested $50,000 to bring the basement sprinkler system up to code. Staff supports this request and proposes to amend the 2016 Action Plan to reallocate program income to this new project. Community Development Specialist Brocke recommended the council approve the 2016 Action Plan amendments.

The mayor opened the public hearing and called for testimony either in favor or in opposition of the request.

Mr. Steve Martin, Lewiston, said this is the kind of project downtown needs. He stated sprinkler systems in old buildings are extremely important.

There being no further testimony, Mayor Kleeburg closed the public hearing.

V. CONSENT AGENDA

Mayor Kleeburg explained that items on the Consent Agenda are considered routine in nature and would be enacted with one motion unless a councilor wished to have an item removed for discussion. Councilor Miller offered a motion to read the Consent Agenda by title only. Councilor Randall seconded the motion and it carried 7 to 0.

A. CITY COUNCIL MEETING MINUTES: 05/22/17 JOINT NEZ PERCE COUNTY/CITY OF LEWISTON BUDGET WORK SESSION; 06/05/17 WORK SESSION; 06/12/17 BUDGET WORK SESSION

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/04/17 AND 05/25/17 HISTORIC PRESERVATION COMMISSION

Following the reading of the Consent Agenda, a motion was made by Councilor Randall and seconded by Councilor Maldonado to adopt. The motion carried unanimously.
VI. ACTIVE AGENDA

A. CDBG PLAN AMENDMENT

Councillor Randall moved to adopt the CDBG Plan Amendment. The motion was seconded by Councillor Maldonado and carried 7 to 0.

B. ORDINANCE 4690 (ADOPTION AND ORDINANCE SUMMARY)

A motion was offered by Councillor Maldonado to adopt Ordinance 4690 and the Ordinance Summary. Councillor Randall seconded the motion.

City Attorney Gomez’ explained the adoption is on this evening’s agenda after mistakenly stating the ordinance failed at the last meeting. Though adoption of an ordinance requires a majority, or four votes, the third reading only requires the majority of councilors present. Therefore, the motion to read for the third time did carry.

Councillor Johnson expressed his opposition to passage of Ordinance 4690, stating he believes it gives a hand out to wealthy developers and does nothing to incentivize small businesses.

ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Maldonado; Miller; Randall. VOTING NAY: Blakey; Johnson.

ORDINANCE 4690: “AN ORDINANCE OF THE CITY OF LEWISTON DESIGNATING THE TITLE OF CHAPTER 40 AS “INCENTIVE PROGRAMS;” RE-DESIGNATING THE CURRENT CONTENT OF CHAPTER 40 AS CHAPTER 40, ARTICLE I; RESERVING SECTIONS 40-8 THROUGH 40-20; AMENDING SECTIONS 40-1 AND 40-2; ENACTING ARTICLE II OF CHAPTER 40 TITLED “DEVELOPER INCENTIVE PROGRAM;” PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE”

C. ORDINANCE 4693 (SECOND READING)

Councillor Randall moved to read Ordinance 4693 for the second time, by title only. Councillor Blakey provided a second.

Community Development Director Von Tersch indicated she is specifically asking for two motions. First would be to approve the recommended revisions and the second would be to approve the second reading of the ordinance. Ms. Von Tersch outlined the suggested changes.

City Attorney Gomez’ recommended a motion and vote be made for each specific change. Because there are changes on multiple pages, Community
Development Director Von Tersch suggested a mark-up ordinance be prepared for the next meeting wherein one motion and vote could be taken to address all of the amendments. Second reading could still take place this evening.

Councilor Blakey questioned the outcome of the FLAP grant. Ms. Von Tersch explained the city has made a couple of cuts and it is looking very promising. With an additional $200,000, pedestrian improvements could be made through Locomotive Park at a very small fee to the city due to the Idaho Transportation Department Match. The project is expected to fund in 2020 and Ms. Von Tersch noted she would keep the council updated.

The motion to read carried unanimously.

ORDINANCE 4693: “AN ORDINANCE OF THE CITY OF LEWISTON MAKING THE FINDINGS REQUIRED BY IDAHO CODE SECTION 50-2008 TO APPROVE AN URBAN RENEWAL PLAN AND URBAN RENEWAL PROJECTS; APPROVING THE “URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4 MAIN EAST MAIN (MEM)”; CREATING A REVENUE ALLOCATION AREA AS PART OF SUCH URBAN RENEWAL PLAN; DESCRIBING THE REQUIREMENT FOR HOW THE NEZ PERCE COUNTY COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH TAXING DISTRICT IN WHICH REVENUE ALLOCATION AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE NEZ PERCE COUNTY AUDITOR AND TAX ASSESSOR, THE AFFECTED TAXING DISTRICTS, AND THE STATE TAX COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE”

D. ORDINANCE 4687 (SECOND READING)

Following a motion and second from Councilors Randall and Miller, respectively, Ordinance 4687 was read for the second time, by title only. The motion carried 7 to 0.

ORDINANCE 4687: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-185(D) OF THE LEWISTON CITY CODE TO CORRECT IDAHO CODE CITATIONS AND MODIFY JUDICIAL REVIEW REQUIREMENTS IN ACCORDANCE WITH IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE”
E. **ORDINANCE 4685 (SECOND READING)**

Councilor Miller moved and Mayor Pro Tem Collins seconded the second reading of Ordinance 4685 by title only.

In response to a question raised by Councilor Blakey, Community Development Director Von Tersch explained the hotel in North Lewiston, west of the barbeque restaurant, has a few RV spots that will be grandfathered.

Ms. Von Tersch continued by explaining Chapter 23 of Lewiston City Code has set out development standards for RV parks. Though RV parks in North Lewiston are addressed, the language does not reference Chapter 23. This amendment is merely to clean up the language and ensure consistency.

The motion to read carried 7 to 0.

**ORDINANCE 4685: "AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-57.2(21) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE IS SUBJECT TO THE STANDARDS OF CHAPTER 23 OF THE LEWISTON CITY CODE; AMENDING SECTION 37-57.5 OF THE LEWISTON CITY CODE TO MODIFY PROVISIONS REGARDING MINIMUM LOT SIZE IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE; AND PROVIDING AN EFFECTIVE DATE"**

F. **RESOLUTION 2017-37**

Following a motion and second from Councilors Maldonado and Blakey, respectively, Resolution 2017-37 was adopted. **ROLL CALL VOTE:** VOTING **AYE:** Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall. VOTING **NAY:** None.

**RESOLUTION 2017-37:** "A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LEWISTON AND SANITARY DISPOSAL, INC."

G. **RESOLUTION 2017-35**

A motion and second were made by Councilors Randall and Maldonado, respectively, to adopt Resolution 2017-35. **ROLL CALL VOTE:** VOTING **AYE:** Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall.

**RESOLUTION 2017-35:** "A RESOLUTION DECLARING VARIOUS ITEMS OF CITY OF LEWISTON PROPERTY TO BE SURPLUS, AND PROVIDING FOR THE AUCTION OF SAID PROPERTY"
H. **RESOLUTION 2017-36**

Councilor Maldonado moved and Councilor Randall seconded adoption of Resolution 2017-36. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall. VOTING NAY: None.**

**RESOLUTION 2017-34: “A RESOLUTION CONVEYING OWNERSHIP OF TWO WOODEN DESKS TO NEZ PERCE COUNTY, IDAHO”**

I. **VOUCHERS PAYABLE**

Mayor Pro Tem Collins moved to approve the Vouchers Payable dated May 19, 2017, through June 1, 2017, in the amount of $1,113,145. Councilor Randall seconded the motion and it carried 6 to 0 to 1, with Councilor Miller abstaining.

VII. **UNFINISHED AND NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

Councilor Blakey congratulated Chief Myklebust on a very well-done presentation he gave at the recent Association of Idaho Cities (AIC) Conference. Mr. Myklebust represented the city and fire department extremely well.

Councilor Randall expressed appreciation and gave kudos to City Attorney Gomez’ for her presentation at the AIC Conference.

Mayor Kleeburg noted the City of Lewiston received an award from AIC for the IIRP downtown project for excellence from public works and engineering. Mr. Maldonado congratulated Public Works Director Davies and thanked him for accepting at the recent conference.

Mayor Kleeburg stated recently a councilor distributed a letter that came to the council confidentially from the city attorney. He said he believes this is conduct unbecoming a councilor and noted he would appreciate an apology to both the council and City Attorney Gomez’. Councilor Johnson said he did not share privileged information. He noted he spoke with legal counsel at the AIC conference about best practices for sharing privileged information and believes he did nothing inappropriate. He stressed he would not apologize because he didn’t do anything wrong.

Mayor Kleeburg disagreed. Though no sanctions can be imposed, this still caused issues for the council and city attorney. He said his picture, along with the pictures of two other councilors, was placed on Facebook with a caption
stating they looked like punchable faces. Councilor Johnson responded by saying he didn’t make that comment. A citizen reported an issue and asked for an update and Mr. Johnson said he responded with new public policy that had already been implemented. He noted he was just doing his job. Even if the document had been attorney/client privilege, advice has been provided to the council that this can be voided and there is nothing illegal.

Councilor Blakey responded by stating Mr. Johnson did share a confidential document and expressed concern for the methodology in which the document was shared. An error was brought to the attention of the council Monday evening, and the issue showed up on Facebook the following day. It seems that Mr. Johnson was in a hurry to get this out.

Councilor Miller said her largest concern is to ensure the council is respectful of the city attorney. The information is now online that connects Ms. Gomez’ with words that are unbecoming of an attorney. She expressed the importance of protecting city employees and making sure they are seen in a good light.

Mayor Kleeburg said he was one of the first fifty people in Nez Perce County to obtain a concealed weapons permit. He noted he will not have his character called into question by those who support the second amendment.

City Attorney Gomez’ replied there is no blanket attorney/client privilege. If she provides legal advice to the council, then it is privileged. The information should not have been shared. She said what upset her is that the information provided was falsely misconstrued. The group turned around and put her name and picture on a webpage that can be searched across the world stating she is trying to skirt the law. Ms. Gomez’ stressed this is her professional reputation on the line and she takes it very seriously. She noted she always abides by the law and does her absolute best to provide the council with advice that follows that law. In response, Councilor Johnson said it was a public policy announcement by staff that was implemented within 48 hours. It was not legal confidential information and he noted he would not be apologizing.

B. CITY MANAGER COMMENTS

City Manager Bennett reported election candidacy packets are now available at City Hall and can be obtained from the City Clerk. The filing period runs from August 28 through September 8, 2017.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

There were no advisory board or commission appointments.
D. WORK SESSION AGENDA TOPICS

Councilor Miller asked that weed control be placed on a future work session agenda and the Code Enforcement Officer be invited to attend.

At 6:49 p.m., a motion and second were made by Mayor Pro Tem Collins and Councilor Miller, respectively, to go into Executive Session to discuss issues related to Personnel and Records Exempt from Disclosure. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall. VOTING NAY: None.

VIII. EXECUTIVE SESSION RE: PERSONNEL AND RECORDS EXEMPT FROM DISCLOSURE: Idaho Code Section 74-206(1) (b) and (d).

Following a short recess, the Council discussed the item noted above. A motion was made by Councilor Maldonado to adjourn the Executive Session. Councilor Randall provided a second and it carried 7 to 0.

IX. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Kleeburg adjourned the June 26, 2017, Regular Council Meeting at 7:20 p.m.
I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN 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 City Manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. CONSENT AGENDA

A. CITY COUNCIL MEETING MINUTES: 06/15/17 Special; 06/15/17 Joint City/NPC Special; 06/26/17 Budget Work Session; 06/26/17 Regular

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/23/17 Urban Forestry/Cemetery Advisory Commission

V. ACTIVE AGENDA


B. ORDINANCE 4687 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY): Considering an amendment to Lewiston City Code to correct Idaho Code citations and modify judicial review requirements.

C. ORDINANCE 4685 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY): Considering an amendment to Lewiston City Code to add that a recreational vehicle park in the North Lewiston Mixed Use Development Zone is subject to the standards of Chapter 23, and an amendment to Lewiston City Code to modify provisions regarding minimum lot size in the North Lewiston Mixed Use Development Zone.

D. MEMORANDUM OF AGREEMENT: Considering an agreement between the city and the Urban Renewal Agency concerning project cost sharing in RAA #4.

E. ORDINANCE 4695 (FIRST READING): Considering a change to the term lengths for members of the Disabilities Advisory Commission.

F. INTERGOVERNMENTAL COOPERATION AGREEMENT: Considering an agreement with the Asotin County Fire Protection District

G. OUTDOOR SHOOTING RANGE: Considering an agreement with the City of Asotin for use of the city’s outdoor shooting range.
H. **MUTUAL ASSISTANCE COMPACT:** Considering an agreement between the City of Lewiston and the City of Asotin.

I. **RESOLUTION 2017-18:** Considering adoption of the city’s Wastewater Pretreatment Standards Manual.

J. **RESOLUTION 2017-19:** Considering adoption of the city’s Food Service Establishment Guidance Manual.

K. **RESOLUTION 2017-39:** Considering declaring Zoll Medical Corporation as the only vendor of X Series Defibrillators and Associated Accessories.

L. **USE OF PARK PROPERTY:** Considering an agreement between the city and Nez Perce County for use of city property during the Nez Perce County Fair.

M. **BID AWARD - 7TH AVENUE RECONSTRUCTION BETWEEN 10TH AND 11TH STREETS:** Considering award to M.L. Albright & Sons, Inc, Lewiston, Idaho, in the amount of $68,661.40.

N. **WASTEWATER CONNECTION AGREEMENT:** Considering an agreement between the city and Mario and Jennifer Gomez.

O. **VOUCHERS PAYABLE:** 06/02/17 through 06/16/17 - $2,345,396.60.

VI. **NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**

C. **ADVISORY BOARD AND COMMISSION APPOINTMENTS**
   - Considering Shawn Turpin, Tim Lynch, and Terry Nab for reappointment to the Code Board of Appeals
   - Resignation of Ronald Hewett from the Code Board of Appeals
   - Two new applications for the Code Board of Appeals

D. **WORK SESSION AGENDA TOPICS**

VII. **EXECUTIVE SESSION RE: PERSONNEL:** Idaho Code Section 74-206(1) (b).

VIII. **ADJOURNMENT**

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CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

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<th>ITEM TITLE</th>
<th>AGENDA NO.</th>
<th>AGENDA DATE</th>
<th>1ST READING</th>
<th>2ND READING</th>
<th>3RD/ADOPTION</th>
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<td>Urban Renewal Plan, Main East Main RAA #4</td>
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<td>07/10/17</td>
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<td>Laura M. Von Tersch</td>
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<th>RECOMMENDED FOR COUNCIL ACTION</th>
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ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)

January 9, 2017—City Council directed the Urban Renewal Agency to begin work on an urban renewal plan for the Main East Main area including utilities under the US 12/21st Street intersection.

January 19, 2017—In a joint meeting with the Board of County Commissioners, the Main East Main project was discussed and received support from both groups.

February 6, 2017—City Council affirmed that the utility work associated with the rebuild of US 12 and 21st Street was their highest priority urban renewal project with East Orchards Sewer second.

June 12, 2017—City Council Conducted a Public Hearing on RAA#4 and read Ordinance 4693

June 26, 2017—City Council read Ordinance No. 4693 for the second time.

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.

At second reading of Ordinance 4693, staff requested a number of amendments to reflect updated information and other technical matters as noted in the 6/12 and 6/26/17 staff reports. It was determined that a marked up ordinance would be a more efficient way to make the changes.

A marked up Ordinance is in the packet.
ACTION PROPOSED: Move to amend Ordinance No. 4693 Appendix A as detailed in the index and correspondence from the City Attorney's Office dated 6/29/17.

Move to approve Ordinance No. 4693 as amended.
JULY 10, 2017

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, July 10, 2017, in the upstairs conference room of the Bell Building, 215 “D” Street, Lewiston. Mayor Kleeburg called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall.

Councilors Excused: Blakey.

II. PLEDGE OF ALLEGIANCE

Councilor Maldonado led the Pledge of Allegiance.

III. CITIZEN COMMENTS: Provides 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 city manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

Mr. Eric Peterson, Lewiston, stated he learned in today’s earlier budget work session, the city does have a joint ADA Coordinator, split between Human Resources Director Province and Public Works Director Davies. Neither of these are paid positions. He said his investigation has shown that generally ADA Coordinators are higher level positions wherein they have authority, can delegate tasks, and are paid between $10,000 and $40,000. Mr. Peterson noted Ms. Province and Mr. Davies plan to meet in the fall to work on a more definitive transition plan. Secondly, Mr. Peterson stated as a taxpayer, he is willing to have his taxes stay the same next year as they are this year. Streets and roads have taken a huge hit and it is necessary to fund for the future.

Mr. Terry Rosenquest, 160 Marine View Drive, noted the speed limit along Duthie Blvd. was 35 mph for approximately 12 years. About a month ago, it was changed to 25. He questioned the process to get it back to 35. City Manager Bennett explained the council would be discussing this topic at its July 24th work session. If the direction is to move forward with the change, staff would amend the ordinance and place it in front of the council for three readings and possible adoption. Mr. Bennett urged area residents to bear with the city as it works through the process.

Mr. Eric Peterson, Lewiston, indicated he understands city funding to the Boys and Girls Club is potentially being removed from the budget. He discussed the amount of return per dollar for the Club vs. allocating the same amount to
Parks and Recreation and urged the city to continue providing funding to this much needed organization.

IV. CONSENT AGENDA

Mayor Kleeburg explained that items on the Consent Agenda are considered routine in nature and would be enacted with one motion unless a councilor wished to have an item removed for discussion. Councilor Randall offered a motion to read the Consent Agenda by title only. Councilor Maldonado seconded the motion and it carried 6 to 0, with Councilor Blakey excused.

Mayor Kleeburg asked that Page 7, last sentence, of the June 26th regular minutes be amended to remove the word “don’t” and replaced with the word “do”.

A. CITY COUNCIL MEETING MINUTES: 06/15/17 SPECIAL MEETING; 06/15/17 JOINT CITY/NEZ PERCE COUNTY SPECIAL MEETING; 06/26/17 BUDGET WORK SESSION; 06/26/17 REGULAR MEETING

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/23/17 URBAN FORESTRY/CEMETERY ADVISORY COMMISSION

Following the reading of the Consent Agenda, a motion was made by Councilor Randall and seconded by Councilor Maldonado to adopt. The motion carried 6 to 0, with Councilor Blakey excused.

V. ACTIVE AGENDA

A. ORDINANCE 4693 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)

Councilor Randall moved to read Ordinance 4693 for the third time by title only, suspending the rules. Mayor Pro Tem Collins provided a second.

Responding to a question raised by Councilor Johnson regarding the sunset date of 2029 outlined in the ordinance, City Attorney Gomez’ explained the sentence talks about the Urban Renewal Agency, the area and the plan all ending in 2029. Because the Agency itself can continue to exist beyond 2029, an amendment was necessary.

City Attorney Gomez’ noted 21 amendments are being recommended this evening for consideration. She suggested each be read aloud and entered into the motion.
Councilor Maldonado offered an amended motion to include the following amendments in Ordinance 4693. The motion was seconded by Councilor Randall.

1. Amend the Table of Contents to Add a new Exhibit 4, titled “Proposed Intersection Design,” and delete Appendix F, titled “Evaluation Tool;”
2. Strike “and August 2029 established as the sunset date” from the end of the first paragraph on page 3;
3. Change “Memorandum of Understanding” to “Memorandum of Agreement” in the second paragraph on page 6;
4. Strike the last sentence under the section titled “Financing Improvements” on page 6 and replace with the following paragraph:
   The Agency anticipates entering into an agreement with the City of Lewiston regarding the funding of the urban renewal projects described in this Plan shortly after this Plan is approved by the City of Lewiston, likely during the summer of 2017. At that time, the Agency will incur monetary obligations to help fund such projects. It is expected that the costs related to the reconstruction of water and storm sewer utilities will be incurred in 2019. Costs for the proposed pedestrian improvements may be incurred when sufficient revenues are received by the Agency, which might not occur until in or around 2028.
5. Strike “-$400,000” on page 9, referring to the estimated cost of replacement of the water mains (page 10 in revised draft);
6. Change “$450,000” to “$650,000” on page 9, referring to estimated cost to upsize a stormwater line located in the Red Lion Hotel parking lot (page 10 in revised draft);
7. Strike “needs to be made, for which ITD has no funding” in the third paragraph on page 9 and replace with “ITD will make” (page 10 in revised draft);
8. Add exhibit 5 to the sentence immediately above the chart on page 10 (page 11 in revised draft);
9. Amend the chart title on page 10 to “Project Summary: Estimated Costs” (page 11 in revised draft);
10. Amend the estimated URA cost and City cost for waterlines from $200,000 to $175,000 each in the chart on page 10 (page 11 in revised draft);
11. Amend the estimated URA cost and city cost for stormwater from $225,000 to $325,000 each in the chart on page 10 (page 11 in revised draft);
12. Strike the “Pedestrian Improvements” row in the chart on page 10 (page 11 in revised draft);
13. Amend the total estimated URA cost in the chart on page 10 from
“$655,550-785,000+” to “$730,000-$860,000+” (page 11 in revised
draft);
14. Amend the total estimated City cost in the chart on page 10 from
$655,000 to $730,000 (page 11 in revised draft);
15. Add new Exhibit 4 “Proposed Intersection Design” between Exhibit
3 and current Exhibit 4 (page 13 in revised draft);
16. Add the following sentence to the end of the section titled
“Economic Feasibility Study” on page 13 (page 15 in revised draft):
See Appendix C for an economic feasibility analysis using
increment projections.
17. Change the phrase “throughout the Agency’s duration” on page 13
under the section titled “Fiscal Impact to Other Taxing Entities” to
“throughout the duration of this Plan and Revenue Allocation Area
#4 (August 2029)” (page 15 in revised draft);
18. Delete pages E-19 and E-20, which is a copy of Idaho Code § 50-2008
(pages 15 in revised draft);
19. Add pages E-23 through E-33, which consist of a memo from Tanya
Brocke, dated May 12, 2017; a memo from Laura Von Tersch, dated
May 12, 2017; the Lewiston City Council Regular Meeting Agenda
for June 12, 2017; a City Council Meeting Agenda Item History
sheet regarding the MEM Plan, dated May 31, 2017; the Lewiston
City Council Regular Meeting Agenda for June 26, 2017; and a City
Council Meeting Agenda Item History sheet regarding the MEM
Plan, dated June 26, 2017;
20. Delete Appendix F, titled “Project Evaluation Tool;” and
21. Add to Appendix E the Lewiston City Council Regular Meeting
Agenda for July 10, 2017; the minutes, once officially adopted, of
the Lewiston City Council Regular Meetings held on June 12, 2017,
June 26, 2017, and July 10, 2017; a City Council Meeting Agenda
Item History sheet regarding the MEM Plan, dated __________,
2017; the summary for Ordinance No. 4693; and a certification from
the Lewiston Tribune indicating when the summary for Ordinance
No. 4693 was published.

The amended motion carried 6 to 0 with Councilor Blakey excused.

The motion to read carried 6 to 1, with Councilor Blakey excused.

ORDINANCE 4693: “AN ORDINANCE OF THE CITY OF LEWISTON
MAKING THE FINDINGS REQUIRED BY IDAHO CODE SECTION 50-2008 TO
APPROVE AN URBAN RENEWAL PLAN AND URBAN RENEWAL
PROJECTS; APPROVING THE “URBAN RENEWAL PLAN FOR REVENUE
ALLOCATION AREA #4 MAIN EAST MAIN (MEM)”; CREATING A
REVENUE ALLOCATION AREA AS PART OF SUCH URBAN RENEWAL
PLAN; DESCRIBING THE REQUIREMENT FOR HOW THE NEZ PERCE COUNTY COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH TAXING DISTRICT IN WHICH REVENUE ALLOCATION AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE NEZ PERCE COUNTY AUDITOR AND TAX ASSESSOR, THE AFFECTED TAXING DISTRICTS, AND THE STATE TAX COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE"

A motion was then offered by Councilor Randall and seconded by Mayor Pro Tem Collins to adopt Ordinance 4693 and the Ordinance Summary. This motion passed 6 to 1. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

B. ORDERANCE 4687 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)

Following a motion and second from Councilors Randall and Maldonado, respectively, Ordinance 4687 was read for the third time, by title only, suspending the rules. The motion carried 6 to 0, with Councilor Blakey excused.

ORDINANCE 4687: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-185(D) OF THE LEWISTON CITY CODE TO CORRECT IDAHO CODE CITATIONS AND MODIFY JUDICIAL REVIEW REQUIREMENTS IN ACCORDANCE WITH IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE”

Mayor Pro Tem Collins moved to adopt Ordinance 4687 and the Ordinance Summary. The motion was followed by a second from Councilor Randall. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

C. ORDERANCE 4685 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)

Councilor Maldonado moved and Mayor Pro Tem Collins seconded the third reading of Ordinance 4685 by title only, suspending the rules. The motion carried 6 to 0, with Councilor Blakey excused.

ORDINANCE 4685: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-57.2(21) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE IS SUBJECT TO THE
STANDARDS OF CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-57.5 OF THE LEWISTON CITY CODE TO MODIFY PROVISIONS REGARDING MINIMUM LOT SIZE IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE AND ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-66(3) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE TOURIST COMMERCIAL (C-2) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-73(3) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE GENERAL COMMERCIAL (C-4) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-83(3) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE REGIONAL COMMERCIAL (C-6) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AND PROVIDING AN EFFECTIVE DATE.

A motion and second were made by Councilor Randall and Mayor Pro Tem Collins, respectively, to adopt Ordinance 4685 and the Ordinance Summary. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

D. MEMORANDUM OF AGREEMENT

Following a motion and second from Councilors Randall and Maldonado, respectively, the Memorandum of Agreement was adopted. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

E. ORDINANCE 4695 (FIRST READING)

A motion and second were made by Councilors Maldonado and Randall, respectively, to read Ordinance 4695 for the first time, by title only.

Mr. Eric Peterson said he was provided a copy of this Ordinance and glanced at it quickly and noted two changes are needed. When the Disabilities Advisory Commission was first established, all terms were three years which meant they all expired at the same time. In order to remedy that, he asked that for 2017 only, two members have three-year terms, two members have two-year terms, and two members have one-year terms. At the expiration of each of those terms, staggering appointments would be introduced.
To allow time to amend the Ordinance, Councilor Randall moved to table Ordinance 4695 to the July 24th regular council meeting. The motion was seconded by Councilor Maldonado and carried 6 to 0, with Councilor Blakey excused.

ORDINANCE 4695: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 2-181 OF THE LEWISTON CITY CODE TO CHANGE THE TERM LENGTHS FOR MEMBERS OF THE DISABILITIES ADVISORY COMMISSION; AND PROVIDING AN EFFECTIVE DATE”

F. INTERGOVERNMENTAL COOPERATION AGREEMENT

Chief Myklebust explained this is merely a renewal of an agreement the City of Lewiston has had with the Asotin County Fire Protection District for the past eight years. He stressed it is one of the best things the Lewiston Fire Department has done to improve services to both Lewiston and Clarkston residents and property owners.

City Attorney Gomez’ noted Section 4 of the agreement should read 2021 rather than 2020. Therefore, Councilor Maldonado moved to amend as noted. Councilor Randall seconded the motion and it carried 6 to 0, with Councilor Blakey excused.

Councilor Maldonado then moved and Councilor Miller seconded adoption of the Intergovernmental Cooperation Agreement between the City of Lewiston and the Asotin County Fire Protection District. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

G. OUTDOOR SHOOTING RANGE

Upon a motion and second from Councilors Maldonado and Miller, the agreement between the City of Lewiston and the City of Asotin for the use of the city’s outdoor shooting range was adopted. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

H. MUTUAL ASSISTANCE COMPACT

Councilors Maldonado and Randall moved and seconded, respectively, to approve a Mutual Assistance Compact between the City of Lewiston and the City of Asotin.

Chief Ankeny explained this allows each entity the opportunity to provide services to each other when needed.
ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

I. **RESOLUTION 2017-18**

A motion was made by Councilor Miller to adopt Resolution 2017-18. Mayor Pro Tem Collins seconded the motion.

Councilor Randall indicated he still has an issue with the appeal process not being through the City Manager or City Council. Ms. Gomez' replied that the council previously adopted, by means of Ordinance 4686, any appeals could be made to the Wastewater Systems Manager who makes the final decision. Public Works Director Davies added Resolution 2017-18 merely sets the standards for everyone to adhere to and places everyone on the same playing field. The manual was previously adopted by Public Works staff, who thought it would be appropriate to place before the Council for potential adoption.

ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

J. **RESOLUTION 2017-19**

Councilor Miller moved and Councilor Randall seconded the adoption of Resolution 2017-19. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

K. **RESOLUTION 2017-39**

Resolution 2017-39 was adopted when Councilor Miller offered a motion and Councilor Maldonado provided a second. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

L. **USE OF PARK PROPERTY**

A motion and second were presented by Councilors Miller and Randall to approve an agreement between the City of Lewiston and Nez Perce County for use of city property during the Nez Perce County Fair. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

M. **BID AWARD – 7TH AVENUE RECONSTRUCTION BETWEEN 10TH AND 11TH STREETS**
Councilor Maldonado moved to approve the bid award for the 7th Avenue Reconstruction Project to M.L. Albright & Sons, Inc., of Lewiston, Idaho, in the amount of $68,661.40. A second came from Councilor Randall. \textit{ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.}

\section*{N. WASTEWATER CONNECTION AGREEMENT}

Councilor Maldonado moved to approve a connection to COSD with the condition that Mr. and Mrs. Gomez sign an Irrevocable Consent to Annex. Councilor Randall seconded the motion. City Attorney Gomez explained if this is approved by both the city and COSD, the city will proceed to annex the property. The motion carried 6 to 0 with Councilor Blakey excused.

\section*{O. VOUCHERS PAYABLE}

Councilor Maldonado moved to approve the Vouchers Payable dated June 2, 2017, through June 16, 2017, in the amount of $2,345,396.60. Councilor Blakey seconded the motion and it carried 4 to 0 to 2, with Councilors Johnson and Miller abstaining due to potential conflict of interest and Councilor Blakey excused.

\section*{VI. UNFINISHED AND NEW BUSINESS}

\subsection*{A. CITY COUNCILOR COMMENTS}

Mayor Kleeburg thanked the Parks and Recreation staff for putting on a great 4th of July Celebration in Pioneer Park. Additionally, he noted he stopped at the air show at the airport and couldn’t believe the amount of people in attendance. The planes on display were amazing and he said he hopes this event continues in years to come.

\subsection*{B. CITY MANAGER COMMENTS}

There were no City Manager comments.

\subsection*{C. ADVISORY BOARD AND COMMISSION APPOINTMENTS}

Councilor Randall moved to appoint Suzanne Johnson to the Disabilities Advisory Commission. Councilor Maldonado seconded the motion and it carried 6 to 0, with Councilor Blakey excused.

A motion to reappoint Shawn Turpin, Tim Lynch and Terry Nab to the Code Board of Appeals was made by Councilor Maldonado and seconded by
Mayor Pro Tem Collins. The motion carried 6 to 0, with Councilor Blakey excused.

A motion and second were then made by Councilors Randall and Miller to appoint Michell Radamaker and Kevin Messicle to the Code Board of Appeals. It carried 6 to 0, with Councilor Blakey excused.

D. WORK SESSION AGENDA TOPICS

City Manager Bennett indicated the July 24th work session agenda is filling up, with discussions on the speed limit along Duthie Blvd., the weed abatement process and the civic theater scheduled.

At 7:00 p.m., a motion and second were made by Mayor Pro Tem Collins and Councilor Maldonado, respectively, to go into Executive Session to discuss issues related to Personnel. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

VII. EXECUTIVE SESSION RE: PERSONNEL: Idaho Code Section 74-206(1) (b).

Following a short recess, the Council discussed the item noted above. A motion was made by Councilor Randall to adjourn the Executive Session. Councilor Maldonado provided a second and it carried 6 to 0, with Councilor Blakey excused.

VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Kleeburg adjourned the July 10, 2017, Regular Council Meeting at 7:17 p.m.
TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING
INVOICE

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CITY OF LEWISTON
SUMMARY OF ORDINANCE NUMBER 4693

ORDINANCE 4693: "AN ORDINANCE OF THE CITY OF
LEWISTON MAKING THE FINDINGS REQUIRED BY
IDAHOT CODE 50-2006 TO APPROVE AN URBAN
RENEWAL PLAN AND URBAN RENEWAL PROJECTS;
APPROVING THE "URBAN RENEWAL PLAN FOR REVENUE
ALLOCATION AREA #4 MAIN EAST MAIN (MEM)";
CREATING A REVENUE ALLOCATION AREA AS PART OF
SUCH URBAN RENEWAL PLAN; DESCRIBING THE
REQUIREMENT FOR HOW THE NEZ PERCE COUNTY
COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH
TAXING DISTRICT IN WHICH REVENUE ALLOCATION
AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO
TRANSMIT A COPY OF THIS ORDINANCE AND OTHER
REQUIRED INFORMATION TO THE NEZ PERCE
COUNTY AUDITOR AND TAX ASSESSOR, THE
AFFECTED TAXING DISTRICTS, AND THE STATE TAX
COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST
SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS
AND SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE.

SECTION 3: As part of the MEM Plan, revenue allocation
area #4 is hereby created, the legal description for which is
attached hereto and incorporated herein as Exhibit B.

SECTION 4: The MEM Plan establishes a base assessment
roll as of January 1, 2017, as it may be adjusted, in revenue
allocation area #4.

SECTION 5: In accordance with Idaho Code § 50-2908(1),
fur purposes of calculating the rate at which taxes shall be
levied by or for each taxing district in which revenue
allocation area #4 is located, the Nez Perce County Commissioners
shall, with respect to the taxable property located in revenue
allocation area #4, use the equalized assessed value of such
taxable property as shown on the base assessment roll rather
than on the current equalized assessed valuation of such
taxable property.

SECTION 7: In accordance with Idaho Code § 50-2027 and
50-2911, no direct or collateral action attacking the MEM
Plan shall be brought prior to the effective date of this ordi-
nance or after the elapse of thirty (30) days from the effective
date of this ordinance.

Ordinance 4693 is effective upon passage and publication.

CITY OF LEWISTON

By: James Kleeberg, Mayor
Attest: Kari Ravencroft, City Clerk

The full text of this ordinance is available at the City Clerk's
office, Lewiston City Hall, 1134 5th Street, Lewiston, during
regular business hours.

I, JANA GÓMEZ, City Attorney, reviewed the foregoing
Summary of Ordinance Number 4693. The Summary is true
and complete and provides adequate notice to the public pur-
suant to Idaho Code Section 50-901A.

Dated this 11th day of July, 2017
Jana Gómez, City Attorney

AFFIDAVIT OF PUBLICATION

Karen J. Lewis, being duly sworn, deposes and
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho
and under and by virtue of the laws of the State of Washington,
publishers of the Lewiston Tribune, a news-
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 105
consecutive years next immediately preceding the first
publication of this notice, and has been so published
 uninterrupted for said period; that the 136261 CITY OF
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Tribune,
1 time(s). Publication being on
07/17 , or once a Day
for 1 consecutive Day ,
the first publication thereof being on the 07/17/2017,
and the last publication thereof being on the 07/17/2017,
and said 136261 CITY OF was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

Karen J. Lewis

State of Idaho
S.S.
County of Nez Perce

On this day of July, in the year of 2017, before me, a Notary Public, personally
appeared Karen J. Lewis, known or identified
to me to be the person whose name subscribed to the
within instrument; and being by me first duly sworn,
declared that the statements therein are true, and
acknowledged to me that he executed the same.

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 8/1/2017
ORDINANCE NO. 4693

AN ORDINANCE OF THE CITY OF LEWISTON MAKING THE FINDINGS REQUIRED BY IDAHO CODE § 50-2008 TO APPROVE AN URBAN RENEWAL PLAN AND URBAN RENEWAL PROJECTS; APPROVING THE “URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4 MAIN EAST MAIN (MEM)”; CREATING A REVENUE ALLOCATION AREA AS PART OF SUCH URBAN RENEWAL PLAN; DESCRIBING THE REQUIREMENT FOR HOW THE NEZ PERCE COUNTY COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH TAXING DISTRICT IN WHICH REVENUE ALLOCATION AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE NEZ PERCE COUNTY AUDITOR AND TAX ASSESSOR, THE AFFECTED TAXING DISTRICTS, AND THE STATE TAX COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Urban Renewal Agency of the City of Lewiston, Idaho ("Agency") was established on October 18, 1999 through Resolution No. 99-75 of the City of Lewiston, Idaho ("City");

WHEREAS, the City, through Resolution Nos. 99-85 and 2005-76, determined certain property to be deteriorated or deteriorating areas and designated such property as appropriate for urban renewal projects, thereby creating an urban renewal area ("Urban Renewal Area") in accordance with Idaho Code §§ 50-2008(a) and 50-2018(11);

WHEREAS, the City, through Ordinance No. 4428, adopted the “Urban Renewal Plan for the City of Lewiston Urban Renewal Area and Creating Revenue Allocation Area #1, #2, #3,” which urban renewal plan sets forth numerous urban renewal projects, five of which projects, to date, have been completed within the Urban Renewal Area;

WHEREAS, the City and the Agency want to carry out additional urban renewal projects within the Urban Renewal Area, such as reconstructing water and storm sewer utilities and improving and extending pedestrian access in and around the intersection of U.S. Highway 12 and 21st Street;

WHEREAS, in order to move forward with additional urban renewal projects within the Urban Renewal Area, the Agency prepared a new urban renewal plan, titled “Urban Renewal Plan for Ordinance No. 4693"
Revenue Allocation Area #4 Main East Main (MEM)” (“MEM Plan”), which plan sets forth several new urban renewal projects to be completed within the Urban Renewal Area;

WHEREAS, on March 14, 2017, the Agency met to consider the MEM Plan and, through Resolution 2017-2, unanimously approved the MEM Plan;

WHEREAS, on April 19, 2017, the MEM Plan was submitted to the City of Lewiston Planning and Zoning Commission, in accordance with Idaho Code § 50-2008(b);

WHEREAS, on April 26, 2017, the Planning and Zoning Commission reviewed the MEM Plan and unanimously determined that the MEM Plan is in conformity with the City of Lewiston Comprehensive Plan;

WHEREAS, on May 12, 2017, the Planning and Zoning Commission submitted its written recommendations with respect to the MEM Plan to the Lewiston City Council;

WHEREAS, on May 12, 2017, the Planning and Zoning Commission transmitted a notice of public hearing regarding the MEM Plan, a copy of the MEM Plan, and the recommendation of the Agency to the governing body of each taxing district that levies taxes upon any taxable property within proposed revenue allocation area #4, in accordance with Idaho Code § 50-2906(3);

WHEREAS, on May 14, 2017, a notice of a public hearing regarding the MEM Plan was published in the Lewiston Tribune, in accordance with Idaho Code §§ 50-2008(c) and 50-2906(3);

WHEREAS, on June 12, 2017, the City held a public hearing on the proposed MEM Plan;

WHEREAS, because the MEM Plan contains a revenue allocation financing provision, the MEM Plan includes the following items, as required by Idaho Code §§ 50-2008(h) and 50-2905:

1. A statement describing the total assessed valuation of the base assessment roll of revenue allocation area #4 and the total assessed valuation of all taxable property within the City;

2. A statement listing the kind, number, and location of all proposed public works or improvements within revenue allocation area #4;

3. An economic feasibility study;
(4) A detailed list of estimated project costs;

(5) A fiscal impact statement showing the impact of revenue allocation area #4, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in revenue allocation area #4;

(6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;

(7) A termination date for the MEM Plan and revenue allocation area #4; and

(8) A description of the disposition or retention of any assets of the Agency upon the termination date; and

WHEREAS, it is in the best interest of the City to adopt the MEM Plan and form revenue allocation area #4 because tax increment financing will help fund the urban renewal projects to be completed in accordance with the MEM Plan, which projects will encourage private development and investment in the project area, prevent and arrest decay of the project area due to the inability of existing financing methods to provide needed public improvements, and encourage taxing districts to cooperate in the allocation of future tax revenues arising in the project area in order to facilitate the long-term growth of their common tax base.

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

SECTION 1: In accordance with Idaho Code § 50-2008(d), it is hereby found that:

(a) No families or persons are expected to be displaced from the Urban Renewal Area as a result of the urban renewal projects set forth in the MEM Plan.

(b) The MEM Plan conforms to the City of Lewiston Comprehensive Plan.

(c) The MEM Plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the MEM Plan.

(d) The MEM Plan will afford maximum opportunity, consistent with the sound needs of the City of Lewiston, for the rehabilitation or redevelopment of the Urban Renewal Area by private enterprise.

(e) The Urban Renewal Area does not consist of an area of open land to be acquired by the Agency.
SECTION 2: The MEM Plan is hereby approved, a copy of which is attached hereto and incorporated herein as Exhibit A.

SECTION 3: As part of the MEM Plan, revenue allocation area #4 is hereby created, the legal description for which is attached hereto and incorporated herein as Exhibit B.

SECTION 4: The MEM Plan establishes a base assessment roll as of January 1, 2017, as it may be adjusted, in revenue allocation area #4.

SECTION 5: In accordance with Idaho Code §§ 50-2908(1), for purposes of calculating the rate at which taxes shall be levied by or for each taxing district in which revenue allocation area #4 is located, the Nez Perce County Commissioners shall, with respect to the taxable property located in revenue allocation area #4, use the equalized assessed value of such taxable property as shown on the base assessment roll rather than on the current equalized assessed valuation of such taxable property.

SECTION 6: In accordance with Idaho Code §§ 50-2907 and 63-215, the City Clerk shall transmit a copy of this Ordinance No. 4693, including a copy of the legal description and a map of the boundaries of revenue allocation area #4 (included herein as Exhibits B and C), to the Nez Perce County Auditor and Tax Assessor; the affected taxing districts, consisting of Lewiston Independent School District No. 1 and the Port of Lewiston; and the Idaho State Tax Commission within thirty (30) days following the effective date of this Ordinance No. 4693.

SECTION 7: In accordance with Idaho Code §§ 50-2027 and 50-2911, no direct or collateral action attacking the MEM Plan shall be brought prior to the effective date of this ordinance or after the elapse of thirty (30) days from the effective date of this ordinance.

SECTION 8: The provisions and parts of this ordinance are intended to be severable. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.
SECTION 9: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this 10th day of July 2017.

CITY OF LEWISTON

By: James Kleeburg, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

ORDINANCE NO. 4693
Page 5 of 5
EXHIBIT A

URBAN RENEWAL PLAN

FOR
REVENUE ALLOCATION AREA #4
Main East Main (MEM)

THE CITY OF LEWISTON
URBAN RENEWAL AGENCY

Prepared by

Urban Renewal Agency of the City of Lewiston

Joe Hulett, Chairman
Bob Blakey, Vice-Chairman
Dan Marsh, Secretary
A.L. “Butch” Alford
Jo Ann Cole-Hansen
Mary Hasenoehrl
Bob Tippett

MARCH 14, 2017
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>SECTION</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXECUTIVE SUMMARY</td>
<td>1</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>2</td>
</tr>
<tr>
<td>PURPOSE</td>
<td>3</td>
</tr>
<tr>
<td>OBJECTIVES</td>
<td>4</td>
</tr>
<tr>
<td>ORGANIZATION</td>
<td>4</td>
</tr>
<tr>
<td>POWERS</td>
<td>4</td>
</tr>
<tr>
<td>DUTIES</td>
<td>5</td>
</tr>
<tr>
<td>SOURCE OF AGENCY REVENUES</td>
<td>5</td>
</tr>
<tr>
<td>FINANCING IMPROVEMENTS</td>
<td>6</td>
</tr>
<tr>
<td>ELIGIBLE PROJECT ACTIVITIES</td>
<td>6</td>
</tr>
<tr>
<td>EXHIBITS 1 AND 2</td>
<td>8</td>
</tr>
<tr>
<td>COOPERATION BETWEEN THE CITY AND AGENCY</td>
<td>9</td>
</tr>
<tr>
<td>DESCRIPTION OF PROJECTS</td>
<td>9</td>
</tr>
<tr>
<td>MAIN AND EAST MAIN</td>
<td>9</td>
</tr>
<tr>
<td>EXHIBIT 3: E MAIN MAPS</td>
<td>12</td>
</tr>
<tr>
<td>EXHIBIT 4: PROPOSED INTERSECTION DESIGN</td>
<td>13</td>
</tr>
<tr>
<td>EXHIBIT 5: LOCOMOTIVE PARK PEDESTRIAN/BIKE PATH</td>
<td>14</td>
</tr>
<tr>
<td>OTHER PROJECTS AND REVENUE ALLOCATION AREAS</td>
<td>15</td>
</tr>
<tr>
<td>ECONOMIC FEASIBILITY STUDY</td>
<td>15</td>
</tr>
<tr>
<td>FISCAL IMPACT TO OTHER TAXING ENTITIES</td>
<td>15</td>
</tr>
<tr>
<td>CONCLUSION AND RECOMMENDATION</td>
<td>16</td>
</tr>
<tr>
<td>APPENDIX A: SUMMARY STATEMENTS, LEGAL INSTRUMENTS</td>
<td>A-1</td>
</tr>
<tr>
<td>APPENDIX B: DEFINITIONS</td>
<td>B-1</td>
</tr>
<tr>
<td>APPENDIX C: INFREMENT PROJECTION</td>
<td>C-1</td>
</tr>
<tr>
<td>APPENDIX D: IDAHO STATUTE 50-2905</td>
<td>D-1</td>
</tr>
<tr>
<td>APPENDIX E: ADOPTION PROCESS</td>
<td>E-1</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

The Lewiston City Council has formed an Urban Renewal Agency (URA) to promote economic development, create jobs and improve the tax base. This is done in part by strategically targeting public investments to create these benefits, promote development of under-utilized properties, eliminate blighted conditions and beautify the built environment.

Revenues available to finance this URA project come from a Revenue Allocation Area (RAA) which the URA recommends be established by the City of Lewiston. The base year for this area is 2017. Increases in the valuation resulting from new growth or appreciation over the base year, multiplied by current levies of the four taxing districts, generates the revenues for URA investment.

Revenues generated through the term of the RAA, August 2029, will be used for the construction of water lines under the intersection of Highway 12 and 21st street, flood control in the vicinity of the intersection and pedestrian access improvements in and through this general area to the levee trail and waterlines along Mill Road if revenues permit. The Urban Renewal Agency intends to implement the projects described in this plan and then terminate Revenue Allocation Area #4 without delay.
INTRODUCTION

The Urban Renewal Agency provides financing options to pay for improvements that will eliminate blight and enhance development, job creation or private investment. In so doing, the assessed value of the area is increased. The City of Lewiston has established an Urban Renewal Agency (URA) to help develop blighted areas, build roads and infrastructure, enhance the climate for private investment and put vacant properties to work for the community. By returning formerly vacant or underused properties to the tax rolls, at an increased value, the URA creates new sources of revenue. These revenues can be used for improvements in the RAA without raising taxes in the community. The Agency’s investments in these areas are repaid through new jobs and improved, productive properties that become permanent revenue generators because of increased assessed value.

Private investors are not likely to locate within a city that cannot provide adequate infrastructure or within areas that are considered blighted or under used. There are a few areas in Lewiston that meet these descriptions. If an area is designated a Revenue Allocation Area (RAA) the Agency can utilize Tax Increment Financing (TIF) to improve and extend infrastructure, improve the ability of properties to develop, eliminate blight, assemble parcels and a full range of other powers and activities as provided by law.

URA’s were originally developed in the 1950’s to help cities with their economic development efforts. Many cities use URA’s and TIF as a tool to attract businesses into the community using the incremental tax increase to fund infrastructure and other improvements. When improvements are made that directly facilitate a specific business interest, the program should require commensurate improvements or job commitments from the business/property owner. The amount of negotiated assistance can be based upon specific criteria, for example:

- The projected increase in the assessed valuation of the property.
- The number and quality of new jobs created or retained.
- The amount of other revenue generated for the Community by the project.
- The financial strength of the applicant.
- The ability of the applicant to further the Community’s development and economic goals.

The City of Lewiston Urban Renewal Agency was originally formed in 1999 but lay dormant until 2005 when an Urban Renewal Plan was adopted along with three revenue allocation areas. In 2014, Urban Renewal Plan 2 was adopted adding a project to RAA #1 (18th Street North), clarifying the cost of Nez Perce Drive Extension (RAA #2), and adding a potential list of projects to RAA #3. This plan is separate and distinct from
Urban Renewal Plan #2. The purpose of this plan is to scope and implement projects in a new RAA #4 (Main Street and East Main Street). This plan area falls within the Urban Renewal Agency’s boundary established by Resolution 2005-76 adopted September 26, 2005. Findings of deteriorated conditions were addressed at that time.

The Agency does not anticipate long-term ownership of any assets at this time. Public improvements will be dedicated to or become the property of another governmental agency or public utility as selected by the Board. Should the Agency own any assets derived from tax revenues on the termination date, their disposition shall be negotiated by the Agency and local taxing districts.

PURPOSE

Idaho law gives cities and counties the authority to establish Urban Renewal Agencies, which are mechanisms for the rehabilitation, clearance and redevelopment of deteriorated and deteriorating areas in municipalities (Statute 50-2005). Open land can, under certain circumstances, constitute a deteriorated or deteriorating area. In addition the law allows urban renewal activities for competitively disadvantaged border communities—those within 25 miles of a state or international border (Statute 50-2903). When a community determines it is at a disadvantage in its ability to attract business, private investment or commercial development, it is allowed to form Revenue Allocation Areas and fund projects to remedy the situation.

The purposes of the law which will be attained through and the major goals of this plan are:

- Enlarging the economic base of the project areas and the community by installation of needed public improvements and facilities to stimulate new commercial expansion, employment, economic growth and connectivity and utilization of the rivers as a major public asset;
- Strengthening the tax base by encouraging and facilitating private investment, thus increasing the assessed valuation of properties in the project area and community-wide;
- Elimination of environmental deficiencies in the project area, including among others inadequate public improvements, infrastructure and facilities;
- Creation of public spaces, gateways, entries and the like;
- Provision of adequate land for parks, open space, street rights of way and pedestrian rights of ways;
- Public transportation facilities;
- Leverage funds of other local, state or federal agencies.
OBJECTIVES

Agency objectives are:

- Improve infrastructure to leverage, encourage, and support additional land development and/or job growth.
- Improve the local tax base and community aesthetics.
- Fund projects that solve community problems caused by a lack of infrastructure.
- Pay off debts early, when possible.
- Improve pedestrian access to the Clearwater River
- Use the increment to leverage other funds such as matching the Federal Lands Access Program grant submitted by the City of Lewiston in 2017.

ORGANIZATION

The Agency is governed by a seven-member board appointed by the Lewiston City Council. Three of the four taxing districts operating within the plan area have a seat (Lewiston, Nez Perce County and Port of Lewiston). The City’s Administrative Services Director, a representative of Valley Vision and two community members at-large complete the Board.

On the board in 2017:

- Chairman, Joe Hulett, Member-at-Large
- Vice-Chairman Bob Blakey, Lewiston City Council
- Secretary Dan Marsh, Administrative Services Director, City of Lewiston
- A.L. "Butch" Alford, Jr., Valley Vision
- Jo Ann Cole-Hansen, Member-at-Large
- Mary Hasenoehrl, Port Commissioner
- Bob Tippett, Nez Perce County Commissioner

Administration of the Agency has been provided by Laura Von Tersch, Community Development Director, City of Lewiston.

POWERS

The Agency has broad powers with respect to any urban renewal plan, including the power to acquire property by purchase from a willing seller. Urban renewal agencies have the power to issue bonds to finance the undertaking of approved projects; however the Agency does not have the power to levy taxes. Bonds and other obligations of a URA are paid by the tax increment collected from the revenue allocation areas. The bonds do not become a debt of any other political agency.

This plan provides the agency with powers, duties and obligations to implement and further the program generally formulated in this plan for urban renewal, rehabilitation,
revitalization of the areas within the boundaries of the Revenue Allocation Area.

Implementation of this plan will require public co-investment to help stimulate desired private investment. Typically the agency will fund enhanced public facilities like streets, sidewalks, parking facilities, parks, public buildings, plazas, infrastructure (utilities, storm drainage, and fiber) and streetscape which in turn create an attractive setting for adjacent private investment in office, retail, housing or other commercial and industrial facilities.

DUTIES

The URA is responsible for writing and administering the urban renewal plan adopted by the City Council and associated record keeping and retention. The URA shall have the same fiscal year as the City of Lewiston and shall be subject to the same audit requirements as a municipality. As required by the Law and the Act, the Agency will adopt more specific budgets annually. The Agency will report on its activities at least once per year to the City Council. This annual report will address all requirements in Statute including an accounting of the Agency’s activities and financial position.

The Agency will comply with all statutory requirements including the Local Government Entity Registry and the State Tax Commission Reporting Repository for Urban Renewal Plans.

The URA Board shall meet regularly to discuss URA business. The URA will seek ways to increase the overall tax base with the goal of ultimately turning the tax revenues over to the local governmental taxing entities. The URA will dispose of all assets upon expiration of the Revenue Allocation Area in August 2029. A disposal plan will be developed in consultation with the other taxing entities closer to the termination date.

SOURCE OF AGENCY REVENUES

The agency will contribute to financing the projects described in this plan using a revenue allocation area (RAA). The base year for this area is 2017. Increases in the valuation resulting from new growth or appreciation over the base year, multiplied by current levies of the four taxing districts, generates the revenues for URA investment. This revenue value is called the “increment”. The City of Lewiston contributes most of the increment available to the Agency, and has the largest share of assessed valuation within the RAA boundaries.

*See Exhibits 1 and 2.*

It should be noted that Exhibit 2 reflects conditions as of 10/1/16; RAA #1 has been closed, RAA #2 and RAA #3 are open. In 2017, RAA #2 should be closed (current taxable value is $52,414,246) and RAA #4 should be open (approximately $63.6 million in taxable value).
FINANCING IMPROVEMENTS

The Agency may issue bonds that are special obligations payable from the tax increment as described earlier in this document or payable from any funds available to the authority in connection with any urban renewal project. The bonds are obligations of the Agency and are not an indebtedness of the City.

The Agency may fund projects with any revenues on-hand, or commit, in partnership with other private or public entities to fund projects over time as revenues materialize. The “pay as you go” method is ideal for small or phased projects and avoids costs associated with issuing bonds. In RAA #4, the Agency anticipates that the City will fund the water and flood control improvements upfront, with the URA paying for a percentage of the work as revenues materialize. The URA may be able to match the Federal Land Access Program if awarded in one lump sum. The implementation of this plan anticipates that the URA will enter into a Memorandum of Agreement with the City of Lewiston.

The Agency anticipates entering into an agreement with the City of Lewiston regarding the funding of the urban renewal projects described in this Plan shortly after this Plan is approved by the City of Lewiston, likely during the summer of 2017. At that time, the Agency will incur monetary obligations to help fund such projects. It is expected that the costs related to the reconstruction of water and storm sewer utilities will be incurred in 2019. Costs for the proposed pedestrian improvements may be incurred when sufficient revenues are received by the Agency, which might not occur until in or around 2028.

ELIGIBLE PROJECT ACTIVITIES

Idaho State Statutes establish the activities in which an urban renewal agency is allowed to engage. Project elements and activities include:

- Acquisition of deteriorated areas and real property;
- Management of any property acquired by the agency;
- Demolition and removal of buildings and improvements;
- Construction or reconstruction of streets, utilities (including sewer, water, storm drainage, fiber, electrical or natural gas distribution), parks, playgrounds, off-street parking facilities, public facilities or buildings, walkways, public open space, visitor information center;
- Disposition of any property at fair market value, except for disposition of property to another public body that can be at less than fair market value;
- Telecommunication infrastructure;
- Issuance of bonds, notes or other financial obligations from time to time; and
- All other actions as necessary or authorized under State law to accomplish this Plan.
EXHIBITS 1 AND 2

SOURCE OF URA REVENUES FY2016

Nez Perce County: 33.6%

Independent School District No 1: 5.1%

City of Lewiston: 60.4%

Port of Lewiston: 0.9%

2.

PERCENTAGE OF TAXING DISTRICTS' ASSESSED VALUES SUBJECT TO URA
COOPERATION BETWEEN THE CITY AND AGENCY

The Agency recommends that the City aid and cooperate with the Agency in carrying out this Plan and take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and prevent the recurrence or spread in the area of conditions causing deterioration.

In addition to the above, by adoption of this plan, the City commits to take the following actions:

(a) Accept ownership and on-going maintenance of improvements made by the URA in the public domain (excepting improvements retained by a public utility for the Community's benefit, or those dedicated to another taxing entity).

(b) Apply zoning, land development standards and business licensing strategies to further the objectives of this plan.

(c) Negotiate agreements with the Agency for administration, support services, funding sources, personnel, office space and the like.

(d) Undertake and complete any other proceedings necessary to carry out projects.

DESCRIPTION OF PROJECTS

MAIN AND EAST MAIN

The Main East Main (MEM) revenue allocation area is within the City of Lewiston and determined to be eligible for urban renewal. It is part of the area that the Urban Renewal Agency (URA) is authorized to work. In order to "activate" the Revenue Allocation Area (RAA), a plan has to be developed and adopted by the City Council. The base year of the plan will be the year in which the plan is adopted, 2017.

Tax increment revenues for MEM are projected at $1,240,000 in 10 years assuming 1.5% appreciation. Based on low rates of appreciation historically, the 1.5% figure is reasonable.

In the center of the proposed MEM RAA, is one of the largest intersections in the City—Highway 12 and 21st Street. All travelers entering the City from the North or East have to travel through this intersection. It is part of the corridor between the Port of Lewiston and Clearwater Paper & Idaho Forest Group, two of the Valley’s largest employers. The current intersection has an unusual configuration, too many legs and insufficient stacking for critical movements and does not sufficiently accommodate pedestrian access to and from the Clearwater River levee system.

The Idaho Transportation Department has plans to rebuild the Highway 12/21st Street intersection in 2019 for a projected cost of $5,000,000 (recently increased from $2
million). ITD has asked the City to verify that utilities under the proposed road bed can be expected to function properly for the next 25 years. The City Engineer has determined that the water mains need to be replaced at a cost of $350,000. With the intersection torn up, the City would like to take the opportunity to upsize storm water line from the Red Lion Hotel parking lot through the intersection tying into ITD’s work. This line is expected to cost approximately $650,000. Flooding experienced by area businesses such as the Red Lion Hotel, Hells Canyon Harley Davidson and Hahn Supply will be reduced.

Limited pedestrian improvements would be part of the intersection rebuild. Medians would be constructed on the northwest and southwest corners of the intersection to provide pedestrian refuge. Two trail connections to the existing path through Locomotive Park will be constructed. Even so, expecting pedestrians to cross 6-7 lanes of two-way traffic may be unreasonable. Additional mid-way pedestrian refuges through the intersection should be explored.

One improvement that ITD will make is pulling the retaining wall at Baldwin Falls and 21st back to allow the sidewalk on 21st to be widened. It is currently only two feet wide. This reconstructed sidewalk would connect into sidewalk now existing on East Main. The exact cost of this work is unknown.

Lewiston will be applying for a FLAP grant this year (Federal Lands Access Program). The purpose will be to move pedestrians through the intersection to the levee trail. A formalized crossing of the railroad tracks is not planned. Site distance and grades are good making the crossing safe. The plan contemplates the creation of a pedestrian route through Locomotive Park to the levee trail. On the east side of the intersection pedestrians would be routed through ITD right of way to the Memorial Bridge and levee system. Costs for these improvements are in the $130,000 range. The FLAP grant has a local match of 7.34%. ITD has pledged a match of $8,955 reducing costs to the URA.

If revenues permit, up to 2,100 feet of waterlines will be upsized along Mill Road east to city limits. Portions of this line are only 3" in diameter, insufficient to support commercial development and required fire flows.

Revenues from the RAA will trickle in slowly over time. Appreciation and new growth are not sufficiently hardy to guarantee a bond, and bond costs would take a large percentage of available revenues. Therefore, any assistance the URA can provide for the upgrade of the intersection will be limited to “pay as you go” based on the incremental revenue. The City will have to guarantee and pay for the work up front, with the URA contributing funds as revenues materialize.

The URA believes a Revenue Allocation Area along Main East Main as shown on the
attached maps has great promise. It will leverage a $5,000,000 investment by ITD to upgrade the largest intersection in town. It is part of improving pedestrian access to the levee system, a stated goal of the City Council in the Comprehensive Plan, Waterfront Plan and City Vision statements. Flooding experienced by area businesses will be reduced.

See Exhibits 3, 4 and 5..

<table>
<thead>
<tr>
<th>PROJECT SUMMARY ESTIMATED COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT</td>
</tr>
<tr>
<td>---------------------------------</td>
</tr>
<tr>
<td>US 12/21ST ROADWAY</td>
</tr>
<tr>
<td>WATERLINES</td>
</tr>
<tr>
<td>STORM WATER</td>
</tr>
<tr>
<td>PEDESTRIAN IMPROVEMENTS (through Locomotive Park)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>WATERLINES EAST MAIN 2,100’ 12’ D.I.</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
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(1) A formal cost sharing agreement has not yet been approved
(2) If the FLAP grant is not approved.
(3) If the FLAP grant is approved.
(4) Soft match, grant administration, project management.
OTHER PROJECTS AND REVENUE ALLOCATION AREAS

In developing Revenue Allocation Area #4, Main East Main, the Agency discussed other areas that could be considered blighted, or lacking sufficient infrastructure to support land development. These other areas include the East Orchards Sewer, Bryden Avenue Corridor and Circulation around the Airport. This Plan only addresses Main and East Main.

ECONOMIC FEASIBILITY STUDY

Cost of projects described for Area #4 fit within available revenues, provided the city pays half of water and flood control upgrades. If the city does not contribute, the Agency will be tasked with finding other sources of revenues to complete the projects or reducing the project scope. See Appendix C for an economic feasibility analysis using increment projections.

FISCAL IMPACT TO OTHER TAXING ENTITIES

It is expected that the agency will complete the projects described in this plan and scoped as part of their annual budget throughout the duration of this Plan and Revenue Allocation Area #4 (August, 2029).

Section 63-301A, Idaho Code, prohibits taxing entities from including, as part of the new construction roll, the increased value of new construction within the revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Urban Renewal District will no longer be available for inclusion by the taxing entities to increase their budgets. Therefore, less tax revenue projected in the future will be available to those taxing entities. Generally, the impact on those entities could be determined by taking the Agency’s projected revenue and distributing the funds in the same ratio as the respective levy rates of each taxing district.

Appendix C incorporates estimates of increment revenue flowing to the Agency. If the appreciation or overall levy rate is less than assumed, the Agency will receive less funds from revenue allocation. Market value changes and levy rates are influenced by many factors beyond the Agency’s control, so the actual numbers may vary.

Revenue projections in Appendix C will give the other taxing entities a sense of the fiscal impact they might experience prior to the termination of the Agency if all increment revenue materializes and is directed to the described capital projects. Revenue estimates are based on the Agency’s present knowledge and expectations.

Using the 2016 Tax Year levies, the four taxing entities will forgo as much as $1,240,782 in tax revenues proportioned as follows;

City of Lewiston: $749,184
County of Nez Perce: $417,275
Lewiston Independent School District No. #1: $63,528
Port of Lewiston: $10,795

The total base value contained in the RAA in 2016 is 3.6% of the total taxable value in the municipality. The total taxable value of the City of Lewiston in 2016 is $1,882,944,161.

CONCLUSION AND RECOMMENDATION
The Urban Renewal Agency of the City of Lewiston, in cooperation with the City of Lewiston, believes exercising the powers provided by Statute will benefit all residents of the Community.
APPENDIX A:
SUMMARY STATEMENTS, LEGAL INSTRUMENTS

This is the Urban Renewal Plan (the “Plan”) for Revenue Allocation Area #4, Main, East Main for the City of Lewiston. The Plan consists of the text and all attachments thereto, including a map of the proposed revenue allocation area, a project description, revenue projections, tax impacts, and financing methods.

This Plan provides the agency with powers, duties and obligations to implement and further the program formulated in this Plan for the redevelopment and revitalization of the area within the boundaries of Tax Revenue Allocation Area #4 (RAA) as set forth in Exhibit 3 attached hereto. This Plan contains specific recommendations on ways the Agency can immediately remedy these deficiencies and encourage new private investment within the project areas.

On November 15, 1999, the Lewiston City Council adopted Resolution No. 99-85, creating the Urban Renewal Area. At that time the RAA boundaries were the Business and Technology Park in the Nez Perce Terrace Area. The Business and Technology Park was found to be a deteriorated area.

The Urban Renewal Agency of the City of Lewiston, Idaho (the "Agency") is an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Title 50, Chapter 20 of the Idaho Code, as amended (the "Law"), and the Local Economic Development Act, Title 50, Chapter 29, as amended (the "Act"), and a duly created and existing urban renewal agency of the City of Lewiston, Idaho.

On September 26, 2005, pursuant to Resolution 2005-76 adopted by the City Council, the City determined that all real property within the corporate limits of the City and North of Eighth Avenue, East of 29th Street and the real property North of Stewart Avenue, west of Juniper Drive and East of Thain Grade; has deteriorated or deteriorating areas as provided in Idaho Code Sections 50-2018 and 50-2903 (8). The conditions are resulting in the economic underdevelopment of the area and arresting the sound economic growth of the City of Lewiston.

The Plan allows financing of urban renewal projects with revenue allocation funds pursuant to the Act.
APPENDIX B:
DEFINITIONS

Act means collectively the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as the same shall be amended from time to time.

Agency means the Urban Renewal Agency of the City of Lewiston, Idaho, a body politic and corporate created pursuant to the Act.

Assessment Roll means the assessment roll used in connection with the taxation of the properties in the RAA by the taxing agencies, as such roll is equalized as provided by the law of the State of Idaho.

Authorized Officer of the Agency shall mean the Chairman of the Board, or a representative designated by the Board.

Base Year means 2017

Board shall mean the Board of Commissioners of the Agency.

Bonds shall mean bonds issued by the Agency.

Cost of Acquisition and Construction, with respect to Projects, shall include together with any other proper item or cost not specifically mentioned therein, the cost of demolition, the cost of acquisition and construction of the Project and the financing thereof, the cost, whether incurred by the Agency or another, of field surveys and advance planning undertaken in connection with the Project, and the cost of acquisition of any land or interest therein required as the sites thereof or for use in connection therewith, the cost of preparation of the sites thereof and of any land to be used in connection therewith, the cost of any indemnity and surety bonds and insurance premiums, allocable administrative and general expenses of the Agency, allocable portions of inspection expenses, financing changes, legal fees, and fees and expenses of financial advisors and consultants in connection therewith, cost of audits, the cost of utilities, architectural services, design, plans, specifications and surveys, estimates of cost, the payment of any notes of the Agency (including any interest and redemption premiums) issued to temporarily finance the payment of any item or items of cost of the Project and payable from the proceeds of any bonds, and all other expenses necessary or incident to determining the feasibility or practicability of Projects, and such other expenses not specified herein as may be necessary or incident to the construction and acquisition of Projects, the financing thereof and the placing of the same in use and operation.
Cost(s) of Issuance shall mean printing, rating agency fees, legal fees, underwriting fees, fees and expenses of the Trustee, bond insurance premiums, if any, and all other fees, charges, and expenses with respect to or incurred in connection with the issuance, sale, and delivery of a series of Bonds.

Debt Service for any period shall mean, as of any date of calculation, an amount equal to the Principal Installment and interest accruing during such period on the Bonds. Such Debt Service on the Bonds shall be calculated on the assumption that no portion of the Bonds Outstanding at the date of calculation will cease to be Outstanding except by reason of the payment of the Principal Installment on the Bonds on the due date thereof.

District means Main and East Main Area #4 designated by the City as a Revenue Allocation Area under the Act.

Fiscal Year shall mean the annual accounting period of the Agency, beginning October 1 in a year and ending September 30 of the following year.

Infrastructure shall mean without limitation above and below ground utilities such as water, sewer, storm drainage, telephone, cable, internet, fiber, electricity, gas, road, curb, gutter, sidewalk, bridges, tunnels, benches, bike racks, trash receptacles, pedestrian and bicycle paths; parking lots, signage, landscaping, place making and public art.

Investment Securities shall mean and include any securities that are legal investments under Section 67-1210, Idaho Code.

Operation and Maintenance Expenses with respect to the Project, shall mean all actual operation and maintenance expenses incurred by the Agency in any particular Fiscal Year or period to which said term is applicable or charges made therefore during such Fiscal Year or period.

Plan shall mean the Urban Renewal Plan for Revenue Allocation Area #4.

Project shall mean the infrastructure improvements and pedestrian access further described in the text of the Plan.

Revenue Allocation Revenues means that incremental portion of Taxes exceeding the amount of Taxes collected in the Base Year, allocated to the Agency under the Plan and in accordance with the provisions of the Act.

Secretary means the Secretary of the Agency.

Taxes means all levies on ad valorem basis upon land, real property, personal property or any other property, tangible or intangible, included within the Districts.
Tax Increment Financing means a mechanism for financing local economic development projects in through taxes generated by increased property values.
### APPENDIX C
**INCREMENT PROJECTION**

#### East Main

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<th>Year</th>
<th>RAA Value</th>
<th>Tax Increment</th>
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**Total Assessed Value 2017** $67,828,754

**Less Homeowner Exemption** $4,166,942

**Taxable Value** $63,661,812
APPENDIX D:
IDAHO STATUTES
TITLE 50 MUNICIPAL CORPORATIONS
CHAPTER 29 LOCAL ECONOMIC DEVELOPMENT ACT

50-2905. Recommendation of Urban Renewal Agency. In order to implement the provisions of this chapter, the urban renewal agency of the municipality shall prepare and adopt a plan for each revenue allocation area and submit the plan and recommendation for approval thereof to the local governing body. The plan shall include with specificity:

(1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;
(2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;
(3) An economic feasibility study
(4) A detailed list of estimated project costs;
(5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing district levying taxes upon property on the revenue allocation area;
(6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
(7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan;
(8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets; and
(9) Any changes to an urban renewal plan as provided in subsections (2) and (6) of this section shall be noticed and shall be completed in an open public meeting.


The Idaho Code is the property of the state of Idaho and is made available on the internet as a public service. Any person who reproduces or distributes the Idaho Code for commercial purposes is in violation of the provisions of Idaho law and shall be deemed to be an infringer of the state of Idaho’s’ copyright.
APPENDIX E
ADOPTION PROCESS

This appendix is a record of the Plan adoption process and (will) contain copies of meeting agendas, staff reports, meeting minutes, resolutions, ordinances and public hearing notices.

The information in this appendix will be compiled over time as documents are produced. It is recognized that some documents will be inserted after Plan adoption, such as the meeting minutes of the hearing adopting the Plan.
Notice for publication 2/26/17

PUBLIC NOTICE

The Urban Renewal Agency of the City of Lewiston, Idaho will hold a public hearing 3/14/2017 at 12:00 noon, 1134 “F” Street, City Hall Conference Room, to discuss and potentially adopt an Urban Renewal Plan entitled Urban Renewal Plan. This plan incorporates a revenue allocation area along Main Street at Lincoln Street continuing to the east city limit line. A Revenue Allocation Area will cause property taxes resulting from any increase in equalized assessed valuation as shown on the base assessment roll to be allocated to the Urban Renewal Agency for urban renewal projects. The projects being considered include:

- Replacement of water and storm sewer lines near and underneath the intersection of US 12 and 21 street in conjunction with a rebuild of the intersection by the Idaho Transportation Department;

- Pedestrian improvements to create a safe route from the north end of 21st street through the intersection of US 12 and 21st to the levee trail.

- Construction of up to 2,100’ feet of water line along Mill Road east to city limits.

Copies of the draft plan can be obtained or viewed on-line at http://www.cityoflewiston.org/content/848/6585/default.aspx at Community Development (215 “D” Street), the City Library (411 “D” Street) and from the City Clerk, (City Hall, 1134 “F” Street). Comments on the plan are welcome and may be submitted in writing to URA, P.O. Box 617, Lewiston, Idaho 83501; by email to lwontersch@cityoflewiston.org; or at the public hearing.

Please note the content of this notice was accurate at the time of preparation. The draft plan may be continually revised until its adoption by the City Council. Please check the website for the most current version.
URBAN RENEWAL AGENCY BOARD
REGULAR MEETING AGENDA
Tuesday, March 14, 2017 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

I. CALL TO ORDER

II. PUBLIC COMMENT

III. CONSENT AGENDA
A. Approval of Minutes 01/31/17
B. Approval of Minutes 02/14/17
C. Approval of Invoice Litteneker, General Business, $1,122.50
D. Approval of Invoice #13 McCann LP $xxxx (Total Invoice $xxxx. Total paid to date $xxx).

IV. PUBLIC HEARINGS
A. Accepting Public Comment on the 2016 Annual Report.
B. Accepting Public Comment on Urban Renewal Plan, Revenue Allocation Area #4, Main East Main.

V. ACTIVE AGENDA
A. Approval of Invoices, Tribune Publishing, $80.64
B. Adoption of the 2016 Annual Report
C. Adoption of Urban Renewal Plan, Revenue Allocation Area #4, Main East Main.
D. Status of Nez Perce Drive Extension Agreement and Project Timeline.
E. Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School

VI. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments
   Presentation on East Orchard Sewer Project and Finance Options will be on the April agenda

VII. ADJOURN

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 208-746-1518.
MARCH 14, 2017

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO, met in a regular meeting Tuesday, March 14, 2017 at Lewiston City Hall. Chair Joe Hulett called the meeting to order at 12:00 p.m.

I. CALL TO ORDER
BOARD MEMBERS PRESENT: Chair, Joe Hulett; Vice Chair, Bob Blakey; A.L. "Butch" Alford; Jo Ann Cole-Hansen; Mary Hasenoehrl; Dan Marsh; Bob Tippett;

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Tanya Brocke, Community Development Specialist; Ed Litteneker, URA Attorney; Jim Bennett, City Manager; Danny Santiago, IT; Pat Severance, Public Works; Courtney Kramer, Beautiful Downtown Lewiston Executive Director;

II. PUBLIC COMMENT
None.

III. CONSENT AGENDA
A. Approval of Minutes 01/31/17
B. Approval of Minutes 02/14/17
C. Approval of Invoice Litteneker, General Business, $1,122.50
D. Approval of Invoice #13 McCann LP $xxx (Total paid to date $xxx).
   Board members Hasenoehrl and Cole-Hansen moved and seconded, respectively, approval of the consent agenda minus item D. The motion carried 7-0.

IV. PUBLIC HEARINGS
A. Accepting Public Comment on the 2016 Annual Report
   Chair Hulett opened the public hearing and asked for any public comment. There being none, the public hearing was closed.

B. Accepting Public Comment on Urban Renewal Plan, Revenue Allocation Area #4, Main East Main
   Chair Hulett opened the public hearing and asked for any public comment.

   Dan Anderson, Nez Perce County Assessor, PO Box 896, questioned the “pay as you go" method and if it was legal for the city to loan money to the URA. Mr. Litteneker indicated that would be a question for City Attorney, Jana Gomez.

   Mr. Litteneker clarified that it is not a loan but is an agreement between the City and URA in how the project is funded. The “pay as you go" method has been used on past URA projects and is nothing different from those projects.

   There being no other public comment, the public hearing was closed.
V. **ACTIVE AGENDA**

A. **Approval of Invoices, Tribune Publishing, $80.64**

Board members Marsh and Cole-Hansen moved and seconded, respectively, approval of the tribune invoice. The motion carried 6-0-1 with Board member Alford abstaining.

B. **Adoption of the 2016 Annual Report**

Board members Hasenoehrl and Alford moved and seconded, respectively, adoption of the 2016 Annual Report with modifications to the fourth and fifth paragraphs as follows:

- Fourth paragraph – change "A second Revenue Allocation Area..." to "Another Revenue Allocation Area..."; and
- Fifth paragraph beginning with "Sewer trunk lines..." moved above the fourth paragraph.

The motion carried 7-0.

C. **Adoption of Urban Renewal Plan, Revenue Allocation Area #4, Main East Main**

Board members Marsh and Alford moved and seconded, respectively, adoption of Urban Renewal Plan, Revenue Allocation Area #4, Main East Main with the addition of a table summarizing the projects on the bottom of page 10. The motion carried 7-0.

D. **Status of Nez Perce Drive Extension Agreement and Project Timeline**

Ms. Von Tersch informed board members that the Nez Perce Extension would not be done by August 3, 2017 due to utility issues. Ms. Von Tersch noted the agreement provides for a one-year extension with a written request from the McCann’s.

Pat McCann provided board members with a written request for an extension of the projected completion date from August 10, 2017 to August 10, 2018. Mr. McCann informed board members that they are down to a handful of items to complete and it will be a great contribution to the Valley and tax base.

Staff was directed to place the discussion of the extension on next month’s agenda to allow board members to review the written request from Mr. McCann.

E. **Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School**

Ms. Von Tersch noted Idaho Statute caps the taxable value in Revenue Allocation Areas at 10% of the community’s taxable value and they would not be able to do all four RAA’s under the cap.

Board member Tippett noted an error in the calculation and asked staff to bring a corrected version to the next meeting.
VI. **UNFINISHED AND NEW BUSINESS**

A. **Board Member Comments**

Board member Blakey noted that City Council approved Board member Cole-Hansen's reappointment.

Board member Marsh noted the first two timeline dates on the written request from the McCann’s appeared to be transposed.

B. **Staff Comments**

Presentation on East Orchards Sewer Project and Finance Options will be on the April Agenda

VII. **ADJOURN**

Chair Hulett adjourned the meeting at approximately 1:25 p.m.

RESPECTFULLY SUBMITTED,

TANYA BROCKE, 
RECORDING SECRETARY

ATTEST:

J. Hulett  
URBAN RENEWAL AGENCY CHAIR

Approved this 11th day of April, 2017.
URBAN RENEWAL AGENCY BOARD
REGULAR MEETING AGENDA
Tuesday, April 11, 2017 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 "F" Street, Lewiston, Idaho

I. CALL TO ORDER

II. PUBLIC COMMENT

III. CONSENT AGENDA
A. Approval of Minutes 03/14/17
B. Approval of Invoice Litteneker, General Business, $3,181.25

IV. ACTIVE AGENDA
A. Approval of Invoice, Tribune Publishing $18.72
B. Presentation and Approval of FY 16 Audit
C. Adoption of Resolution of 2017-02 Approving Urban Renewal Plan, Revenue Allocation Area #4, Main East Main.
D. Adoption of Resolution 2017-01 Recommendation to Terminate RAA#2 to the City Council.
E. Extension of Time on Nez Perce Drive Reimbursement Agreement
F. Approval of Invoice #13 McCann LP $xxxx (Total Invoice $xxxx. Total paid to date $xxx).
G. Attorney Communications
H. East Orchard Sewer Project and Finance Options (Stubbers)
I. Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments
   Draft Urban Renewal Plan, East Orchards Sewer request to notice for public hearing.

VI. ADJOURN

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.
APRIL 11, 2017

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO, met in a regular meeting Tuesday, April 11, 2017 at Lewiston City Hall. Chair Joe Hulett called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

BOARD MEMBERS PRESENT: Chair, Joe Hulett; Vice Chair, Bob Blakey; A.L. “Butch” Alford; Jo Ann Cole-Hansen; Mary Hasenoehrl; Dan Marsh; Bob Tippett;

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Tanya Brocke, Community Development Specialist; Ed Litteneker, URA Attorney; Danny Santiago, IT; Shawn Stubbers, City Engineer;

Board members Alford and Blakey moved and seconded, respectively, to add a discussion about the Memorandum of Understanding as a new Item C on the Active Agenda. The motion carried 7-0.

II. PUBLIC COMMENT

Jerry Northrup expressed his opposition to East Orchards and noted that sewers are needed but the URA is going about it the wrong way as the area is not blighted.

Wayne Wood questioned why he, as a county resident, should pay for someone else’s sewer.

III. CONSENT AGENDA

A. Approval of Minutes 03/14/2017

B. Approval of Invoice Litteneker, General Business, $3,181.25

Board member Tippett noted he had a question in regards to item A on the consent agenda. Chair Hulett noted the Approval of Minutes would be moved to the first item on the Active Agenda.

Board members Marsh and Alford moved and seconded, respectively, approval of the consent agenda. The motion carried 7-0.

IV. ACTIVE AGENDA

A. Approval of Minutes 03/14/2017

Board member Tippett noted he felt the minutes were very broad and he was unable to access the meeting on the internet. He recalled they were not approving the plan. Mr. Tippett explained he remembered things differently and if he had known they were voting to approve the plan he would have voted against it.
Board members Hasenoehrl and Marsh moved and seconded, respectively, to approve the minutes as presented. The motion carried 6-1 with a nay from Board member Tippett.

B. Approval of Invoices, Tribune Publishing, $18.72
Board members Hasenoehrl and Blakey moved and seconded, respectively, approval of the tribe invoice. The motion carried 6-0-1 with Board member Alford abstaining.

C. Presentation and Approval of FY16 Audit
Dawn Aliverti from Presnell Gage provided Board members with a handout out and summarized the audit. Ms. Aliverti noted there were no findings presented or concerns.

Board members Cole-Hansen and Hasenoehrl moved and seconded, respectively, approval of the audit. The motion carried 7-0.

D. Discussion of Memorandum of Understanding
URA Attorney Ed Litteneker provided a draft MOU for discussion purposes on Main East Main (MEM) and informed Board members that City Attorney Jana Gomez and County Attorney Nance Ceccarelli had not had a chance to review the draft.

Board member Tippett noted that the project was discussed thoroughly at a meeting with elected officials, the general feeling was to support the improvement of water and drainage under the road but the pedestrian path should be done through City Parks and Recreation.

Mr. Litteneker was asked to make some changes and clarifications to the draft MOU and bring it back to the Board.

E. Adoption of Resolution of 2017-02 Approving Urban Renewal Plan, Main East Main, Revenue Allocation Area #4,
Board members Blakey and Marsh moved and seconded, respectively, adoption of Resolution 2017-02. The motion carried 5-1-1 with an abstention from Board member Alford and a nay from Board member Tippett.

F. Adoption of Resolution 2017-01 Recommendation to Terminate RAA #2 to the City Council
Board members Cole-Hansen and Hasenoehrl moved and seconded, respectively, adoption of Resolution 2017-01. The motion carried 7-0.
G. Extension of Time on Nez Perce Drive Reimbursement Agreement

Community Development Director, Laura Von Tersch, presented her thoughts on conditions for the extension to Board members. The conditions were as follows:

**Time line**

July 1, 2017 advertise for bid
July 15, 2017 pre-bid meeting
August 1, 2017 bid date
September 1, 2017 award contract
October 1, 2017 notice to proceed
May 30, 2018 completion of roadwork for Nez Perce Drive extension
July 15, 2018 project closeout

**Financial considerations**

The contract between the McCann’s and Keltic is $650,000 lump sum with a scope of services but no estimate by task.

We need to put a general scope in place as follows:

Engineering design-- $360,000 (12%, a little light. 15% would be standard but it would seriously under fund testing and inspection)
Bid/Testing/Inspection-- $290,000 (9.6% is short, 12% about right)
Contingency of 350,000 (11.6% is ok)
Construction at $3,000,000 takes us to a $4,000,000 project.

As of 2/14/17 we had paid out $169,837.25. I recommend we only pay out another $10,162.75 until 7/1/17 when they advertise for bids. We have a valid interest in making sure enough funding is set aside for testing and inspection.

On testing and inspection we can pay 50% of actual with a not to exceed figure of $18,125 per month. We can settle up for any remaining funds up to the $145,000 limit at the end of the job.

For the contractors bills we pay 50% of actual on a monthly basis not to exceed our overall commitment of $2,000,000.

We need to make sure that moving of rock for pad grades is not to be part of the bid package for constructing the road.

Mr. Ron Blewett, representative for the McCann’s, noted the McCann’s were working faithfully on the project and numerous meetings have been held to fix the challenges. Mr. Blewett would like to review and consider the conditions proposed by Ms. Von Tersch and feels that it shouldn’t matter where the money is spent because a dollar is a dollar.

Mr. Litteneker commented against placing conditions on the agreement, as he didn’t see any basis for the considerations, which are inconsistent with the original agreement. Mr. Litteneker feels it isn’t a URA issue, but rather an issue between the city, the developer, and the developer’s engineer. The URA agreement with the McCann’s was to reimburse them up to $2 million without any
allocation of how the expenses were to be incurred. Mr. Litteneker urged the URA to accept the extension and anticipate the project will be completed July 15, 2018 without influencing the relationship between the developer, engineer and city.

Board members Tippett and Blakey moved and seconded, respectively, to grant an extension on Nez Perce Drive with the criteria provided by Ms. Von Tersch. The motion carried 5-2 with Chair Hulett and Board member Alford voting no in consensus with Mr. Litteneker.

H. Approval of Invoice #13-McCann-LP-$XXX (Total invoice $xxx. Total paid to date $xxx).

As an invoice had not been received, no action was taken on this item.

I. Attorney Communications

Mr. Litteneker summarized the memo from City Attorney Jana Gomez and himself in regards to the St. Joseph’s Regional Medical Center real and personal property values. The memo noted that if the sale closes prior to the designation of a new revenue allocation area, then the value of the property is placed on the assessment roll as base. If the revenue allocation area is created prior to the sale, the estimated market value of the real property at the time of the sale is placed on the assessment roll as base and any increased value since the originally estimated value is considered increment.

Mr. Litteneker also summarized a second memo in regards to whether an election is necessary to establish a new urban renewal area. Based on consultation with other attorneys who practice urban renewal law and further review of the urban renewal statutes, City Attorney Jana Gomez and Mr. Litteneker agree that an election is not necessary to create a new urban renewal area.

Board member Tippett had to leave for a meeting but reiterated the Nez Perce County elected officials disagreed with East Orchards. Mr. Tippett left at approximately 1:49 p.m.

J. East Orchards Sewer Project and Finance Options (Stubbers)

City Engineer Shawn Stubbers presented and reviewed handouts with Board members in regards to the East Orchards sewer project. The existing private septic systems within City Limits and the ACI are contributing to poor water quality in the surrounding watershed of Lindsay Creek and Tammany Creek. The lack of public sewer in this area is creating a serious environmental and public health concern and also limits the City's ability to grow and provide efficient public services to the area. Mr. Stubbers also reviewed the increment projections and cost estimate of the East Orchards Sewer Project.
K. Continued Discussion of Forming New Revenue Allocation Areas, including an area encompassing Lewiston High School. Discussion to continue on the May agenda.

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments
   Draft Urban Renewal Plan, East Orchards Sewer request to notice for public hearing. Board members Marsh and Hasenoehrl moved and seconded, respectively, to direct staff to move ahead with the public hearing. The motion carried 6-0.

   Board member Hasenoehrl left at approximately 2:45 p.m.

VI. ADJOURN
   Chair Hulett adjourned the meeting at approximately 2:47 p.m.

   RESPECTFULLY SUBMITTED,  ATTEST:

   TANYA BROCKE,  
   RECORDING SECRETARY  

   Approved this 9th day of May, 2017.
RESOLUTION NO. 2017-2

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF LEWISTON APPROVING THE URBAN RENEWAL AGENCY’S PLAN FOR REVENUE ALLOCATION AREA #4 MAIN EAST MAIN AND PROVIDING EFFECTIVE DATE.

WHEREAS, as the Urban Renewal Agency has considered in a public hearing held March 14, 2017 an Urban Renewal Plan for Revenue Allocation Area #4 the Main East Main (MEM) project, which is attached hereto;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioner of the Urban Renewal Agency, that:

1) The Urban Renewal Plan for Revenue Allocation Area #4 the Main East Main (MEM) project shall be and is hereby approved as attached hereto as Exhibit 1.
2) The Urban Renewal Agency upon approval of this resolution hereby submits the MEM project to the City pursuant to I.C. § 50-2008 for the approval of the Plan.
3) This Resolution shall be in full force and effect upon its passage and approval.

DATED this 13th day of April, 2017.

BOARD OF COMMISSIONERS:

By: _______________________
    Joe Hulett, Chairman

ATTEST:

_________________________
Dan Marsh, Secretary

RESOLUTION NO. 2017-2
AGENDA
APRIL 26, 2017
5:30 P.M.
LEWISTON PLANNING AND ZONING COMMISSION
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING,
SECOND FLOOR MEETING ROOM,
215 “D” STREET

COMMISSION MEMBERS: Chair, Gerald Bateman; Vice Chair, Kathy Schroeder; Robert Arleth; Forrest Dinnell; Richard Kremer; Wes McCoy; Paula Pintar;

I. CALL TO ORDER

II. APPROVAL OF APRIL 12, 2017 MEETING MINUTES

III. CITIZENS COMMENTS – An opportunity for citizens to address the Commission with comments and/or questions. Citizens are asked to limit their time in front of the Commission to three minutes each.

IV. DETERMINATION AS TO WHETHER THE MAIN STREET-EAST MAIN STREET URBAN RENEWAL PLAN IS IN CONFORMITY WITH THE CITY OF LEWISTON COMPREHENSIVE PLAN.

The projects being considered include:
- Replacement of water lines and improved storm water capacity in the vicinity of the US12/21st street intersection.
- Pedestrian improvements in the vicinity of the intersection and trail connections to the existing path in Locomotive Park and the levee trail.
- Replacement and upsizing of 2,100 feet of waterline along Mill Road (if funding permits).

V. PUBLIC HEARING, ZA-01-17: Consideration of a zoning code amendment to correct a state code citation regarding appeals in city code at Sect. 37-185(d).

VI. PUBLIC HEARING, ZA-02-17: Consideration of a city code amendment to cross reference Chapter 37 (Zoning) and Chapter 23 (R.V. Parks) of city code and to specify that waivers of or modifications to r.v. park development standards may be applied for through the Variance process authorized in Chapter 37.
VII. POTENTIAL ZONING CODE AMENDMENT REGARDING SPECIAL CONDITIONS REQUIRED FOR MORTUARIES, CHURCHES, SCHOOLS PARKS, DAY CARE CENTERES, AND PRESCHOOLS: Providing direction to staff on whether or not to initiate an amendment to Zoning Code Sect. 37-20.1 to revise or omit special conditions required for the aforementioned land uses.

VIII. WORK-SESSION ON R.V. PARK STANDARDS: A review of and discussion about development standards for r.v. parks, as established in City Code Chapter 23, including minimum required lot size.

IX. STAFF-COMMISSION COMMUNICATIONS:
A. A query of Commissioners planning to attend the next meeting scheduled for May 10.
B. Other

X. FUTURE AGENDA ITEMS:
A. Waterfront Plan Downtown Sub-area Form and Impact Based Zone draft
B. Central Orchards Special Planning Area
C. Appropriate/acceptable sizes and related matters for parks and public open spaces in new subdivisions.
D. New Airport Chapter for the Comprehensive Plan

XI. ADJOURN
APRIL 26, 2017

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Upstairs Conference Room at 215 “D” Street. Chair Bateman called the meeting to order at 5:30 p.m.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Gerald Bateman, Chair; Kathy Schroeder, Vice Chair; Robert Arleth; Forrest Dinnell; Richard Kremer; Wes McCoy; Paula Pintar;

STAFF MEMBERS PRESENT: Joel Plaskon, Planner Local Initiatives; Laura Von Tersch, Community Development Director; Jana Gomez, City Attorney; Tanya Brocke, Community Development Specialist; Neal Drury, IT;

II. APPROVAL OF APRIL 12, 2017 MEETING MINUTES

Commissioners Schroeder and Dinnell moved and seconded, respectively, approval of the April 12, 2017 minutes. The motion carried 6-0-1 with Commissioner Arleth abstaining.

III. CITIZEN COMMENTS

Dorothy Nash, 2727 4th Avenue North, thanked the Commission and noted she was happy to see the Lewis Clark Valley promoting tourism and grateful to work with the Commission in regards to city rules and allowances of RVs.

IV. DETERMINATION AS TO WHETHER THE MAIN STREET-EAST MAIN STREET URBAN RENEWAL PLAN IS IN CONFORMITY WITH THE CITY OF LEWISTON COMPREHENSIVE PLAN.

Community Development Director, Laura Von Tersch, presented and summarized the URA plan to Commissioners. Ms. Von Tersch recommended that the Commission find the plan in conformance with the City of Lewiston Comprehensive Plan.

Commissioners Dinnell and Kremer moved and seconded, respectively, the finding that the Main Street-East Main Street Urban Renewal Plan is in conformance with the City of Lewiston Comprehensive Plan. The motion carried 7-0.
V. **PUBLIC HEARING, ZA-01-17:** Consideration of a zoning code amendment to correct a state code citation regarding appeals in city code at Section 37-185(d). Chair Bateman provided background information on the public hearing process, opened the public hearing, and asked for the staff report.

City Planner, Joel Plaskon, informed Commissioners that the amendment was a simple cleanup to correct a code citation.

Chair Bateman asked for any public comments. There being none, he closed the public hearing and asked for staff recommendation. Mr. Plaskon recommended approval to City Council.

Commissioners Schroeder and Dinnell moved and seconded, respectively, to recommend approval of ZA-01-17 to City Council. The motion carried 7-0.

VI. **PUBLIC HEARING, ZA-02-17:** Consideration of a city code amendment to cross reference Chapter 37 (Zoning) and Chapter 23 (RV Parks) of city code and to specify that waivers of or modification to RV Park and development standards may be applied for through the Variance process authorized in Chapter 37.

Chair Bateman provided background information on the public hearing process, opened the public hearing, and asked for the staff report.

After a short summary of the zoning amendment, Chair Bateman asked if there were any public comment. There being none, Chair Bateman asked for staff recommendation. Mr. Plaskon recommended approval of the zone amendment to City Council.

Commissioners Kremer and Dinnell moved and seconded, respectively, to recommend approval of ZA-02-17 to City Council. The motion carried 7-0.

VII. **WORK SESSION ON FORM AND IMPACT BASED ZONE:** A review of and discussion about the draft, new zoning for the Downtown Sub-area of the Waterfront Plan.

City Planner, Joel Plaskon, presented an email received from Ned Cannon stating he was pleased and encouraged with the waterfront plan effort.

Commissioners revisited the points and shopping list of the draft. Discussion will continue at the next meeting.
VIII. WORK-SESSION ON ZONING FOR RV PARKS: A review and discussion about which areas and zoning districts are most appropriate for RV park allowance, whether they are most appropriately allowed by right vs. by conditional use permit, and related development standards. Commissioners discussed the zoning for RV parks as well as defining an RV park to make a distinction between an RV and trailer park. Commissioners asked staff to prepare a first draft of changes to the code for review at the next meeting.

IX. REVIEW OF BYLAWS: A discussion about the Planning and Zoning Commission bylaws to discuss potential revisions regarding scheduling of special meetings and timeframe to adopt written decisions. Commissioners Kremer and Arleth moved and seconded, respectively to change Section H. on page 4 from 30 days to 45 days. The motion carried 6-1 with a nay from Commissioner Pintar.

Commissioners Arleth and Dinell moved and seconded, respectively, to omit the provisions that staff notify the Commissioners of a meeting at least 72 hours in advance on page 2, Section B as well as update the terminology on Section H. page 4 from Findings of Fact, Conclusions of Law, and Decision of the Commission to Reasoned Statement of Relevant Criteria and Standards. The motion carried 7-0.

Commissioners Kremer and Dinell moved and seconded, respectively, to change the title of H. from Findings of Fact and Conclusions of Law to Reasoned Statement of Relevant Criteria and Standards to reflect the new terminology. The motion carried 7-0.

X. STAFF-COMMISSION COMMUNICATIONS
   A. A query of Commissioners planning to attend the next meeting scheduled for May 10. Commissioners Schroeder, McCoy, Dinell, and Kremer planned to attend. Commissioners Bateman, Arleth, and Pintar could not attend.

   B. Other
      City Planner Joel Plaskon offered that the Commission might request that City Council designate a Council member as a liaison to the Planning and Zoning Commission. Commissioners discussed and asked Chair Bateman to make a request to the Mayor.
XI. FUTURE AGENDA ITEMS:
   A. Waterfront Plan Downtown Sub-area Form and Impact Based Zone draft.
   B. Zoning Code Amendment regarding restrictions and allowances of certain land use types in the BASPAA Zone.
   C. RV Park Zoning.
   D. Appropriate/acceptable sizes and related matters for parks and public open spaces in new subdivisions.
   E. New Airport Chapter for the Comprehensive Plan.

XII. ADJOURN
There being no further business, Commissioners Schroeder and Dinnell moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission adjourned at approximately 7:50 p.m.

RESPECTFULLY SUBMITTED,

[Signature]

Tanya Brocke
Recording Secretary

[Signature]

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 10th day of May, 2017.
Memo

To: PLANNING AND ZONING COMMISSION
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: APRIL 26, 2017
Re: MAIN EAST MAIN URBAN RENEWAL PLAN

Enclosed for your consideration is an Urban Renewal Plan for the Main East Main area. Idaho Statute 50-2008 (b) requires that this plan be submitted to the Planning and Zoning Commission for "review and recommendations as to its conformity with the general plan for the development of the municipality as a whole".

The Main East Main (MEM) plan proposes to fund up to three projects, listed in priority order:

* 50% of the cost of water lines and storm sewer lines in the vicinity and under the US 12/21st street intersection. The City of Lewiston will fund the other 50%. These improvements will be made in conjunction with a complete rebuild and reconfiguration of this major intersection by Idaho Transportation Department (ITD) in 2019 at a cost of 5 million dollars. ITD will not proceed with the work unless improvements are made to these utilities.

* Pedestrian improvements to and through the intersection connecting with paths in Locomotive Park and ultimately the levee trail. A federal grant has been submitted to cover most of the cost with the URA providing local matching funds.

* Replacement of 2,100 feet of 3" and 8" water lines along Mill Road to the city-limit line.

Comprehensive Plan Policies in support of these projects include:

A Vision for Lewiston, Fifth, we have a superior transportation system, serving the needs of all segments of our community, from walkers to drivers, bicyclists and joggers.

LU-10.8 Assure that existing commercial nodes achieve and/or maintain convenience and accessibility.

LU-17.2 Facilitate pedestrian and bike use in neighborhoods.
Memo

LU-17.3 Create pedestrian connections to other uses within and between neighborhoods, where feasible.

The Comprehensive Plan includes this observation 4. In general, infrastructure in East Lewiston must be upgraded to encourage its proper development, whether for residential, commercial or industrial. In particular, the following issues have been identified: Site access must be improved in many areas... Area drainage throughout the area must be upgraded with curb, gutter and sidewalk installed and surface or underground storm water collection systems installed.....seek funding for infrastructure improvements from grants tied to economic development or abatement of blighting influences, tax increment financing and local improvement districts.

The Waterfront Plan includes many policies aimed at improving pedestrian access and use of the levee trail.

Staff recommends that the Planning and Zoning Commission find that the Urban Renewal Plan for Main and East Main is in conformity with the Comprehensive Plan of the City of Lewiston.
Notice for publication May 14, 2017

PUBLIC NOTICE

The City Council of the City of Lewiston, Idaho, will hold a public hearing 6/12/2017 at 6:00 p.m., 215 “D” Street, Bell Building second floor, on the Main East Main Urban Renewal Plan and proposed Revenue Allocation Area #4. The Revenue Allocation Area is generally located along Main Street from Lincoln continuing easterly along Main Street, East Main Street and Mill Road to the City limit line.

An Urban Renewal Plan has been proposed and is being considered for adoption. The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. A public hearing on the plan will be held by the City Council pursuant to section 50-2008 (c), Idaho Code.

The projects being considered include:

*Replacement of water lines and improved storm water capacity in the vicinity of the US12/21st street intersection.
*Pedestrian improvements in the vicinity of the intersection and trail connections to the existing path in Locomotive Park and the levee trail.
*Replacement and upsizing of 2,100 feet of waterline along Mill Road (if funding permits).

Copies of the draft plan can be obtained or viewed on-line at http://www.cityoflewiston.org/content/848/6585/default.aspx, at Community Development (215 “D” Street), the City Library (411 “D” Street) and from the City Clerk, (City Hall, 1134 “F” Street). Comments on the plan are welcome and may be submitted in writing to City Clerk, P.O. Box 617, Lewiston, Idaho 83501; by email to lvountersch@cityoflewiston.org or at the public hearing.
May 12, 2017

I, Tanya Brocke, personally delivered “Urban Renewal Plan Main East Main” along with a cover memo and public hearing notice to Lewiston City Manager Bennett, Nez Perce County Auditor/Clerk Weeks, Port of Lewiston Manager Doeringsfeld and Superintendent Donaldson at their place of business on this date.

Tanya Brocke  5/12/17
Memo

To: TAXING ENTITIES
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: MAY 12, 2017
Re: URBAN RENEWAL PLAN, MAIN EAST MAIN

The City Council of the City of Lewiston, Idaho, will hold a public hearing 6/12/2017 at 6:00 p.m., 215 "D" Street, Bell Building second floor, to consider adoption of the Main East Main Urban Renewal Plan and proposed Revenue Allocation Area #4. The Revenue Allocation Area is generally located along Main Street from Lincoln continuing easterly along Main Street, East Main Street and Mill Road to the city limit line.

An Urban Renewal Plan has been proposed and is being considered for adoption. The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. A public hearing on the plan will be held by the City Council pursuant to section 50-2008 (c), Idaho Code.

The City of Lewiston Urban Renewal Agency recommends adoption of the Plan and Revenue Allocation Area #4 to the City Council. Attached is a copy of the public hearing notice to be published May 14, 2017 and the plan.
I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN 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 City Manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: MAIN EAST MAIN (MEM) URBAN RENEWAL PLAN AND REVENUE ALLOCATION AREA #4: A proposal to approve the Main East Main Urban Renewal Plan and proposed Revenue Allocation Area #4, which is generally located along Main Street from Lincoln continuing easterly along Main Street, East Main Street and Mill Road to the city limit line.

B. PUBLIC HEARING: ZONING CODE AMENDMENT - ZA-01-17: A proposal to amend Lewiston City Code, Section 37-185(d), to update and make compliant with current state statute in terms of persons entitled to appeal an action of the Planning and Zoning Commission and according to which state statutes. The Planning and Zoning Commission conducted a public hearing on this matter on April 26, 2017, and unanimously recommended that it be approved by City Council.

C. PUBLIC HEARING: ZONING CODE AMENDMENT - ZA-02-17: A proposal to amend Lewiston City Code, Section 37-57.2 and 37-57.5, to specify that recreational vehicle parks in the MXD-NL Zone are subject to the standards and minimum lot size requirements of Lewiston City Code Chapter 23; to amend Lewiston City Code, Section 37-57.5, to delete the provision limiting nonconforming lots to a single family residential use; and to amend Sections 37-66, 37-73 and 37-83 to specify that recreational vehicle parks in the C-2, C-4 and C-6 Zones, respectively, are subject to the minimum lot size requirements of Lewiston City Code Chapter 23. The Planning and Zoning Commission conducted a public hearing on this matter on April 26, 2017, and unanimously recommended that it be approved by City Council.

V. CONSENT AGENDA

A. CITY COUNCIL MEETING MINUTES: 04/10/17 Regular; 04/24/17 Regular; 05/08/17 Regular; 05/22/17 Joint City/Nez Perce County Budget Work Session.

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 03/15/17 Parks and Recreation Commission
VI. ACTIVE AGENDA

A. ORDINANCE 4690 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY): Considering designating the title of Chapter 40 as "Incentive Programs"; redesignating the current content of Chapter 40 as Chapter 40, Article I; reserving Sections 40-8 through 40-20; amending Sections 40-1 and 40-2; enacting Article II of Chapter 40, titled "Developer Incentive Program"; providing a savings and severability clause.

B. ORDINANCE 4693 (FIRST READING): Considering the findings required by Idaho Code, Section 50-2008, to approve an Urban Renwal Plan and Urban Renewal Projects; approving the Urban Renewal Plan for Revenue Allocation Area #4 Main East Main (MEM); creating a Revenue Allocation Area as part of such Urban Renewal Plan; describing the requirement for how the Nez Perce County Commissioners are to levy taxes by or for each taxing district in which Revenue Allocation Area #4 is located.

C. ORDINANCE 4687 (FIRST READING): Considering an amendment to Section 37-185(d) of the Lewiston City Code to correct Idaho Code citations and modify judicial review requirements in accordance with Idaho Code.

D. ORDINANCE 4685 (FIRST READING): Considering an amendment to Section 37-57.2(21) of the Lewiston City Code to add that a recreational vehicle park in the North Lewiston Mixed Use Development (MSC-NL) Zone is subject to the standards of Chapter 23 of the Lewiston City Code, and an amendment to Section 37-57-5 of the Lewiston City Code to modify provisions regarding minimum lot size in the North Lewiston Mixed Use Development (MXD-NL) Zone.

E. RESOLUTION 2017-32: Considering the destruction of Lewiston Police Department records from the year 2005, except the 2005 records specified to be retained.

F. BID AWARDS – IFB-17-016 LIQUID ASPHALT: Considering the bid awards for MC-500 to Idaho Asphalt Supply, Inc., in the amount of $623 per ton and for Quickseal 50 to Herco, Inc., for $917.50 per ton.

G. RESOLUTION 2017-34: Considering approving the purchase of real property located at the intersection of 5th Street and Bryden Avenue, commonly known as 3338 5th Street, for a purchase price of $385,000.

H. LIBRARY MATERIALS AND SERVICES: Considering a contract between the City of Lewiston and Baker & Taylor of Charlotte, NC, for library materials and services.

I. RESOLUTION 2017-33: Considering approval of a lease agreement between the City of Lewiston and the Lewis Clark Valley Metropolitan Planning Organization for one office located in the Bell Building at 215 D Street.

J. POLICE DEPARTMENT RANGE USE AGREEMENT: Considering an agreement between the City of Lewiston and the City of Clarkston for the use of the outdoor shooting range located at 5676 Mill Road.
K. **VOUCHERS PAYABLE:** 05/05/17 through 05/18/17 - $1,622,881.41.

VII. **NEW BUSINESS**  
A. **CITY COUNCILOR COMMENTS**  
B. **CITY MANAGER COMMENTS**  
C. **ADVISORY BOARD AND COMMISSION APPOINTMENTS**  
D. **WORK SESSION AGENDA TOPICS**

VIII. **EXECUTIVE SESSION RE: ACQUIRING AN INTEREST IN REAL PROPERTY AND RECORDS EXEMPT FROM DISCLOSURE:** *Idaho Code Section 74-206(1) (c) and (d).*

IX. **ADJOURNMENT**

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact City Clerk Kari Ravencroft at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6203.
### CITY COUNCIL MEETING
### AGENDA ITEM HISTORY/COMMENTARY

<table>
<thead>
<tr>
<th>ITEM TITLE</th>
<th>AGENDA NO.</th>
<th>AGENDA DATE</th>
<th>1ST READING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Renewal Plan, Main East Main</td>
<td>61</td>
<td>06/12/17</td>
<td>2ND READING</td>
</tr>
<tr>
<td>RAA #4</td>
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<td></td>
<td>3RD/ADOPTION</td>
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<tr>
<td>ORIGINATING SOURCE</td>
<td>FUNDING CERTIFICATION (IF APPLICABLE)</td>
<td>Date:</td>
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<td>Urban Renewal Agency</td>
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<td>Date: 06/12/17</td>
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<td>DIVISION MANAGER REVIEW (If applicable)</td>
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<td>Laura M. Von Tersch</td>
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<td>RECOMMENDED FOR COUNCIL ACTION</td>
<td>CITY MANAGER</td>
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**ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)**

January 9, 2017—City Council directed the Urban Renewal Agency to begin work on an urban renewal plan for the Main East Main area including utilities under the US 12/21st Street intersection.

January 19, 2017—In a joint meeting with the Board of County Commissioners, the Main East Main project was discussed and received support from both groups.

February 6, 2017—City Council affirmed that the utility work associated with the rebuild of US 12 and 21st Street was their highest priority urban renewal project with East Orchards Sewer second.

**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 Main East Main (MEM) plan proposes to fund up to three projects:

* 50% of the cost of water lines and storm sewer lines in the vicinity and under the US 12/21st street intersection. The City of Lewiston will fund the other 50%. These improvements will be made in conjunction with a complete rebuild and reconfiguration of this major intersection by Idaho Transportation Department (ITD) in 2019 at a cost of 5 million dollars. ITD will not proceed with the work unless improvements are made to these utilities.
Pedestrian improvements to and through the intersection connecting with paths in Locomotive Park and ultimately the levee trail. A federal grant has been submitted to cover most of the cost with the URA providing local matching funds.

Replacement of 2,100 feet of 3" and 8" water lines along Mill Road to the city-limit line.

The Planning and Zoning Commission reviewed this plan and found it in conformity with the Comprehensive Plan.

The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. These funds will collect slowly. As a result the URA will not be able to cover their 50% of the storm sewer and waterline improvements at the time of construction. A Memorandum of Agreement is being developed to identify the responsibilities of the parties.

Since adoption of the Plan, staff has learned that ITD will include widening of the sidewalk along 21st Street in their portion of the project. As a result, some changes to pages 9 and 10 of the Plan are needed. Staff would also like to take this time to make other minor changes and corrections as shown on the attached sheets. If these changes are acceptable to Council, the Plan attached to Ordinance 4693 will also be modified.

In summary, if it were not for the URA's contribution to this project, area flooding would not be remedied and the City might lose out on the expected 5 million dollar project funded by the Idaho Transportation Department.

ACTION PROPOSED: Adopt Ordinance No. 4693
JUNE 12, 2017

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, June 12, 2017, in the upstairs conference room of the Bell Building, 215 “D” Street, Lewiston. Mayor Kleeburg called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Kleeburg; Blakey; Maldonado; Randall.

Councilors Excused: Collins; Johnson; Miller.

II. PLEDGE OF ALLEGIANCE

Mayor Kleeburg led the Pledge of Allegiance.

Councilor Blakey apologized for missing the earlier budget meeting.

III. CITIZEN COMMENTS: Provides 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 city manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

There were no citizen comments.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: MAIN EAST MAIN (MEM) URBAN RENEWAL PLAN AND REVENUE ALLOCATION AREA #4

Mayor Kleeburg indicated the public hearing for the Main East Main Urban Renewal Plan and Revenue Allocation Area #4 was advertised to take place this evening. Therefore, he opened the hearing and called for a staff report.

Community Development Director Von Tersch explained an Urban Renewal Plan has been proposed and is being considered for adoption. The Plan contains a revenue allocation financing provision that will cause property taxes resulting from any increases in equalized assessed valuation as shown on the base assessment roll to be allocated to the agency for urban renewal. The Urban Renewal Agency recommends adoption of the Plan and Revenue Allocation Area #4. The first improvement would be to pay for half the costs to upgrade storm sewer and water lines at the US 12 and 21st Street intersection. One lane would be removed to improve stacking capabilities for logging trucks turning onto East Main Street. If funding permits after that portion of the project, some pedestrian
amendments will be addressed that will provide pedestrian access to the levy system. With the potential of receiving a grant for various projects at this location, the total costs would be $785,000 with completion of all improvements expected by the end of 2029. Ms. Von Tersch noted no public comment has been received at this time and there has been substantial noticing of the Plan, the URA’s recommendation, and public hearings before the Planning & Zoning Commission and the Council.

The Mayor called for testimony both in favor and in opposition of the Urban Renewal Plan.

Commissioner Doug Havens asked somebody to check into traffic diversion on East Main Street, stating he believes it is a mess. There have been many near accidents as through-traffic using the turn lane and people coming off the bridge get confused.

Mr. Havens continued talking about Area #4, noting the Commissioners agree with replacing and upsizing the water line along Mill Road and believe it is a very viable urban renewal plan. However, he noted the Commissioners do have a problem with the other two items and don’t believe they fit into the URA standards. Commissioner Havens said the Council formed the URA to promote economic development, create jobs and improve the tax base and questioned how sidewalks or an overpass to the levy would meet those standards. He stated he believes less people actually understand how urban renewal works then the amount of people in the audience this evening. Nez Perce County is responsible for housing prisoners, assessing properties, collecting taxes and disbursing tax dollars. He questioned how they can continue to accomplish these tasks if their revenues are being siphoned off.

Mayor Kleeburg said increasing the size of the water mains on East Main betters both the city and county.

There being no further testimony, Mayor Kleeburg closed the public hearing.

In response to a question raised by Councilor Blakey, Community Development Director Von Tersch reported the council’s vote was 7 to 0 to support the East Main project. Mr. Blakey explained that an urban renewal area increases the tax base. If this project is not completed, the area could stay flat to nothing and would see no growth. Ms. Von Tersch added this is a very important project from the standpoint of the Red Lion, Harley Davidson, Adcope, etc. At some point, these property owners could say the current situation doesn’t work for them anymore. Councilor Blakey noted this is a prime piece of property that is waiting to be further developed. The city has an opportunity to enhance the infrastructure and make it buildable.
Mayor Kleeburg indicated this project is similar to what happened in the first URA District in North Lewiston. The water lines were upgraded and building followed, allowing the Area to be closed. The increment got to a point where it paid for the project 14 years earlier than anticipated.

B. **PUBLIC HEARING: ZONING CODE AMENDMENT – ZA-01-17**

Stating it was the time and place advertised for the public hearing regarding ZA-01-17, Mayor Kleeburg declared the hearing open and called for a staff report.

Community Development Director Von Tersch reported the City Attorney’s office notice some outdated code section citations in the Zoning Code and recommended updating them. The recommendation was as follows: "...Section 37-185(d) of the Lewiston City Code states that an applicant may seek judicial review under the procedures provided by Sections 67-5215 and 67-5216 of the Idaho Code. These sections of the Idaho Code were repealed in 1993, but Section 37-185(d) of the Lewiston City Code was enacted in 1994 – one year after Sections 67-6215 and 67-5216 of the Idaho Code were repealed. Sections 67-6215 and 67-5216 of the Idaho Code refer to the Idaho Administrative Procedures Act (IAPA), which provides a right of judicial review of certain "agency actions", Idaho Code Section 67-5270. Under the IAPA, a city is not an "agency," and a city's actions do not constitute "agency action." See Idaho Code Section 67-5201. Instead, Idaho Code Section 6521 is the statute governing what actions of the Planning and Zoning Commission or the City Council are appealable to district court. Accordingly, proposed Ordinance 5687 corrects the incorrect Idaho Code citations and modifies the judicial review requirements so that such requirements are consistent with Idaho Code. This is merely housekeeping to make ensure the right citations are referenced in State Code.

Mayor Kleeburg called for testimony either in support or in opposition to the zoning amendment. There was none and he closed the public hearing.

Mr. Steve Martin, Lewiston, said if the city can get in line with the state maybe it would run a bit smoother.

C. **PUBLIC HEARING: ZONING CODE AMENDMENT – ZA-02-17**

It was announced by Mayor Kleeburg that this was the time and place advertised for the public hearing regarding ZA-02-17. He declared the hearing open and asked staff to make a brief presentation.

Community Development Director Von Tersch explained the Community Development Department requested a legal opinion on whether a person could
request a Variance, pursuant to Lewiston City Code Chapter 37 (Zoning), from a standard establishment in Lewiston City Code Chapter 23 (RV Parks). The City Attorney’s Office recommended that City Code amendments be implemented to clarify the matter, as per the following excerpt from the related advice memo: “Lewiston City Code Section 37-57.2(21) currently states that an RV park is a use permitted outright in the North Lewiston Mixed Use Development (MXD-NL) Zone. However, this section fails to reference Chapter 23 of the Lewiston City Code, which sets forth development standards and licensing requirements for RV parks. Notably, other sections in Chapter 37 regarding RV parks specifically reference Chapter 23. See LCC Sections 37-71(25) and 37-81(20). It appears that such reference was inadvertently left out of Lewiston City Code Section 37-57.2(21). That section should state that RV parks are subject to the standards set forth in Chapter 23. Accordingly, Ordinance 4685 is proposed to amend Lewiston City Code Sections 37-57-2(21) and 37-57.5 to clarify the standards, including minimum lot size, that apply to RV parks.

Councilor Randall asked if there is a grandfather clause in place. Ms. Von Tersch confirmed, noting the city cannot take away a right so that is how the ordinance is managed.

Testimony in favor and in opposition was sought by Mayor Kleeburg. None was offered and the Mayor closed the public hearing.

V. CONSENT AGENDA

Mayor Kleeburg explained that items on the Consent Agenda are considered routine in nature and would be enacted with one motion unless a councilor wished to have an item removed for discussion. Councilor Blakey offered a motion to read the Consent Agenda by title only. Councilor Randall seconded the motion and it carried 4 to 0.

A. CITY COUNCIL MEETING MINUTES: 04/10/17 REGULAR; 04/24/17 REGULAR; 05/08/17 REGULAR MEETING; 05/22/17 JOINT CITY/NEZ PERCE COUNTY BUDGET WORK SESSION

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 03/15/17 PARKS AND RECREATION COMMISSION

Mayor Kleeburg asked for the following correction to the April 10, 2017, Regular meeting minutes: Page 1, Third Paragraph, “Mike Martin” should read “Steve Martin”.

Following the reading of the Consent Agenda, a motion was made by Councilor Maldonado and seconded by Councilor Randall to adopt. The motion
carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

VI. **ACTIVE AGENDA**

A. **ORDINANCE 4690 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)**

A motion was offered by Councilor Maldonado to read Ordinance 4690 for the third time by title only, suspending the rules. Councilor Randall seconded the motion.

Councilor Randall stated he still has a problem with Section 40-24 (c) regarding the waiver of fees. Therefore, he offered an amendment to delete “eliminate if there is more than one building or whichever is less” and add “not to exceed $75,000 per certificate”. Councilor Blakey seconded the motion for purposes of discussion.

Councilor Randall said he finds the current language a bit confusing. He noted he doesn’t see a need for the seven calendar years. City Manager Bennett clarified with Mr. Randall that the intent of the motion is to try to limit the waiver of fees to no more than $75,000.

Councilor Randall amended his amended motion to state that “any waiver of fees shall not exceed $75,000”. The council discussed the amendment, noting the current cap is at $50,000. Due to lack of a second to raise it to $75,000, the motion failed.

Councilor Randall then moved to strike “current financial statement” from Page 5, Section 40-25 (c) (5). He noted he believes it is sufficient to have a description of how the development would be financed. Councilor Blakey seconded the motion.

Community Development Director Von Tersch suggested that if the current wording gives the council trouble, perhaps requiring a statement from the bank or lending institution indicating there are sufficient assets to follow through with the project would be appropriate. She noted she views this amendment as a policy choice rather than a clean-up. The amendment carried 3 to 1 with Councilor Maldonado voting Nay and Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

The motion to read failed 3 to 1, with Councilor Blakey voting Nay and Mayor Pro Tem Collins and Councilors Johnson and Miller excused.
ORDINANCE 4690: "AN ORDINANCE OF THE CITY OF LEWISTON DESIGNATING THE TITLE OF CHAPTER 40 AS "INCENTIVE PROGRAMS;" RE-DESIGNATING THE CURRENT CONTENT OF CHAPTER 40 AS CHAPTER 40, ARTICLE 1; RESERVING SECTIONS 40-8 THROUGH 40-20; AMENDING SECTIONS 40-1 AND 40-2; ENACTING ARTICLE II OF CHAPTER 40 TITLED "DEVELOPER INCENTIVE PROGRAM;" PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE"

B. **ORDINANCE 4693 (FIRST READING)**

Councilor Randall moved to read Ordinance 4693 for the first time by title only. Councilor Blakey provided a second and it carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

ORDINANCE 4693: "AN ORDINANCE OF THE CITY OF LEWISTON MAKING THE FINDINGS REQUIRED BY IDAHO CODE SECTION 50-2008 TO APPROVE AN URBAN RENEWAL PLAN AND URBAN RENEWAL PROJECTS; APPROVING THE "URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #1 MAIN EAST MAIN (MEM)"; CREATING A REVENUE ALLOCATION AREA AS PART OF SUCH URBAN RENEWAL PLAN; DESCRIBING THE REQUIREMENT FOR HOW THE NEZ PERCE COUNTY COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH TAXING DISTRICT IN WHICH REVENUE ALLOCATION AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE NEZ PERCE COUNTY AUDITOR AND TAX ASSESSOR, THE AFFECTED TAXING DISTRICTS, AND THE STATE TAX COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE"

C. **ORDINANCE 4587 (FIRST READING)**

Following a motion and second from Councilors Randall and Maldonado, respectively, Ordinance 4587 was read for the first time, by title only. The motion carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

ORDINANCE 4587: "AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-185(D) OF THE LEWISTON CITY CODE TO CORRECT IDAHO CODE CITATIONS AND MODIFY JUDICIAL REVIEW REQUIREMENTS IN ACCORDANCE WITH IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE"
D. **ORDINANCE 4685 (FIRST READING)**

Councilor Maldonado moved and Councilor Blakey seconded the first reading of Ordinance 4685 by title only. The motion carried 4 to 0, with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

**ORDINANCE 4685:** "AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-57.2(21) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE IS SUBJECT TO THE STANDARDS OF CHAPTER 23 OF THE LEWISTON CITY CODE; AMENDING SECTION 37-57.5 OF THE LEWISTON CITY CODE TO MODIFY PROVISIONS REGARDING MINIMUM LOT SIZE IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE; AND PROVIDING AN EFFECTIVE DATE"

E. **RESOLUTION 2017-32**

Following a motion and second from Councilors Maldonado and Randall, respectively, Resolution 2017-32 was adopted. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.

**RESOLUTION 2017-32:** "A RESOLUTION AUTHORIZING THE DESTRUCTION OF LEWISTON POLICE DEPARTMENT RECORDS FROM THE YEAR 2005, EXCEPT THE 2005 RECORDS SPECIFIED TO BE RETAINED"

F. **BID AWARDS – IFB-17-016 LIQUID ASPHALT**

A motion was offered by Councilor Blakey to approve the bid award for MC-500 to Idaho Asphalt Supply, Inc., in the amount of $623 per ton and for Quicksseal 50 to Herco, Inc., for $917.50 per ton. Councilor Randall seconded the motion.

Councilor Blakey expressed concern for the odors and poor air quality emanating from the asphalt plant on Port of Lewiston property. Although a licensed, permitted business, he said he doesn’t believe this is an appropriate location. Councilor Randall agreed.

The motion carried 4 to 0. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.
June 12, 2017
City Council Regular Meeting Minutes

G. **RESOLUTION 2017-34**

Councilor Maldonado moved and Councilor Randall seconded adoption of Resolution 2017-34. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.

**RESOLUTION 2017-34:** “A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT THE INTERSECTION OF 5TH STREET AND BRYDEN AVENUE, LEWISTON, IDAHO, COMMONLY KNOWN AS 3338 5TH STREET, FOR A PURCHASE PRICE OF $385,000”

H. **LIBRARY MATERIALS AND SERVICES**

Library Director Eccles explained the library has been purchasing materials and services from several vendors over the past five years. After reviewing internal processes and what the industry is moving towards, it was determined now is a great opportunity to do a large part of the library’s business with an exclusive vendor. Through the bidding process, Baker & Taylor were able to significantly increase their discounts.

A motion and second were offered by Councilors Randall and Blakey to approve a contract between the City of Lewiston and Baker & Taylor of Charlotte, North Carolina, for library materials and services. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.

I. **RESOLUTION 2017-33**

Resolution 2017-33 was adopted when Councilor Maldonado moved and Councilor Randall seconded adoption. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.

**RESOLUTION 2017-33:** “A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LEWISTON AND THE LEWIS CLARK VALLEY METROPOLITAN PLANNING ORGANIZATION FOR ONE (1) OFFICE LOCATED IN THE BELL BUILDING AT 215 D STREET, LEWISTON”

J. **POLICE DEPARTMENT RANGE USE AGREEMENT**

A motion was offered by Councilor Randall to approve an agreement between the City of Lewiston and the City of Clarkston for the use of the outdoor shooting range located at 5676 Mill Road. Councilor Maldonado seconded the motion. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Blakey; Maldonado; Randall. VOTING NAY: None. EXCUSED: Collins; Johnson; Miller.
June 12, 2017
City Council Regular Meeting Minutes

K.  VOUCHERS PAYABLE

Councilor Blakey moved to approve the Vouchers Payable dated May 5, 2017, through May 18, 2017, in the amount of $1,622,881.41. Councilor Randall seconded the motion.

Councilor Randall suggested the payment in the amount of $90,000 to Liberty Theater Preservation Alliance for economic development be listed as a CDBG grant so the public better understands this item.

The motion to approve carried 4 to 0 with Mayor Pro Tem Collins and Councilors Johnson and Miller excused.

VII. UNFINISHED AND NEW BUSINESS

A.  CITY COUNCILOR COMMENTS

Councilor Randall indicated he recently attended the four-day Integrated Emergency Management Course at LCSC put on by FEMA. The courses were very well led by the Emergency Management Coordinator and the process was extremely interesting.

Public Information Officer Maurer said she too attended the Emergency Management sessions, stating participants learned everything from preparing for, responding to and recovering from an emergency. She stated she learned how to notify the public and let them know what they need to do to stay safe.

Councilor Blakey thanked Chris Davies, Ed George and the red shirts who worked to stabilize the civic theater. He encouraged staff to review the possibility of preserving the stained glass windows by possibly covering them with boards to protect them. City Attorney Gomez’ noted a group in Boise who provided a grant to the Civic Theater for the windows said if the building were to be demolished, the cost of those windows would have to be paid back. Ms. Gomez’ said she disagrees that this would be a requirement of the city as the agreement was with the Civic Theater.

Responding to a question raised by Councilor Blakey, City Manager Bennett noted two small pumps in the water system that add alum and other chemicals to the water supply at the plant recently broke. As a result, the water treatment plant had to shut down and is now operating off the well system for a day or two. The downtime will be minimal, but city water users are asked to not use their irrigation water during this time.
Councilor Maldonado congratulated library staff on a great grand opening for the second floor. This is an amazing facility and everyone should be extremely proud.

Mayor Kleeburg indicated he has been receiving calls from the public regarding weed abatement. Public Information Officer Maurer noted an informational video on how to properly take care of weeds has been added to the city’s website.

B. CITY MANAGER COMMENTS

City Manager Bennett had no additional comments.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

There were no advisory board or commission appointments.

D. WORK SESSION AGENDA TOPICS

There were no new items offered for future work session discussion.

It was noted there was no need for an executive session.

VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Kleeburg adjourned the June 12, 2017, Regular Council Meeting at 7:20 p.m.

Kari Ravencroft, Recording Secretary

Date approved by City Council
Lewiston City Council
REGULAR MEETING AGENDA
Monday, June 26, 2017 – 6:00 p.m.
Bell Building – 215 D Street (Upstairs Conference Room)
Lewiston, Idaho 83501

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN 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 City Manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: 2016 CDBG ACTION PLAN AMENDMENT: A proposal to reallocate funds to the Mill End Building at 800 Main Street.

V. CONSENT AGENDA

A. CITY COUNCIL MEETING MINUTES: 05/22/17 Joint NPC/City of Lewiston Budget Work Session; 06/05/17 Work Session; 06/12/17 Budget Work Session

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/04/17 and 05/25/17 Historic Preservation Commission

VI. ACTIVE AGENDA

A. CDBG PLAN AMENDMENT: Considering approval of the Plan Amendment.

B. ORDINANCE 4690 (ADOPTION AND ORDINANCE SUMMARY): Considering a Developer Incentive Program.


D. ORDINANCE 4687 (SECOND READING): Considering an amendment to Lewiston City Code to correct Idaho Code citations and modify judicial review requirements.

E. ORDINANCE 4685 (SECOND READING): Considering an amendment to Lewiston City Code to add that a recreational vehicle park in the North Lewiston Mixed Use Development Zone is subject to the standards of Chapter 23, and an amendment to Lewiston City Code to modify provisions regarding minimum lot size in the North Lewiston Mixed Use Development Zone.

F. RESOLUTION 2017-37: Considering approval of a lease agreement between the city and Sanitary Disposal, Inc.
G. **RESOLUTION 2017-35**: Considering declaring various items of property to be surplus.

H. **RESOLUTION 2017-36**: Considering conveying ownership of two wooden desks to Nez Perce County.

I. **VOUCHERS PAYABLE**: 05/19/17 through 06/01/17 - $1,113,145.

VII. **NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**

C. **ADVISORY BOARD AND COMMISSION APPOINTMENTS**

D. **WORK SESSION AGENDA TOPICS**

VIII. **EXECUTIVE SESSION RE: PERSONNEL AND RECORDS EXEMPT FROM DISCLOSURE**: Idaho Code Section 74-206(1) (b) and (d).

IX. **ADJOURNMENT**
**CITY COUNCIL MEETING**  
**AGENDA ITEM HISTORY/COMMENTARY**

<table>
<thead>
<tr>
<th>ITEM TITLE</th>
<th>AGENDA NO.</th>
<th>AGENDA DATE</th>
<th>1ST READING</th>
<th>2ND READING</th>
<th>3RD/ADOPTION</th>
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<tbody>
<tr>
<td>Urban Renewal Plan, Main East Main RAA #4</td>
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<td>06/26/17</td>
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<td>ORIGINATING SOURCE</td>
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<td>Urban Renewal Agency</td>
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<th>FUNDING CERTIFICATION (IF APPLICABLE)</th>
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<tr>
<th>DIVISION MANAGER REVIEW (if applicable)</th>
<th>DEPARTMENT MANAGER REVIEW (if applicable)</th>
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<tr>
<td></td>
<td>Laura M. Von Tersch</td>
<td>6/26/17</td>
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<tr>
<th>RECOMMENDED FOR COUNCIL ACTION</th>
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<tr>
<th>ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)</th>
<th>Date:</th>
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<tr>
<td>January 9, 2017—City Council directed the Urban Renewal Agency to begin work on an urban renewal plan for the Main East Main area including utilities under the US 12/21st Street intersection.</td>
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<td>January 19, 2017—In a joint meeting with the Board of County Commissioners, the Main East Main project was discussed and received support from both groups.</td>
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<td>February 6, 2017—City Council affirmed that the utility work associated with the rebuild of US 12 and 21st Street was their highest priority urban renewal project with East Orchards Sewer second.</td>
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<tr>
<td>June 12, 2017—City Council Conducted a Public Hearing on RAA#4 and read Ordinance 4693</td>
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<th>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.</th>
<th>Date:</th>
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<td>Revised cost estimates have been received from the City Engineer. Water lines are firm at $350,000, a reduction of $50,000. Storm sewer has increased from $450,000 to $650,000. To reflect these changes, plan pages 9 and 10 need to be revised as shown on the attached sheets.</td>
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<td>A graphic of the intersection redesign is now available and should be inserted before Exhibit 4, original page 12. This graphic will help the public visualize the proposed work.</td>
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Staff requests two separate motions.

(1) Approve the revised sheets for inclusion in Urban Renewal Plan, Revenue Allocation Area #4, Main East Main attached to the 6/12/17 and 6/26/17 staff reports.

(2) Approve second reading of Ordinance 4693 as amended.

ACTION PROPOSED: Adopt Ordinance No. 4693
JUNE 26, 2017  
(Revised 07/11/17)

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, June 12, 2017, in the upstairs conference room of the Bell Building, 215 “D” Street, Lewiston. Mayor Kleeburg called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall.

II. PLEDGE OF ALLEGIANCE

Mayor Kleeburg led the Pledge of Allegiance.

III. CITIZEN COMMENTS: Provides 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 city manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

Mr. Walter Phillips, 3724 10th Street E, stated he is the part owner of 653 Thain Road. He expressed concern for the amount of dust produced by the round-a-bout project, noting his mother with cancer is unable to stay in the house. Further, he encouraged additional enforcement because drivers are not abiding by the posted speed limit.

Mr. Steve Martin, Lewiston, applauded the efforts of staff and the council to create an incentive program for large businesses. However, he stressed the importance of creating something similar for small businesses.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: 2016 CDBG ACTION PLAN AMENDMENT

Mayor Kleeburg indicated the public hearing for the 2016 CDBG Action Plan Amendment was advertised to take place this evening. Therefore, he opened the hearing and called for a staff report.

Community Development Specialist Brocke explained the council previously approved the 2016 CDBG Action Plan which allocated in part $15,000 for three safe rooms in the Northwest Children’s Home. The Plan indicates if program income is received it will be used for qualified infrastructure projects and/or additional safe rooms at the NCH.
June 26, 2017  
City Council Regular Meeting Minutes  

She continued by explaining since adoption of the Plan, NCH’s state license has not been in good standing, indicating to staff to be cautious about investing more CDBG funds into the facility until all issues are resolved. The city has received approximately $50,000 in program income to date and proposes to reallocate the funds to the Mill End Building at 800 Main Street, thus ensuring our timely expenditure of funds.

Ms. Brocke said recently the Mill End Building has changed hands and the new owners want to take this long blighted and vacant building and convert it back to two separate buildings with a public walkway from Main to F Street. Small retail spaces will also be created. The new owners have requested $50,000 to bring the basement sprinkler system up to code. Staff supports this request and proposes to amend the 2016 Action Plan to reallocate program income to this new project. Community Development Specialist Brocke recommended the council approve the 2016 Action Plan amendments.

The mayor opened the public hearing and called for testimony either in favor or in opposition of the request.

Mr. Steve Martin, Lewiston, said this is the kind of project downtown needs. He stated sprinkler systems in old buildings are extremely important.

There being no further testimony, Mayor Kleeburg closed the public hearing.

V. CONSENT AGENDA

Mayor Kleeburg explained that items on the Consent Agenda are considered routine in nature and would be enacted with one motion unless a councilor wished to have an item removed for discussion. Councilor Miller offered a motion to read the Consent Agenda by title only. Councilor Randall seconded the motion and it carried 7 to 0.

A. CITY COUNCIL MEETING MINUTES: 05/22/17 JOINT NEZ PERCE COUNTY/CITY OF LEWISTON BUDGET WORK SESSION; 06/05/17 WORK SESSION; 06/12/17 BUDGET WORK SESSION

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/04/17 AND 05/25/17 HISTORIC PRESERVATION COMMISSION

Following the reading of the Consent Agenda, a motion was made by Councilor Randall and seconded by Councilor Maldonado to adopt. The motion carried unanimously.
VI. ACTIVE AGENDA

A. CDBG PLAN AMENDMENT

Councilor Randall moved to adopt the CDBG Plan Amendment. The motion was seconded by Councilor Maldonado and carried 7 to 0.

B. ORDINANCE 4690 (ADOPTION AND ORDINANCE SUMMARY)

A motion was offered by Councilor Maldonado to adopt Ordinance 4690 and the Ordinance Summary. Councilor Randall seconded the motion.

City Attorney Gomez explained the adoption is on this evening’s agenda after mistakenly stating the ordinance failed at the last meeting. Though adoption of an ordinance requires a majority, or four votes, the third reading only requires the majority of councilors present. Therefore, the motion to read for the third time did carry.

Councilor Johnson expressed his opposition to passage of Ordinance 4690, stating he believes it gives a hand out to wealthy developers and does nothing to incentivize small businesses.

ROLL CALL VOTE: VOTING AYE: Kleeberg; Collins; Maldonado; Miller; Randall. VOTING NAY: Blakey; Johnson.

ORDINANCE 4690: “AN ORDINANCE OF THE CITY OF LEWISTON DESIGNATING THE TITLE OF CHAPTER 40 AS “INCENTIVE PROGRAMS,” RE-DESIGNATING THE CURRENT CONTENT OF CHAPTER 40 AS CHAPTER 40, ARTICLE I; RESERVING SECTIONS 40-8 THROUGH 40-20; AMENDING SECTIONS 40-1 AND 40-2; ENACTING ARTICLE II OF CHAPTER 40 TITLED “DEVELOPER INCENTIVE PROGRAM;” PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE”

C. ORDINANCE 4693 (SECOND READING)

Councilor Randall moved to read Ordinance 4693 for the second time, by title only. Councilor Blakey provided a second.

Community Development Director Von Tersch indicated she is specifically asking for two motions. First would be to approve the recommended revisions and the second would be to approve the second reading of the ordinance. Ms. Von Tersch outlined the suggested changes.

City Attorney Gomez recommended a motion and vote be made for each specific change. Because there are changes on multiple pages, Community
June 26, 2017  
City Council Regular Meeting Minutes

Development Director Von Tersch suggested a mark-up ordinance be prepared for the next meeting wherein one motion and vote could be taken to address all of the amendments. Second reading could still take place this evening.

Councilor Blakey questioned the outcome of the FLAP grant. Ms. Von Tersch explained the city has made a couple of cuts and it is looking very promising. With an additional $200,000, pedestrian improvements could be made through Locomotive Park at a very small fee to the city due to the Idaho Transportation Department Match. The project is expected to fund in 2020 and Ms. Von Tersch noted she would keep the council updated.

The motion to read carried unanimously.

ORDINANCE 4693: "AN ORDINANCE OF THE CITY OF LEWISTON MAKING THE FINDINGS REQUIRED BY IDAHO CODE SECTION 50-2008 TO APPROVE AN URBAN RENEWAL PLAN AND URBAN RENEWAL PROJECTS; APPROVING THE "URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4 MAIN EAST MAIN (MEM)"; CREATING A REVENUE ALLOCATION AREA AS PART OF SUCH URBAN RENEWAL PLAN; DESCRIBING THE REQUIREMENT FOR HOW THE NEZ PERCE COUNTY COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH TAXING DISTRICT IN WHICH REVENUE ALLOCATION AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE NEZ PERCE COUNTY AUDITOR AND TAX ASSESSOR, THE AFFECTED TAXING DISTRICTS, AND THE STATE TAX COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE"

D. ORDINANCE 4687 (SECOND READING)

Following a motion and second from Councilors Randall and Miller, respectively, Ordinance 4687 was read for the second time, by title only. The motion carried 7 to 0.

ORDINANCE 4687: "AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-185(D) OF THE LEWISTON CITY CODE TO CORRECT IDAHO CODE CITATIONS AND MODIFY JUDICIAL REVIEW REQUIREMENTS IN ACCORDANCE WITH IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE"
E. **ORDINANCE 4685 (SECOND READING)**

Councilor Miller moved and Mayor Pro Tem Collins seconded the second reading of Ordinance 4685 by title only.

In response to a question raised by Councilor Blakey, Community Development Director Von Tersch explained the hotel in North Lewiston, west of the barbeque restaurant, has a few RV spots that will be grandfathered.

Ms. Von Tersch continued by explaining Chapter 23 of Lewiston City Code has set out development standards for RV parks. Though RV parks in North Lewiston are addressed, the language does not reference Chapter 23. This amendment is merely to clean up the language and ensure consistency.

The motion to read carried 7 to 0.

**ORDINANCE 4685:** “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-57.2(21) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE IS SUBJECT TO THE STANDARDS OF CHAPTER 23 OF THE LEWISTON CITY CODE; AMENDING SECTION 37-57.5 OF THE LEWISTON CITY CODE TO MODIFY PROVISIONS REGARDING MINIMUM LOT SIZE IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE; AND PROVIDING AN EFFECTIVE DATE”

F. **RESOLUTION 2017-37**

Following a motion and second from Councilors Maldonado and Blakey, respectively, Resolution 2017-37 was adopted. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall. VOTING NAY: None.

**RESOLUTION 2017-37:** “A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LEWISTON AND SANITARY DISPOSAL, INC."

G. **RESOLUTION 2017-35**

A motion and second were made by Councilors Randall and Maldonado, respectively, to adopt Resolution 2017-35. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall.

**RESOLUTION 2017-35:** “A RESOLUTION DECLARING VARIOUS ITEMS OF CITY OF LEWISTON PROPERTY TO BE SURPLUS, AND PROVIDING FOR THE AUCTION OF SAID PROPERTY”
H. RESOLUTION 2017-36

Councillor Maldonado moved and Councillor Randall seconded adoption of Resolution 2017-36. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall. VOTING NAY: None.

RESOLUTION 2017-34: “A RESOLUTION CONVEYING OWNERSHIP OF TWO WOODEN DESKS TO NEZ PERCE COUNTY, IDAHO”

I. VOUCHERS PAYABLE

Mayor Pro Tem Collins moved to approve the Vouchers Payable dated May 19, 2017, through June 1, 2017, in the amount of $1,113,145. Councillor Randall seconded the motion and it carried 6 to 0 to 1, with Councillor Miller abstaining.

VII. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councillor Blakey congratulated Chief Myklebust on a very well-done presentation he gave at the recent Association of Idaho Cities (AIC) Conference. Mr. Myklebust represented the city and fire department extremely well.

Councillor Randall expressed appreciation and gave kudos to City Attorney Gomez’ for her presentation at the AIC Conference.

Mayor Kleeburg noted the City of Lewiston received an award from AIC for the IIRP downtown project for excellence from public works and engineering. Mr. Maldonado congratulated Public Works Director Davies and thanked him for accepting at the recent conference.

Mayor Kleeburg stated recently a councilor distributed a letter that came to the council confidentially from the city attorney. He said he believes this is conduct unbecoming a councilor and noted he would appreciate an apology to both the council and City Attorney Gomez’. Councillor Johnson said he did not share privileged information. He noted he spoke with legal counsel at the AIC conference about best practices for sharing privileged information and believes he did nothing inappropriate. He stressed he would not apologize because he didn’t do anything wrong.

Mayor Kleeburg disagreed. Though no sanctions can be imposed, this still caused issues for the council and city attorney. He said his picture, along with the pictures of two other councilors, was placed on Facebook with a caption
stating they looked like punchable faces. Councilor Johnson responded by saying he didn’t make that comment. A citizen reported an issue and asked for an update and Mr. Johnson said he responded with new public policy that had already been implemented. He noted he was just doing his job. Even if the document had been attorney/client privilege, advice has been provided to the council that this can be voided and there is nothing illegal.

Councilor Blakey responded by stating Mr. Johnson did share a confidential document and expressed concern for the methodology in which the document was shared. An error was brought to the attention of the council Monday evening, and the issue showed up on Facebook the following day. It seems that Mr. Johnson was in a hurry to get this out.

Councilor Miller said her largest concern is to ensure the council is respectful of the city attorney. The information is now online that connects Ms. Gomez’ with words that are unbecoming of an attorney. She expressed the importance of protecting city employees and making sure they are seen in a good light.

Mayor Kleeburg said he was one of the first fifty people in Nez Perce County to obtain a concealed weapons permit. He noted he will not have his character called into question by those who support the second amendment.

City Attorney Gomez’ replied there is no blanket attorney/client privilege. If she provides legal advice to the council, then it is privileged. The information should not have been shared. She said what upset her is that the information provided was falsely misconstrued. The group turned around and put her name and picture on a webpage that can be searched across the world stating she is trying to skirt the law. Ms. Gomez’ stressed this is her professional reputation on the line and she takes it very seriously. She noted she always abides by the law and does her absolute best to provide the council with advice that follows that law. In response, Councilor Johnson said it was a public policy announcement by staff that was implemented within 48 hours. It was not legal confidential information and he noted he would not be apologizing.

B. CITY MANAGER COMMENTS

City Manager Bennett reported election candidacy packets are now available at City Hall and can be obtained from the City Clerk. The filing period runs from August 28 through September 8, 2017.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

There were no advisory board or commission appointments.
June 26, 2017
City Council Regular Meeting Minutes

D. **WORK SESSION AGENDA TOPICS**

Councilor Miller asked that weed control be placed on a future work session agenda and the Code Enforcement Officer be invited to attend.

At 6:49 p.m., a motion and second were made by Mayor Pro Tem Collins and Councilor Miller, respectively, to go into Executive Session to discuss issues related to Personnel and Records Exempt from Disclosure. **ROLL CALL VOTE:** VOTING AYE: Kleeburg; Collins; Blakey; Johnson; Maldonado; Miller; Randall. VOTING NAY: None.

VIII. **EXECUTIVE SESSION RE: PERSONNEL AND RECORDS EXEMPT FROM DISCLOSURE:** Idaho Code Section 74-206(1) (b) and (d).

Following a short recess, the Council discussed the item noted above. A motion was made by Councilor Maldonado to adjourn the Executive Session. Councilor Randall provided a second and it carried 7 to 0.

IX. **ADJOURNMENT**

There being no further business to come before the Lewiston City Council, Mayor Kleeburg adjourned the June 26, 2017, Regular Council Meeting at 7:20 p.m.

Kari Ravencroft, Recording Secretary

Date approved by City Council
Lewiston City Council
REGULAR MEETING AGENDA
Monday, July 10, 2017 – 6:00 p.m.
Bell Building – 215 D Street (Upstairs Conference Room)
Lewiston, Idaho 83501

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN 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 City Manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. CONSENT AGENDA
A. CITY COUNCIL MEETING MINUTES: 06/15/17 Special; 06/15/17 Joint City/NPC Special; 06/26/17 Budget Work Session; 06/26/17 Regular
B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/23/17 Urban Forestry/Cemetery Advisory Commission

V. ACTIVE AGENDA
B. ORDINANCE 4687 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY): Considering an amendment to Lewiston City Code to correct Idaho Code citations and modify judicial review requirements.
C. ORDINANCE 4685 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY): Considering an amendment to Lewiston City Code to add that a recreational vehicle park in the North Lewiston Mixed Use Development Zone is subject to the standards of Chapter 23, and an amendment to Lewiston City Code to modify provisions regarding minimum lot size in the North Lewiston Mixed Use Development Zone.
D. MEMORANDUM OF AGREEMENT: Considering an agreement between the city and the Urban Renewal Agency concerning project cost sharing in RAA #4.
E. ORDINANCE 4695 (FIRST READING): Considering a change to the term lengths for members of the Disabilities Advisory Commission.
F. INTERGOVERNMENTAL COOPERATION AGREEMENT: Considering an agreement with the Asotin County Fire Protection District
G. OUTDOOR SHOOTING RANGE: Considering an agreement with the City of Asotin for use of the city’s outdoor shooting range.
H. **MUTUAL ASSISTANCE COMPACT:** Considering an agreement between the City of Lewiston and the City of Asotin.

I. **RESOLUTION 2017-18:** Considering adoption of the city’s Wastewater Pretreatment Standards Manual.

J. **RESOLUTION 2017-19:** Considering adoption of the city’s Food Service Establishment Guidance Manual.

K. **RESOLUTION 2017-39:** Considering declaring Zoll Medical Corporation as the only vendor of X Series Defibrillators and Associated Accessories.

L. **USE OF PARK PROPERTY:** Considering an agreement between the city and Nez Perce County for use of city property during the Nez Perce County Fair.

M. **BID AWARD - 7TH AVENUE RECONSTRUCTION BETWEEN 10TH AND 11TH STREETS:** Considering award to M.L. Albright & Sons, Inc, Lewiston, Idaho, in the amount of $68,661.40.

N. **WASTEWATER CONNECTION AGREEMENT:** Considering an agreement between the city and Mario and Jennifer Gomez.

O. **VOUCHERS PAYABLE:** 06/02/17 through 06/16/17 - $2,345,396.60.

VI. **NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**

C. **ADVISORY BOARD AND COMMISSION APPOINTMENTS**
   - Considering Shawn Turpin, Tim Lynch, and Terry Nab for reappointment to the Code Board of Appeals
   - Resignation of Ronald Hewett from the Code Board of Appeals
   - Two new applications for the Code Board of Appeals

D. **WORK SESSION AGENDA TOPICS**

VII. **EXECUTIVE SESSION RE: PERSONNEL:** Idaho Code Section 74-206(1) (b).

VIII. **ADJOURNMENT**

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact City Clerk Kari Ravencroft at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6203.
**CITY COUNCIL MEETING**
**AGENDA ITEM HISTORY/COMMENTARY**

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<th>ITEM TITLE</th>
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<tr>
<td>Date: ____________________________</td>
<td>Laura M. Von Tersch Date: 7/10/17</td>
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<th>RECOMMENDED FOR COUNCIL ACTION</th>
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**ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)**

January 9, 2017—City Council directed the Urban Renewal Agency to begin work on an urban renewal plan for the Main East Main area including utilities under the US 12/21st Street intersection.

January 19, 2017—In a joint meeting with the Board of County Commissioners, the Main East Main project was discussed and received support from both groups.

February 6, 2017—City Council affirmed that the utility work associated with the rebuild of US 12 and 21st Street was their highest priority urban renewal project with East Orchards Sewer second.

June 12, 2017—City Council Conducted a Public Hearing on RAA#4 and read Ordinance 4693

**June 26, 2017—City Council read Ordinance No. 4693 for the second time.**

**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.

At second reading of Ordinance 4693, staff requested a number of amendments to reflect updated information and other technical matters as noted in the 6/12 and 6/26/17 staff reports. It was determined that a marked up ordinance would be a more efficient way to make the changes.

A marked up Ordinance is in the packet.
ACTION PROPOSED: Move to amend Ordinance No. 4693 Appendix A as detailed in the index and correspondence from the City Attorney's Office dated 6/29/17.

Move to approve Ordinance No. 4693 as amended.
JULY 10, 2017

The City Council of the City of Lewiston, Idaho, met in a Regular meeting on Monday, July 10, 2017, in the upstairs conference room of the Bell Building, 215 "D" Street, Lewiston. Mayor Kleeberg called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Kleeberg; Collins; Johnson; Maldonado; Miller; Randall.

Councilors Excused: Blakey.

II. PLEDGE OF ALLEGIANCE

Councilor Maldonado led the Pledge of Allegiance.

III. CITIZEN COMMENTS: Provides 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 city manager. In consideration of others wishing to speak, please limit your remarks to three minutes.

Mr. Eric Peterson, Lewiston, stated he learned in today's earlier budget work session, the city does have a joint ADA Coordinator, split between Human Resources Director Province and Public Works Director Davies. Neither of these are paid positions. He said his investigation has shown that generally ADA Coordinators are higher level positions wherein they have authority, can delegate tasks, and are paid between $10,000 and $40,000. Mr. Peterson noted Ms. Province and Mr. Davies plan to meet in the fall to work on a more definitive transition plan. Secondly, Mr. Peterson stated as a taxpayer, he is willing to have his taxes stay the same next year as they are this year. Streets and roads have taken a huge hit and it is necessary to fund for the future.

Mr. Terry Rosenquest, 160 Marine View Drive, noted the speed limit along Duthie Blvd. was 35 mph for approximately 12 years. About a month ago, it was changed to 25. He questioned the process to get it back to 35. City Manager Bennett explained the council would be discussing this topic at its July 24th work session. If the direction is to move forward with the change, staff would amend the ordinance and place it in front of the council for three readings and possible adoption. Mr. Bennett urged area residents to bear with the city as it works through the process.

Mr. Eric Peterson, Lewiston, indicated he understands city funding to the Boys and Girls Club is potentially being removed from the budget. He discussed the amount of return per dollar for the Club vs. allocating the same amount to
July 10, 2017
City Council Regular Meeting Minutes

Parks and Recreation and urged the city to continue providing funding to this much needed organization.

IV. CONSENT AGENDA

Mayor Kleeburg explained that items on the Consent Agenda are considered routine in nature and would be enacted with one motion unless a councilor wished to have an item removed for discussion. Councilor Randall offered a motion to read the Consent Agenda by title only. Councilor Maldonado seconded the motion and it carried 6 to 0, with Councilor Blakey excused.

Mayor Kleeburg asked that Page 7, last sentence, of the June 26th regular minutes be amended to remove the word “don’t” and replaced with the word “do”.

A. CITY COUNCIL MEETING MINUTES: 06/15/17 SPECIAL MEETING; 06/15/17 JOINT CITY/NEZ PERCE COUNTY SPECIAL MEETING; 06/26/17 BUDGET WORK SESSION; 06/26/17 REGULAR MEETING

B. ADVISORY BOARD/COMMISSION MEETING MINUTES: 05/23/17 URBAN FORESTRY/CEMETERY ADVISORY COMMISSION

Following the reading of the Consent Agenda, a motion was made by Councilor Randall and seconded by Councilor Maldonado to adopt. The motion carried 6 to 0, with Councilor Blakey excused.

V. ACTIVE AGENDA

A. ORDINANCE 4693 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)

Councilor Randall moved to read Ordinance 4693 for the third time by title only, suspending the rules. Mayor Pro Tem Collins provided a second.

Responding to a question raised by Councilor Johnson regarding the sunset date of 2029 outlined in the ordinance, City Attorney Gomez' explained the sentence talks about the Urban Renewal Agency, the area and the plan all ending in 2029. Because the Agency itself can continue to exist beyond 2029, an amendment was necessary.

City Attorney Gomez' noted 21 amendments are being recommended this evening for consideration. She suggested each be read aloud and entered into the motion.
Councillor Maldonado offered an amended motion to include the following amendments in Ordinance 4693. The motion was seconded by Councillor Randall.

1. Amend the Table of Contents to Add a new Exhibit 4, titled “Proposed Intersection Design,” and delete Appendix F, titled “Evaluation Tool;”
2. Strike “and August 2029 established as the sunset date” from the end of the first paragraph on page 3;
3. Change “Memorandum of Understanding” to “Memorandum of Agreement” in the second paragraph on page 6;
4. Strike the last sentence under the section titled “Financing Improvements” on page 6 and replace with the following paragraph:
   The Agency anticipates entering into an agreement with the City of Lewiston regarding the funding of the urban renewal projects described in this Plan shortly after this Plan is approved by the City of Lewiston, likely during the summer of 2017. At that time, the Agency will incur monetary obligations to help fund such projects. It is expected that the costs related to the reconstruction of water and storm sewer utilities will be incurred in 2019. Costs for the proposed pedestrian improvements may be incurred when sufficient revenues are received by the Agency, which might not occur until in or around 2028.
5. Strike “-$400,000” on page 9, referring to the estimated cost of replacement of the water mains (page 10 in revised draft);
6. Change “$450,000” to “$650,000” on page 9, referring to estimated cost to upsize a stormwater line located in the Red Lion Hotel parking lot (page 10 in revised draft);
7. Strike “needs to be made, for which ITD has no funding” in the third paragraph on page 9 and replace with “ITD will make” (page 10 in revised draft);
8. Add exhibit 5 to the sentence immediately above the chart on page 10 (page 11 in revised draft);
9. Amend the chart title on page 10 to “Project Summary: Estimated Costs” (page 11 in revised draft);
10. Amend the estimated URA cost and City cost for waterlines from $200,000 to $175,000 each in the chart on page 10 (page 11 in revised draft);
11. Amend the estimated URA cost and city cost for stormwater from $225,000 to $325,000 each in the chart on page 10 (page 11 in revised draft);
12. Strike the “Pedestrian Improvements” row in the chart on page 10 (page 11 in revised draft);
July 10, 2017  
City Council Regular Meeting Minutes

13. Amend the total estimated URA cost in the chart on page 10 from “$655,550-785,000+” to “$730,000-$860,000+” (page 11 in revised draft);

14. Amend the total estimated City cost in the chart on page 10 from $655,000 to $730,000 (page 11 in revised draft);

15. Add new Exhibit 4 “Proposed Intersection Design” between Exhibit 3 and current Exhibit 4 (page 13 in revised draft);

16. Add the following sentence to the end of the section titled “Economic Feasibility Study” on page 13 (page 15 in revised draft):
   See Appendix C for an economic feasibility analysis using increment projections.

17. Change the phrase “throughout the Agency’s duration” on page 13 under the section titled “Fiscal Impact to Other Taxing Entities” to “throughout the duration of this Plan and Revenue Allocation Area #4 (August 2029)” (page 15 in revised draft);

18. Delete pages E-19 and E-20, which is a copy of Idaho Code § 50-2008 (pages 15 in revised draft);

19. Add pages E-23 through E-33, which consist of a memo from Tanya Brocke, dated May 12, 2017; a memo from Laura Von Tersch, dated May 12, 2017; the Lewiston City Council Regular Meeting Agenda for June 12, 2017; a City Council Meeting Agenda Item History sheet regarding the MEM Plan, dated May 31, 2017; the Lewiston City Council Regular Meeting Agenda for June 26, 2017; and a City Council Meeting Agenda Item History sheet regarding the MEM Plan, dated June 26, 2017;

20. Delete Appendix F, titled “Project Evaluation Tool;” and

21. Add to Appendix E the Lewiston City Council Regular Meeting Agenda for July 10, 2017; the minutes, once officially adopted, of the Lewiston City Council Regular Meetings held on June 12, 2017, June 26, 2017, and July 10, 2017; a City Council Meeting Agenda Item History sheet regarding the MEM Plan, dated __________, 2017; the summary for Ordinance No. 4693; and a certification from the Lewiston Tribune indicating when the summary for Ordinance No. 4693 was published.

The amended motion carried 6 to 0 with Councilor Blakey excused.

The motion to read carried 6 to 1, with Councilor Blakey excused.

ORDINANCE 4693: “AN ORDINANCE OF THE CITY OF LEWISTON MAKING THE FINDINGS REQUIRED BY IDAHO CODE SECTION 50-2008 TO APPROVE AN URBAN RENEWAL PLAN AND URBAN RENEWAL PROJECTS; APPROVING THE “URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4 MAIN EAST MAIN (MEM)”; CREATING A REVENUE ALLOCATION AREA AS PART OF SUCH URBAN RENEWAL
July 10, 2017
City Council Regular Meeting Minutes

PLAN; DESCRIBING THE REQUIREMENT FOR HOW THE NEZ PERCE COUNTY COMMISSIONERS ARE TO LEVY TAXES BY OR FOR EACH TAXING DISTRICT IN WHICH REVENUE ALLOCATION AREA #4 IS LOCATED; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE NEZ PERCE COUNTY AUDITOR AND TAX ASSESSOR, THE AFFECTED TAXING DISTRICTS, AND THE STATE TAX COMMISSION; PROVIDING A LIMITATION ON ACTIONS AGAINST SUCH URBAN RENEWAL PLAN; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE”

A motion was then offered by Councilor Randall and seconded by Mayor Pro Tem Collins to adopt Ordinance 4693 and the Ordinance Summary. This motion passed 6 to 1. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

B. ORDINANCE 4687 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)

Following a motion and second from Councilors Randall and Maldonado, respectively, Ordinance 4687 was read for the third time, by title only, suspending the rules. The motion carried 6 to 0, with Councilor Blakey excused.

ORDINANCE 4687: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-185(D) OF THE LEWISTON CITY CODE TO CORRECT IDAHO CODE CITATIONS AND MODIFY JUDICIAL REVIEW REQUIREMENTS IN ACCORDANCE WITH IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE”

Mayor Pro Tem Collins moved to adopt Ordinance 4687 and the Ordinance Summary. The motion was followed by a second from Councilor Randall. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

C. ORDINANCE 4685 (THIRD READING AND ADOPTION AND ORDINANCE SUMMARY)

Councilor Maldonado moved and Mayor Pro Tem Collins seconded the third reading of Ordinance 4685 by title only, suspending the rules. The motion carried 6 to 0, with Councilor Blakey excused.

ORDINANCE 4685: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 37-57.2(21) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE IS SUBJECT TO THE
STANDARDS OF CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-57.5 OF THE LEWISTON CITY CODE TO MODIFY PROVISIONS REGARDING MINIMUM LOT SIZE IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE AND ADD THAT A RECREATIONAL VEHICLE PARK IN THE NORTH LEWISTON MIXED USE DEVELOPMENT (MXD-NL) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-66(3) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE TOURIST COMMERCIAL (C-2) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-73(3) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE GENERAL COMMERCIAL (C-4) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AMENDING SECTION 37-83(3) OF THE LEWISTON CITY CODE TO ADD THAT A RECREATIONAL VEHICLE PARK IN THE REGIONAL COMMERCIAL (C-6) ZONE SHALL COMPLY WITH THE MINIMUM LOT SIZE SET FORTH IN CHAPTER 23 OF THE LEWISTON CITY CODE, AND PROVIDING AN EFFECTIVE DATE.

A motion and second were made by Councilor Randall and Mayor Pro Tem Collins, respectively, to adopt Ordinance 4685 and the Ordinance Summary. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

D. MEMORANDUM OF AGREEMENT

Following a motion and second from Councilors Randall and Maldonado, respectively, the Memorandum of Agreement was adopted. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

E. ORDINANCE 4695 (FIRST READING)

A motion and second were made by Councilors Maldonado and Randall, respectively, to read Ordinance 4695 for the first time, by title only.

Mr. Eric Peterson said he was provided a copy of this Ordinance and glanced at it quickly and noted two changes are needed. When the Disabilities Advisory Commission was first established, all terms were three years which meant they all expired at the same time. In order to remedy that, he asked that for 2017 only, two members have three-year terms, two members have two-year terms, and two members have one-year terms. At the expiration of each of those terms, staggering appointments would be introduced.
July 10, 2017
City Council Regular Meeting Minutes

To allow time to amend the Ordinance, Councilor Randall moved to table Ordinance 4695 to the July 24th regular council meeting. The motion was seconded by Councilor Maldonado and carried 6 to 0, with Councilor Blakey excused.

ORDINANCE 4695: "AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 2-181 OF THE LEWISTON CITY CODE TO CHANGE THE TERM LENGTHS FOR MEMBERS OF THE DISABILITIES ADVISORY COMMISSION; AND PROVIDING AN EFFECTIVE DATE"

F. INTERGOVERNMENTAL COOPERATION AGREEMENT

Chief Myklebust explained this is merely a renewal of an agreement the City of Lewiston has had with the Asotin County Fire Protection District for the past eight years. He stressed it is one of the best things the Lewiston Fire Department has done to improve services to both Lewiston and Clarkston residents and property owners.

City Attorney Gomez noted Section 4 of the agreement should read 2021 rather than 2020. Therefore, Councilor Maldonado moved to amend as noted. Councilor Randall seconded the motion and it carried 6 to 0, with Councilor Blakey excused.

Councilor Maldonado then moved and Councilor Miller seconded adoption of the Intergovernmental Cooperation Agreement between the City of Lewiston and the Asotin County Fire Protection District. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

G. OUTDOOR SHOOTING RANGE

Upon a motion and second from Councilors Maldonado and Miller, the agreement between the City of Lewiston and the City of Asotin for the use of the city's outdoor shooting range was adopted. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

H. MUTUAL ASSISTANCE COMPACT

Councilors Maldonado and Randall moved and seconded, respectively, to approve a Mutual Assistance Compact between the City of Lewiston and the City of Asotin.

Chief Ankeny explained this allows each entity the opportunity to provide services to each other when needed.
ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

I. RESOLUTION 2017-18

A motion was made by Councilor Miller to adopt Resolution 2017-18. Mayor Pro Tem Collins seconded the motion.

Councilor Randall indicated he still has an issue with the appeal process not being through the City Manager or City Council. Ms. Gomez replied that the council previously adopted, by means of Ordinance 4686, any appeals could be made to the Wastewater Systems Manager who makes the final decision. Public Works Director Davies added Resolution 2017-18 merely sets the standards for everyone to adhere to and places everyone on the same playing field. The manual was previously adopted by Public Works staff, who thought it would be appropriate to place before the Council for potential adoption.

ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

J. RESOLUTION 2017-19

Councilor Miller moved and Councilor Randall seconded the adoption of Resolution 2017-19. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

K. RESOLUTION 2017-39

Resolution 2017-39 was adopted when Councilor Miller offered a motion and Councilor Maldonado provided a second. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

L. USE OF PARK PROPERTY

A motion and second were presented by Councilors Miller and Randall to approve an agreement between the City of Lewiston and Nez Perce County for use of city property during the Nez Perce County Fair. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

M. BID AWARD - 7TH AVENUE RECONSTRUCTION BETWEEN 10TH AND 11TH STREETS

E-63
Councilor Maldonado moved to approve the bid award for the 7th Avenue Reconstruction Project to M.L. Albright & Sons, Inc., of Lewiston, Idaho, in the amount of $68,661.40. A second came from Councilor Randall. **ROLL CALL VOTE:** **VOTING AYE:** Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. **VOTING NAY:** None. **EXCUSED:** Blakey.

N. **WASTEWATER CONNECTION AGREEMENT**

Councilor Maldonado moved to approve a connection to COSD with the condition that Mr. and Mrs. Gomez sign an Irrevocable Consent to Annex. Councilor Randall seconded the motion. City Attorney Gomez explained if this is approved by both the city and COSD, the city will proceed to annex the property. The motion carried 6 to 0 with Councilor Blakey excused.

O. **VOUCHERS PAYABLE**

Councilor Maldonado moved to approve the Vouchers Payable dated June 2, 2017, through June 16, 2017, in the amount of $2,345,396.60. Councilor Blakey seconded the motion and it carried 4 to 0 to 2, with Councilors Johnson and Miller abstaining due to potential conflict of interest and Councilor Blakey excused.

VI. **UNFINISHED AND NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

Mayor Kleeburg thanked the Parks and Recreation staff for putting on a great 4th of July Celebration in Pioneer Park. Additionally, he noted he stopped at the air show at the airport and couldn't believe the amount of people in attendance. The planes on display were amazing and he said he hopes this event continues in years to come.

B. **CITY MANAGER COMMENTS**

There were no City Manager comments.

C. **ADVISORY BOARD AND COMMISSION APPOINTMENTS**

Councilor Randall moved to appoint Suzanne Johnson to the Disabilities Advisory Commission. Councilor Maldonado seconded the motion and it carried 6 to 0, with Councilor Blakey excused.

A motion to reappoint Shawn Turpin, Tim Lynch and Terry Nab to the Code Board of Appeals was made by Councilor Maldonado and seconded by
July 10, 2017
City Council Regular Meeting Minutes

Mayor Pro Tem Collins. The motion carried 6 to 0, with Councilor Blakey excused.

A motion and second were then made by Councilors Randall and Miller to appoint Michell Radamaker and Kevin Messicle to the Code Board of Appeals. It carried 6 to 0, with Councilor Blakey excused.

D. WORK SESSION AGENDA TOPICS

City Manager Bennett indicated the July 24th work session agenda is filling up, with discussions on the speed limit along Duthie Blvd., the weed abatement process and the civic theater scheduled.

At 7:00 p.m., a motion and second were made by Mayor Pro Tem Collins and Councilor Maldonado, respectively, to go into Executive Session to discuss issues related to Personnel. ROLL CALL VOTE: VOTING AYE: Kleeburg; Collins; Johnson; Maldonado; Miller; Randall. VOTING NAY: None. EXCUSED: Blakey.

VII. EXECUTIVE SESSION RE: PERSONNEL: Idaho Code Section 74-206(1) (b).

Following a short recess, the Council discussed the item noted above. A motion was made by Councilor Randall to adjourn the Executive Session. Councilor Maldonado provided a second and it carried 6 to 0, with Councilor Blakey excused.

VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Kleeburg adjourned the July 10, 2017, Regular Council Meeting at 7:17 p.m.

Kari Ravencroft, Recording Secretary

Date approved by City Council
BEGINNING at the quarter corner between Sections 32 and 33, Township 36 North, Range 5 West, B.M.;
therefore southerly along the section line to the point of intersection with the centerline of Lapwai Road;
therefore northwesterly along the centerline of Lapwai Road to a 1" brass rod in concrete shown as
Lewiston City Monument 22-3 on Initial Plat 22 of Lewiston City records; therefore southwesterly to a point
on the westerly right-of-way line of Lapwai Road and the southeasterly corner of Lot 13, Block A, of
Durham's 2nd Addition to the City of Lewiston; therefore southwesterly, along the southerly line of said Lot
13, to the point of intersection with the center of Lindsay Creek; therefore northwesterly, along the center
of Lindsay Creek, to the point of intersection with the northerly line of Lot 10, Block A, of Durham's 2nd
Addition to the City of Lewiston; therefore southwesterly, along the northerly line of Lots 10 and 11, to the
point of intersection with the easterly right-of-way line of Silcott Street; therefore southwesterly to a point
on the westerly right-of-way line of Silcott Street, said point also being the southeast corner of Lot 14,
Block 3, of East Terrace in the City of Lewiston; therefore westerly, along the south line of Lots 14 and 13,
to the southwest corner of Lot 13 of said East Terrace; therefore westerly, along the westerly projection of
said south line, to the point of intersection with the centerline of 30th Street; therefore northerly along the
centerline of 30th Street to the point of intersection with the centerline of 4th Avenue; therefore westerly
along the centerline of 4th Avenue to the point of intersection with the centerline of 29th Street; therefore
southerly along the centerline of 29th Street to the point of intersection with the centerline of 8th
Avenue; therefore westerly along the centerline of 8th Avenue to the point of intersection with the
centerline of 27th Street; therefore northerly along the centerline of 27th Street to the point of intersection
with the centerline of 5th Avenue; therefore westerly along the centerline of 5th Avenue to the point of
intersection with the westerly right-of-way line of 26th Street; therefore southerly along said right-of-way
line to the point of intersection with the northerly right-of-way line of 6\textsuperscript{th} Avenue; thence westerly, along said right-of-way line, to the point of intersection with the southerly projection of the east line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 553107 of Nez Perce County records; thence northerly, along said projection and east line, to the northeast corner of said parcel; thence westerly, along the north line of said parcel, to an angle point in the parcel boundary; thence southwesterly, along the northwesterly line of said parcel, to a point on the west line of said parcel; thence southwesterly to the southeast corner of Lot 4, Block 2 of the Campbells Addition, said corner being a point on the north line of a 10 foot wide alley; thence westerly, along said north line, to the southwesterly corner of Lot 1, Block 1 of the Campbells Addition; thence southerly, along the west lines of the Campbells Addition and the Cassell Addition, to the southwest corner of the Cassell Addition; thence southerly, along the southerly projection of the west line of the Cassell Addition, to the point of intersection with the centerline of 8\textsuperscript{th} Avenue; thence westerly, along the centerline of 8\textsuperscript{th} Avenue, to the point of intersection with the centerline of 21\textsuperscript{st} Street; thence northerly along the centerline of 21\textsuperscript{st} Street to the point of intersection with the easterly projection of the centerline of the alley right-of-way as vacated by Resolution 95-75, Instrument No. 600717, of Nez Perce County records; thence southwesterly, along said alley centerline, to the point of intersection with the centerline of 20\textsuperscript{th} Street; thence northerly, along the centerline of 20\textsuperscript{th} Street, to the point of intersection with the centerline of 7\textsuperscript{th} Avenue; thence westerly, along the centerline of 7\textsuperscript{th} Avenue, to the point of intersection with the centerline of 19\textsuperscript{th} Street; thence northerly, along the centerline of 19\textsuperscript{th} Street, to the point of intersection with the easterly projection of the centerline of the alley dividing Block 5 of Thompsons 2\textsuperscript{nd} Addition to the City of Lewiston; thence westerly, along said alley centerline, to the point of intersection with the centerline of 18\textsuperscript{th} Street; thence southerly, along said centerline, to the point of intersection with the easterly projection of the north line of the parcel conveyed by the deed recorded under Instrument No. 748823 of Nez Perce County records; thence westerly, along said north line and the
north line of the parcel conveyed by the deed recorded under Instrument No. 835282 of Nez Perce
County records to the northwest corner of said parcel; thence southerly, along the west line of said
parcel, to the northeast corner of the parcel conveyed by the deed recorded under Instrument No.
716694 of Nez Perce County records; thence westerly, along the north line of said parcel and the north
lines of the parcels conveyed by the deeds recorded under Instrument No. 732590 and 719188 of Nez
Perce County records, to the point of intersection with the east right-of-way line of 17th Street; thence
westerly, along the westerly projection of the north line of the parcel conveyed by the deed recorded
under Instrument No. 719188, to the point of intersection with the centerline of 17th Street; thence
northerly, along the centerline of 17th Street, to the point of intersection with the centerline of Idaho
Street; thence northwesterly, along the centerline of Idaho Street, to the point of intersection with the
centerline of Lincoln Street; thence northerly, along the centerline of Lincoln Street, to the point of
intersection with the centerline of G Street; thence easterly, along the centerline of G Street, to the
point of intersection with the offset centerline of Lincoln Street; thence northerly, along the centerline
of Lincoln Street, to the point of intersection with the centerline of Main Street; thence easterly, along
the centerline of Main Street, to the point of intersection with the southerly projection of the east line
of the parcel conveyed by the deed recorded under Instrument No. 820603 of Nez Perce County
records; thence northeasterly, along said east line and northeasterly extension thereof, to a point on the
southern bank of the Clearwater River and the north side of the levee; thence easterly along said
southern bank and levee to the point of intersection with the corporate boundary of the City of
Lewiston; thence southeasterly, along said boundary, to the point of intersection with the section line
between Sections 32 and 33, Township 36 North, Range 5 West; thence southerly, along said section
line, to the quarter corner between Sections 32 and 33 and the POINT OF BEGINNING.