URBAN RENEWAL PLAN

FOR
REVENUE ALLOCATION AREA #6
Bryden Avenue

THE CITY OF LEWISTON
URBAN RENEWAL AGENCY

Prepared by
Urban Renewal Agency of the City of Lewiston

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August 14, 2018
# TABLE OF CONTENTS

EXECUTIVE SUMMARY ........................................................................................................... 1  
INTRODUCTION ...................................................................................................................... 2  
PURPOSE .................................................................................................................................. 3  
OBJECTIVES .......................................................................................................................... 3  
ORGANIZATION ..................................................................................................................... 4  
Powers ...................................................................................................................................... 4  
DUTIES ...................................................................................................................................... 5  
SOURCE OF AGENCY REVENUES ......................................................................................... 5  
FINANCING IMPROVEMENTS ................................................................................................. 5  
ELIGIBLE PROJECT ACTIVITIES ......................................................................................... 6  
EXHIBITS 1 AND 2 .................................................................................................................. 7  
EXHIBIT 3: MAP ...................................................................................................................... 8  
COOPERATION BETWEEN THE CITY AND AGENCY ......................................................... 9  
DESCRIPTION OF PROJECTS ............................................................................................. 9  
  BRYDEN AVENUE ............................................................................................................... 9  
  OTHER PROJECTS AND REVENUE ALLOCATION AREAS ........................................... 14  
ECONOMIC FEASIBILITY STUDY ......................................................................................... 14  
FISCAL IMPACT TO OTHER TAXING ENTITIES .................................................................. 14  
CONCLUSION AND RECOMMENDATION .......................................................................... 15  
APPENDIX A: SUMMARY STATEMENTS, LEGAL INSTRUMENTS .................................. A-1  
APPENDIX B: DEFINITIONS ................................................................................................. B-1  
APPENDIX C: INCREMENT PROJECTION .......................................................................... C-1  
APPENDIX D: IDAHO STATUTES 50-2002 AND 50-2905 ..................................................... D-1  
APPENDIX E: ADOPTION PROCESS ..................................................................................... E-1
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 2018. 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, (12/10/38), will be used for the widening of Bryden Avenue from 4th Street to Thain, including roadway surface, curb, gutter, sidewalk, streetlights and timing, all utilities, water lines, sewer lines, stormwater and other matters properly related thereto. The Urban Renewal Agency intends to implement the projects described in this plan and then terminate Revenue Allocation Area #6 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 #6 (Bryden Avenue). This area has been deemed suitable for an Urban Renewal project by the City Council through Resolution 2018-29 adopted June 25, 2018.

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;
- 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 public safety hazards in the project area, including among others inadequate roadway capacity and water flows;
- Provision of adequate land for 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.

**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 2018:
- Chairman, Joe Hulett, Member-at-Large
- Vice-Chairman Jo Ann Cole-Hansen, Member-at-Large
- Secretary Dan Marsh, Administrative Services Director, City of Lewiston
- A.L. "Butch" Alford, Jr., Valley Vision
- Bob Blakey, Lewiston City Council
- 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. This plan has been prepared with the assistance of Shawn Stubbers, Lewiston City Engineer.

**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 12/10/38. 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 2018. 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. See Exhibits 1 and 2.

It should be noted that Exhibit 2 reflects conditions as of 06/20/2018; RAA #3, RAA #4
and RAA #5 are open.

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 #6, the Agency anticipates that the City will continue with
design work along the corridor starting with the 4th to 7th Street segment. With a design in
hand, the city can apply for federal funds allocated by the state for roadway construction.
(STP). STP funds require a local match, currently at +/- 7.5%. Bryden Avenue increment will fund the local match. Other financial partners may be needed to cover improvements not eligible for STP funding, such as utilities.

Securing STP funds is approximately 10 years out. They will be used to fund engineering design and construction. Prior to that time (year 2-9), and subject to available increment, the URA could fund necessary appraisals for right of way acquisition, acquisition and design work. Construction will occur years 11-13. The remaining years (14-20) are expected to focus on paying off any debts incurred. All Project timelines reflect the best information available at this time, but may be subject to changes outside of the URA’s control.

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.

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

Exhibit 1.

SOURCE OF URA REVENUES FY2019

- Nez Perce County: 33.2%
- Independent School District No 1: 5.5%
- City of Lewiston: 60.6%
- Port of Lewiston: .7%

Exhibit 2.

PERCENTAGE OF TAXING DISTRICTS’ TAXABLE VALUES SUBJECT TO URA(1)

(1) Taxable values from 2018 September Value Worksheet & Nez Perce County & City of Lewiston estimates.
EXHIBIT 3: MAP

City of Lewiston
COMMUNITY DEVELOPMENT

RAA #6: Bryden Avenue

2017 Parcels
Parcels - 325
Acres - 140.107
2017 Net Value - 53,204,116

Legend
- RAA
- Boundary
- Street
- Utility Main/Principal Arterial
- Utility Collector
- Utility Local/Other

This drawing is only a visual aid. Information and locations are approximate. There is no guarantee or warranty expressed or implied for its accuracy.
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, a special district 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) Negotiate the transfer and or purchase of private land or easements necessary to implement the project.

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

DESCRIPTION OF PROJECTS

**BRYDEN AVENUE**

The Bryden Avenue 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, 2018.

Tax increment revenues for Bryden Avenue are projected at $2.7 to $4.4 million, depending on assumed appreciation rates. Two scenarios are put forward, one holding appreciation at 1% per year. A second scenario steps up appreciation to 2% at year six, and 3% at year 11-20.

See Appendix C.

The Bryden Corridor is the subject of attention for a variety of reasons, including waterlines that have reached the end of their useful life and are now obsolete, fire
hazards, declining property values, stagnating development, dangerous traffic conditions, faulty lot layout and development relative to the right of way.

**TRAFFIC CONDITIONS IN THIS AREA ARE UNSAFE, DUE TO DEFECTIVE OR INADEQUATE STREET LAYOUT.**

Lewiston’s Long Range Transportation Plan (LRTP) updated in 2013 identified significant, existing congestion on Bryden Avenue (LRTP Chapter 2 pg. 3) that is expected to become progressively worse by year 2040 (LRTP Chapter 5 pg. 15). As a result, improvement of the Corridor is one of the highest ranked projects in the LRTP (Chapter 8 pg. 7). Improvement of the Corridor from 4th to Thain is recommended at an estimated cost of $13.9 million (Chapter 7 pg. 17). Costs include roadway surface, curb, gutter and sidewalk, roadway induced storm water and right of way acquisitions. Costs do not include sub-surface utilities.

In the four years leading up to the Plan adoption, the intersections of Bryden and 7th and Bryden and 10th had 23 and 25 crashes respectively. The Plan recommended a specific and detailed plan for the Corridor to be developed as part of the Long Range Transportation Plan implementation (Chapter 8 pg. 7). The Plan notes that an average of 56.8 collisions occur per year along the 1.75 mile Corridor, making it a High Accident Corridor (Exhibit 2, Bryden Avenue Corridor Study page iv). Bryden and Seventh Avenue was evaluated recently as part of the Airport Area Circulation Study. From 2011 to 2015, that one intersection had 52 crashes and a crash frequency rate of 1.96 (Exhibit 3, Airport Area Circulation Plan pg. 13). It appears that congestion and crash frequencies are increasing. Existing Level of Service is “D” for both the AM and PM Peak Hours. “High traffic volumes, high volumes overall, potential signal timing deficiencies and deficient lighting are prevailing themes as the cause of collisions. The provision of additional roadway widening, improved signal timing and improved lighting are mitigations for these causes. . “. Lewiston Police Department call data indicates the annual average accident rate in the Corridor is 56.5 in 2016 and 2017. Congestion and accidents along the corridor drive calls for service for Fire and Police personnel. According to the Fire Chief, the corridor “creates an issue for emergency responses due to lack of adequate access and travel routes”. Sidewalks do not exist along much of the corridor. Based on its Arterial Road classification, Bryden Avenue should have an 80’ right of way, whereas the existing right of way averages 60’.

Bryden Avenue’s collision history marks it as a High Accident Corridor. It is unsafe for motorists, emergency services personnel, bicycles and pedestrians.
BRYDEN AVENUE IS INADEQUATE TO HANDLE THE EXISTING AND PROJECTED VOLUMES OF TRAFFIC.

As addressed above, the corridor presents current and projected traffic volume concerns. Increasing the width of the Bryden Avenue right of way from 60’ to 80’ improves safety by:

1. Providing room for designated turn pockets or turn lanes reducing conflicts between cars in que and flow through traffic;
2. Providing room for islands to control or limit specific turning movements;
3. Providing for stormwater collection and conveyance away from private property;
4. Providing room for utility placement, maintenance and repair outside of the travel lane;
5. Providing a designated shoulder (recovery area); and
6. Providing for sidewalks.

WATER LINES IN BRYDEN AVENUE ARE INADEQUATE AND OBSOLETE, CREATING UNSAFE AND UNSANITARY CONDITIONS.

The water lines in Bryden Avenue are deteriorated and inadequate. The Lewiston Orchards Irrigation District (LOID) provides water service along the Bryden Avenue Corridor for domestic uses, irrigation and fire flows. LOID reports that the piping system is a mix of sizes and materials. Four blocks are served by lines 4” or smaller (blocks 500, 700, 800 and 900). The 600 block is extremely limited with no main over 6”. The 400 block has a 6” main. The 1000 block is 8” on the west half and a mix of smaller sizes on the east. The LOID indicates that a 12” line for domestic uses and a second 12” line for irrigation purposes are needed to service this main east west corridor in the Orchards.

Only three sizable development projects have occurred along Bryden Avenue in the last decade (Tullamore, Southgate Plaza and Kinsale). Each project was hampered by the lack of water service in Bryden and incurred significant costs to extend lines into the property. Water mains had to be tapped in Airway and Linden Avenues. Fire hydrants had to be installed inside Southgate proper to meet fire hydrant spacing requirements. Inadequate water is a constraint to development and redevelopment. When lines are not sufficient to support a hydrant and/or the system is not looped and interconnected, fire flows suffer and service is less reliable. The Lewiston Fire Chief has expressed concern for firefighter and citizen safety resulting from a lack of water for fire suppression.

The water system is deteriorated, and the lack of adequate water creates unsafe conditions, including the potential loss of life and property by fire. Therefore, obsolete water volume and water infrastructure due to obsolesce make the Bryden Corridor a deteriorated and blighted site within the City of Lewiston.
BRYDEN IS A DETERIORATED CORRIDOR WHERE THE CITY HAS ATTEMPTED TO INCENTIVIZE DEVELOPMENT WITH VERY LIMITED SUCCESS.

The Corridor was rezoned to allow commercial development in 2005. Since that time, 5 houses have converted to commercial uses and one new commercial structure was built. The only bright spot is the existing shopping center that has undergone substantial renovation. But even with that project, the city contributed $33,600 in waived building permit fees to secure construction of 24 apartment units.

Two other residential projects (Tullamore and Kinsale apartments) received $3,752,910 and $1,504,470 in public monies. A single-family unit was renovated with $12,975 in Community Development Block Grant funds. These public investments did not provide the desired catalyst for private investment.

Property values along Bryden attest to the market conditions created by the traffic congestion and other limited infrastructure. Of five areas studied, Bryden Avenue had the lowest average sales price per square foot from 2010 to 2017. It was $66 per sq. ft. whereas four other areas studied were $66.45 (9th Ave.) $78.59, $83.23 and $104.07. Recent sales along Ninth Avenue have averaged $116.14 per square foot. Bryden properties had by far the longest average days on the market at 240, whereas the other study areas had 78, 94, 132 and 146 days.

FAULTY LOT LAYOUT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY OR USEFULNESS CREATE BLIGHT CONDITIONS ALONG THE BRYDEN CORRIDOR.

Improving Bryden will be difficult not only from a cost perspective, but also because of the 172 individual parcels along the corridor. Right of way for roadway widening will be required on 151 parcels; potentially a multi-year effort. (Bryden Avenue Corridor Study, 80’ wide ROW Alternative). Faulty lot lay out and development have hampered accessibility and created traffic issues, resulting in blighted conditions.

DIVERSITY OF OWNERSHIP SUBSTANTIALLY ARRESTS THE SOUND GROWTH OF LEWISTON IN REGARDS TO THE NEED TO WIDEN BRYDEN AVENUE.

Final project design, bidding and construction to implement the improvements needed, cannot proceed without all right of way issues addressed. Right of way will need to be acquired or the design modified, along the length of the corridor. The number of individual property owners involved, approximately 150, will make right of way acquisition a lengthy process. Private individual development will not address this large-scale problem affecting multiple properties. Therefore, diversity of ownership arrests the sound growth of Lewiston.

It is proposed that needed right of way and/or acquisition of easements commence once funds are available. It would be ideal to approach owners when properties come onto the market for sale. If the right of way acquisition takes the entire front yard, the URA should
consider whether the entire property needs to be acquired. Circumstance would dictate whether the land should be cleared and/or offered for sale to facilitate land assembly. Fewer, larger projects along the corridor would result in fewer driveways/access points, enhanced traffic control and improved safety. Right of way acquisition will need to follow federal rules regarding appraisals, environmental review and the like.

**BRYDEN AVENUE FINDING OF DETERIORATED CONDITIONS.**

The infrastructure along the Bryden Corridor is obsolete and inadequate for existing and/or future development. This appears to have directly caused stagnating or declining property values and impaired economic development. Conditions along the corridor that pose a danger to life and property include traffic congestion, dangerous intersections, driveway incursions, lack of sidewalks and bicycle lanes, and water volumes inadequate for effective fire suppression. The deterioration on the Bryden Corridor has resulted in economic underdevelopment and impairment of growth in the area as well as a menace to the public health, safety and welfare of the Corridor. The combination of these factors and effects lead to a conclusion of blighted conditions along the Bryden Corridor.

It is clear that water infrastructure is obsolete, inadequate and poses a number of hazards. Factors relevant to these conditions are:

1. The presence of a substantial number of deteriorated or deteriorating structures.
2. Unsanitary or unsafe conditions.
3. Deterioration of site or other improvements.
4. The existence of conditions which endanger life or property by fire or other causes.

The factors identified in above, as well as predominance of defective or inadequate street layout, indicate that the Bryden Corridor has economic stagnation due to these statutory factors.

**PROJECT SUMMARY ESTIMATED COSTS**(1)

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<th>PROJECT</th>
<th>URA COST</th>
<th>CITY COST</th>
<th>OTHER AGENCY OR US</th>
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<tr>
<td>Water System (3)</td>
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<td>1,687,000 LOID</td>
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<tr>
<td>Sanitary Sewer System (4)</td>
<td>1,179,500</td>
<td></td>
<td>1,179,500</td>
</tr>
</tbody>
</table>

(1) A formal cost sharing agreement has not yet been approved.
(2) In 2012 dollars
(3) Projected 2027 costs
(4) In 2018 dollars
OTHER PROJECTS AND REVENUE ALLOCATION AREAS

In developing Revenue Allocation Area #6, Bryden Avenue, the Agency discussed other areas that could be considered blighted, or lacking sufficient infrastructure to support land development, such as Lewiston High School and circulation around the Airport. Another Revenue Allocation Area may not be formed until Lewiston’s taxable value grows considerably or an existing RAA is closed. This Plan only addresses Bryden Avenue.

ECONOMIC FEASIBILITY STUDY

Costs to widen Bryden Avenue (roadway improvements, not utilities) were determined through a nine month $80,000 engineering analysis funded jointly by the Metropolitan Planning Organization and the City of Lewiston.

Improvements needed for the Central Orchards Sewer District were determined through a 3 month, $11,500 analysis. Lewiston Orchards Irrigation District determined cost of needed improvements in house, using decades of experience with similar projects as a guide.

Cost of projects described for Area #6 exceed projected revenues. The Agency will be tasked with finding other sources of revenues to complete the projects, phasing the project, 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 #6 (12/10/2038).

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 2018 Tax Year levies, the four taxing entities will forego an estimated $2.7 million to $4.4 million over the life of the project in tax revenues. Two estimates are provided reflecting differing assumptions on appreciation rate and use of foregone taxes.

City of Lewiston: $2,676,335 ($134,000 average over 20 years)
County of Nez Perce: $1,466,243
Lewiston Independent School District No. #1: $242,901
Port of Lewiston: $30,915

The total base value contained in the RAA in 2018 is estimated at $54,270,325, 2.47% of the total assessed value in the municipality. The total assessed value of the City of Lewiston in Tax Year 2018 is $2,196,276,600.

**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.
This is the Urban Renewal Plan (the “Plan”) for Revenue Allocation Area #6, Bryden Avenue 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 #6 (RAA) as set forth in Exhibit 4 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.

On June 25, 2018, pursuant to Resolution 2018-29 adopted by the City Council, the City determined that all properties within the corporate limits of the City and generally (a) south of Linden Avenue, (b) west of Thain Road, (c) north of Bryden Drive and east of 4th Street and 4th Street D were deteriorated.

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 2018

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 Bryden Avenue #6 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 #6.

Project shall mean the infrastructure improvements 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: Revenue Projections

### Bryden Avenue A

**Appreciation Rate**

<table>
<thead>
<tr>
<th>Year</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
<th>2029</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Levy</td>
<td>$54,270,325</td>
<td>$55,361,159</td>
<td>$55,914,770</td>
<td>$56,473,918</td>
<td>$57,038,657</td>
<td>$57,609,044</td>
<td>$58,185,134</td>
<td>$58,766,985</td>
<td>$59,354,655</td>
<td>$59,948,202</td>
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<td></td>
</tr>
<tr>
<td>RAA Value</td>
<td>$54,813,028</td>
<td>$55,361,159</td>
<td>$55,914,770</td>
<td>$56,473,918</td>
<td>$57,038,657</td>
<td>$57,609,044</td>
<td>$58,185,134</td>
<td>$58,766,985</td>
<td>$59,354,655</td>
<td>$59,948,202</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increment Value</td>
<td>$542,703</td>
<td>$4,590,834</td>
<td>$5,144,445</td>
<td>$5,703,993</td>
<td>$6,268,332</td>
<td>$6,838,719</td>
<td>$7,414,849</td>
<td>$7,996,660</td>
<td>$8,584,330</td>
<td>$9,177,877</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax Increment</td>
<td>$8,773</td>
<td>$74,213</td>
<td>$83,163</td>
<td>$92,061</td>
<td>$98,249</td>
<td>$107,227</td>
<td>$116,260</td>
<td>$125,383</td>
<td>$134,598</td>
<td>$143,811</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax Increment Running Total</td>
<td>$82,986</td>
<td>$166,148</td>
<td>$255,578</td>
<td>$353,862</td>
<td>$461,089</td>
<td>$577,350</td>
<td>$702,733</td>
<td>$837,331</td>
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</table>

### Bryden Avenue B

**Appreciation Rate**

<table>
<thead>
<tr>
<th>Year</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
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<td></td>
</tr>
<tr>
<td>RAA Value</td>
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<td>$55,361,159</td>
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<td>$56,473,918</td>
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<tr>
<td>Increment Value</td>
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<td>$837,331</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Notes:

1. Levies for 2018 Tax Year. Levies will change over time.
2. Total Taxable Value 54,270,325
3. Source: Nez Perce County & City of Lewiston Estimates

### Scenario A:

- Flat Appreciation Rate: 1% throughout the term of the Revenue Allocation Area.
- Use of City Forgone taxes (.000486) for the first four years then drops off.
- Scenario A is the low-end forecast.

### Scenario B:

- Stepped Appreciation Rate: 1% to 3% over time. City Forgone taxes are kept in the levy over the term.
- Scenario B is a more robust increment forecast.
APPENDIX D:
IDAHO 50-2018 AND 50-2905
STATUTES

TITLE 50
MUNICIPAL CORPORATIONS
CHAPTER 20
URBAN RENEWAL LAW

50-2018. DEFINITIONS. The following terms wherever used or referred to in this chapter, shall have the following meanings, unless a different meaning is clearly indicated by the context:

(1) "Agency" or "urban renewal agency" shall mean a public agency created by section 50-2006, Idaho Code.
(2) "Municipality" shall mean any incorporated city or town, or county in the state.
(3) "Public body" shall mean the state or any municipality, township, board, commission, authority, district, or any other subdivision or public body of the state.
(4) "Local governing body" shall mean the council or other legislative body charged with governing the municipality.
(5) "Mayor" shall mean the mayor of a municipality or other officer or body having the duties customarily imposed upon the executive head of a municipality.
(6) "Clerk" shall mean the clerk or other official of the municipality who is the custodian of the official records of such municipality.
(7) "Federal government" shall include the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.
(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.
(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy,
accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(10)"Urban renewal project" may include undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated or deteriorating areas and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include:

(a) Acquisition of a deteriorated area or a deteriorating area or portion thereof;
(b) Demolition and removal of buildings and improvements;
(c) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, off-street parking facilities, public facilities or buildings and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this chapter in accordance with the urban renewal plan;
(d) Disposition of any property acquired in the urban renewal area, including sale, initial leasing or retention by the agency itself, at its fair value for uses in accordance with the urban renewal plan except for disposition of property to another public body;
(e) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;
(f) Acquisition of real property in the urban renewal area which, under the urban renewal plan, is to be repaired or rehabilitated for dwelling use or
related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property;

(g) Acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or to prevent the spread of blight or deterioration, or to provide land for needed public facilities;

(h) Lending or investing federal funds; and

(i) Construction of foundations, platforms and other like structural forms.

(11) "Urban renewal area" means a deteriorated area or a deteriorating area or a combination thereof which the local governing body designates as appropriate for an urban renewal project.

(12) "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan:

(a) Shall conform to the general plan for the municipality as a whole except as provided in section 50-2008(g), Idaho Code; and

(b) Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.

(13) "Related activities" shall mean:

(a) Planning work for the preparation or completion of a community-wide plan or program pursuant to section 50-2009, Idaho Code; and

(b) The functions related to the acquisition and disposal of real property pursuant to section 50-2007(d), Idaho Code.

(14) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest, right and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise.

(15) "Bonds" shall mean any bonds, including refunding bonds, notes, interim certificates, certificates of indebtedness, debentures or other obligations.

(16) "Obligee" shall include any bondholder, agents or trustees for any bondholders, or lessor demising to the municipality property used in connection with urban renewal, or any assignee or assignees of such lessor’s interest or any part thereof, and the federal government when it is a party to any contract with the municipality.

(17) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(18) "Area of operation" shall mean the area within the corporate limits of the municipality and the area within five (5) miles of such limits, except that it shall not
include any area which lies within the territorial boundaries of another incorporated city or town or within the unincorporated area of the county unless a resolution shall have been adopted by the governing body of such other city, town or county declaring a need therefor.

(19) "Board" or "commission" shall mean a board, commission, department, division, office, body or other unit of the municipality.

(20) "Public officer" shall mean any officer who is in charge of any department or branch of the government of the municipality relating to health, fire, building regulations, or to other activities concerning dwellings in the municipality.

History:


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.

History: [50-2905, added 1988, c.210, sec. 5, p. 397; am. 2002, ch. 143, sec. 4, p. 401; am. 2011,
ch.317, sec. 8, p. 923; am. 2016, ch. 349, sec. 5, p. 1022.]

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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
Lewiston City Council
REGULAR MEETING AGENDA
Monday, June 25, 2018 – 6:00 p.m.
Lewiston City Library – Second Floor – 411 D Street
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. PRESENTATIONS AND PUBLIC HEARINGS

   A. FINANCIAL REPORT: Presentation by Administrative Services Director Dan Marsh. (Dan
      Marsh)

   B. PUBLIC HEARING RE: CDBG PY2018-22 CONSOLIDATED PLAN, 2018-2019 ANNUAL
      ACTION PLAN AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE:
      and the 2018 Analysis of Impediments to Fair Housing Choice. (Tanya Brocke)

   C. PUBLIC HEARING RE: CPA18-000001 AND ZC18-000003: APPLICANTS – BRETT AND
      MELISSA KINZER: A request to amend the Comprehensive Plan Land Use Designation from
      High Density Residential to Commercial and change the zoning from Medium Density Residential
      to Community Commercial for the vacant, 0.23 acre parcel adjacent to and east of 3139 5th Street.
      (Joel Plaskon)

V. CONSENT AGENDA

   A. CITY COUNCIL MEETING MINUTES: 04/23/18 BUDGET WORK SESSION

VI. ACTIVE AGENDA

   A. PY2018-2022 CONSOLIDATED PLAN: Considering approval of the PY2018-2022 Consolidated
      Plan. (Tanya Brocke) – Action Item

      Action Plan. (Tanya Brocke) – Action Item

   C. 2018 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE: Considering approval of
      the 2018 Analysis of Impediments to Fair Housing Choice. (Tanya Brocke) – Action Item

   D. REASONED STATEMENT: Considering approval of the Reasoned Statement for ZC18-000003
      and CPA18-000001. (Joel Plaskon) – Action Item
E. **RESOLUTION 2018-28:** Considering implementing the Council's decision in CPA18-000001 and amending the Neighborhood Number Free – West Orchards Future Land Use Map of Chapter 6.5 of Lewiston's Comprehensive Land Use Map. (Joel Plaskon) – Action Item

F. **ORDINANCE 4723:** Considering implementing the Council's decision in ZC18-000003, declaring that certain real property be removed from the Medium Density Residential (R-3) Zone and included in the Community Commercial (C-3) Zone. (Joel Plaskon) – Action Item

G. **RESOLUTION 2018-34:** Considering approving a Development Agreement between the City of Lewiston; the State of Idaho, acting by and through the Idaho State Board of Education as Trustees for Lewis-Clark State College; and Independent School District No. 1 of Nez Perce County, Idaho, which agreement includes a provision leasing certain real property currently owned by the City of Lewiston to Lewis-Clark State College. (Laura Von Tersch) – Action Item

H. **RESOLUTION 2018-29:** Considering creating the Bryden Avenue Urban Renewal Area. (Laura Von Tersch) – Action Item

I. **RESOLUTION 2018-26:** Considering approving a special ballot question for the November 6, 2018, General Election to increase Avista Corporation's Franchise Fee for City of Lewiston street projects from one percent (1%) to three percent (3%) for seven (7) years. (Chris Davies) – Action Item

J. **RESOLUTION 2018-27:** Considering making findings and declarations with respect to financing improvements to the City's public sewer system facilities; authorizing the filing of a petition for judicial confirmation in the District Court of the Second Judicial District of the State of Idaho, and for Nez Perce County. (Chris Davies) – Action Item

K. **FINAL PLAT – NORTHEAST CROSSING ADDITION PHASE IIIB:** Considering conditionally approving the Northeast Crossing Addition, Phase IIIB Final Plat, with the condition that the plat will not be recorded until all Phase IIIB subdivision improvements, including punch list items, are installed, inspected and approved by City staff or an approved financial surety is received by the City to cover minor construction items specifically approved by the City Engineer for bonding; record drawings are received, reviewed and approved by City staff; all applicable Transportation Mitigation Fees have been paid; and all property pins and centerline monuments are installed, inspected and approved by the City Surveyor. (Shawn Stubbers) – Action Item

L. **STATE/LOCAL AGREEMENT – MAIN STREET PEDESTRIAN IMPROVEMENTS:** Considering approving a State/Local Agreement between the City of Lewiston and Idaho Transportation Department for Main Street Pedestrian Improvements. (Chris Davies) – Action Item

M. **ORDINANCE 4720:** Considering repealing and replacing Chapter 2, Article II of the Lewiston City Code regarding rules governing the City Council, amending Section 2-159(b) of the City Code regarding conflicts of interest. (Jana Gómez) – Action Item

N. **ORDINANCE 4713:** Considering amending various sections of Chapter 35, Article IX of the Lewiston City Code titled "Special Events" (Chris Davies) – Action Item
CITY COUNCIL MEETING
AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE
Resolution No. 2018-29
Finding Bryden Avenue is Deteriorated and Suitable for an Urban Renewal Project

AGENDA NO.
AGENDA DATE 6/25/18
CONSENT: □ ACTIVE: x□

1ST READING
2ND READING
3RD/ADOPTION

ORIGINATING SOURCE
Community Development Director

FUNDING CERTIFICATION (IF APPLICABLE)

Date: 6/25/18

DIVISION MANAGER REVIEW (If applicable)

DEPARTMENT MANAGER REVIEW (If applicable)

Date:

Date:

RECOMMENDED FOR COUNCIL ACTION
CITY MANAGER

Date:

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

7/28/14—CC adopted Ordinance No. 4607 “Urban Renewal Plan 2” that recognized that Bryden Avenue may be suitable for an urban renewal project in the future.

2/06/17—CC was requested to prioritize urban renewal efforts in Main East Main (#1), East Orchards Sewer (#2) and Bryden Avenue (#3).

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.

An urban renewal project must be located in an area that is found to be deteriorated or deteriorating as defined in Statute (50-2018 (8), (9) and 50-2903(8)). Specific findings need to be made by the City Council in resolution format to officially start the process of adopting a plan, forming a Revenue Allocation Area and constructing a project.

Bryden Avenue has been found by the Urban Renewal Agency 6/12/18 to be deteriorated as a result of inadequate roadway and water line capacity, safety hazards to persons travelling in vehicles, on foot, persons in need of emergency services and first responders. Diversity of ownership contributes to the problem and makes the solution harder to achieve: widening Bryden Avenue and upsizing utilities. A copy of their report is attached.

ACTION PROPOSED:

I move to adopt Resolution No. 2018-29 and forward same to the Urban Renewal Agency as authorization to begin preparation of an Urban Renewal Plan for Bryden Avenue.
RESOLUTION 2018-29

A RESOLUTION CREATING THE BRYDEN AVENUE URBAN RENEWAL AREA

WHEREAS, pursuant to Resolution 99-75, the City of Lewiston created the Urban Renewal Agency of the City of Lewiston;

WHEREAS, pursuant to Resolution 99-85, the City of Lewiston created the Nez Perce Terrace Urban Renewal Area #1;

WHEREAS, pursuant to Resolution 2005-76, the City of Lewiston expanded the boundaries of Nez Perce Terrace Urban Renewal Area #1;

WHEREAS, pursuant to Resolution 2017-20, the City of Lewiston created the East Orchards Urban Renewal Area; and

WHEREAS, the City of Lewiston now desires to create another urban renewal area within its area of operation, in accordance with the Idaho Urban Renewal Act, I.C. §§ 50-2001 et seq., and the Local Economic Development Act, I.C. §§ 50-2901 et seq.

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

SECTION 1: The real property described and illustrated in Exhibit A, attached hereto and incorporated herein, is hereby declared to be a deteriorated or deteriorating area, as defined by Idaho Code §§ 50-2018(8), 50-2018(9), and 50-2903(8), due to the following: (a) the narrowness of Bryden Avenue is inadequate to safely accommodate existing and projected traffic volumes, thereby endangering public safety or welfare; (b) Bryden Avenue is a high accident corridor and is detrimental to the public safety or welfare of persons travelling in vehicles and on foot, emergency responders, and persons in need of emergency services; (c) the large number of private driveways connected to Bryden Avenue, which result in vehicles pulling onto and off Bryden Avenue and disrupting the flow of traffic, present a public safety hazard; (d) diversity of land ownership substantially impairs or arrests the sound
growth of the City of Lewiston relative to the need to widen Bryden Avenue; (e) traffic congestion, dangerous intersections, driveway incursions, lack of sidewalks, and inadequate water volumes endanger life and property by fire and other causes and also result in economic underdevelopment; and (f) water and sewer lines are deteriorated and inadequate, creating unsafe and unsanitary conditions that are detrimental to the public health, safety, morals, or welfare.

SECTION 2: The real property described and illustrated in Exhibit A is hereby designated as an urban renewal area, in accordance with the Idaho Urban Renewal Act, I.C. §§ 50-2001 et seq., and the Local Economic Development Act, I.C. §§ 50-2901 et seq. Such urban renewal area is to be known as the "Bryden Avenue Urban Renewal Area."

SECTION 3: The Bryden Avenue Urban Renewal Area is hereby designated as appropriate for one or more urban renewal projects. Accordingly, the Urban Renewal Agency of the City of Lewiston is hereby directed to develop an urban renewal plan for the Bryden Avenue Urban Renewal Area. Such urban renewal plan shall then be returned to the City Council, with recommendations from the Urban Renewal Agency of the City of Lewiston, for public hearing.

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

PASSED this 25th day of June, 2018.

CITY OF LEWISTON
By: ____________________________
    Michael F. Collins, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

RESOLUTION 2018-29
2 of 4
EXHIBIT A

Bryden Avenue Urban Renewal Area

The Bryden Avenue Urban Renewal Area shall, generally, consist of properties: (a) south of Linden Avenue, (b) west of Thain Road, (c) north of Airway Avenue, and (d) east of 4th Street and 4th Street D, as more particularly depicted in the diagram on the following page.
JUNE 25, 2018

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular
meeting on Monday, June 11, 2018, on the second floor of the Lewiston City
Library, 411 “D” Street, Lewiston. Mayor Collins called the meeting to order at
6:00 p.m.

I. ROLL CALL

Councilors Present: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner;
Randall.

II. PLEDGE OF ALLEGIANCE

Councilor Blakey 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.

Ms. Deanne Scrabeck, 512 24th Street North, reported she has been a member
of the Friends of the Airport for the past 8 years. During that time there have been
many ups and downs, but what is going on today is absolutely shameful. She said
it is obvious there needs to be a change and a transformation began about two years
ago. There was a large lease on the south side, a US Forest Service tanker base was
considered, and the possibility of paved parking to increase revenue was
researched. Then the existing board became fractured. Since that time, three
members have resigned and others have been assigned by the city and county. Ms.
Scrabeck said the city assigned a temporary individual evaded attending the
meetings and was then placed on the board as a permanent board member.
Additionally, the city appointed a grant writer with economic development
experience. Ms. Scrabeck said the airport doesn’t need this as they have an airport
manager who performs these tasks. Soon the airport will lose Horizon Air and
nothing is being done to replace them. Gary Peters gathered a group and went to
talk to Skywest to see what could be done, and the airport manager didn’t even
participate. The current manager has now terminated the bookkeeper and there is
nobody to do payroll or pay the bills. Ms. Scrabeck said it is shameful what the
airport manager has been allowed to create. She shamed the councilor who she felt
has drug Gary Peters through the mud, stating all of the allegations were false. Ms.
Scrabeck stressed that the truth of what has happened with the airport will come
out very soon and the council will be responsible for explaining this to the
community.
June 11, 2018  
City Council Regular Meeting Minutes

Mr. Jerry Northrup, 1623 Powers, COSD Board member, said he is opposed to judicial confirmation and asked the council to consider saving capital improvement monies over the course of about 11 years and to make improvements to the plant at that time. Additionally, he encouraged the council to extend the East Orchards sewer line to all residents in that area of the city.

Mr. Brian Hensley, 1013 11th Avenue, said there may be some unintended consequences if the City chooses to dissolve COSD and LOSD. He noted there are potential legal differences of opinion and that the council should not rely heavily on the City's legal advice because he believes it hasn't had a very good record in the past.

Mr. Mark Edelblute, 1730 8th Avenue, said he has lived in Lewiston his entire life. When the Orchards was annexed, everyone thought it was going to be a great deal; however, downtown residents ended up getting the shaft with regard to water and sewer. He said he is amazed the council can continually put huge amounts of money toward projects such as 18th Avenue, the round-a-bout at Thain and Powers and North Lewiston when they have enormous obligations in terms of the water and sewer plants. He asked for an explanation.

Mr. Doug Havens, 3513 22nd Street, addressed the airport and a great concern for its budget. He said he is surprised there is so little attention given to the fact that it has tripled and board meetings have not been taking place due to a lack of a quorum. City representatives are not showing up and county appointees are just waiting on them. The bookkeeper has been fired and there is nobody to take her place. Mr. Havens said if people cannot trust the council to take care of a major asset like the airport that is already in place, then they cannot be expected to approve a $29 million bond to build a new sewer plant.

Mr. Gary Peters, Clarkston, extended an invitation to the council and the city manager to attend an event at the airport on Friday evening prior to the air show on Saturday. He said he is focused on keeping things positive and growing and has faith in the Lewiston/Nez Perce County Airport. One of the best airports in the region as far as location, weather, terrain, etc., Mr. Peters said it deserves some special treatment. Prior to expecting upwards of 10,000 people at Saturday's air show, Friday evening there will be a dinner and a movie about one of the rarest Warcraft of World War II as well as some lifetime achievement awards and other accolades. He asked all those interested to e-mail him.

Councilor Pernsteiner moved to swap the order of Items I and J on the Active Agenda. The motion was seconded by Councilor Blakey and carried unanimously.
IV. PUBLIC HEARINGS AND PRESENTATIONS

A. FINANCIAL REPORT

Administrative Services Director Marsh reported on the April and May financials, noting that the information is also available on the city’s Open Gov website, and City of Lewiston website. Within the General Fund, the average expenditures sit at 58 percent. The revenues are beginning to catch up with the expenses. The Capital Fund receives most of its property taxes early so is at 46 percent; however, capital expenditures are really just now beginning to take place.

Councilor Pernsteiner questioned the reason Parks and Recreation revenue is so low at 12 percent. Mr. Marsh replied many of the programs for Parks and Recreation are seasonal, so the fund should be closer to normal by the end of August. Additionally, there are shortfalls in Senior Nutrition.

B. PUBLIC HEARING RE: CDBG PY2018-22 CONSOLIDATED PLAN, 2018-2019 ANNUAL ACTION PLAN AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Mayor Collins announced this as the time and place advertised for the public hearing regarding the CDBG PY2018-22 Consolidated Plan, 2018-2019 Annual Action Plan and Analysis of Impediments to Fair Housing Choice. He opened the hearing and asked that a staff report be provided.

Community Development Specialist Brocke introduced Melissa Mailloux, Principal of Mosaic Planning from Atlanta GA. Ms. Mailloux reported Mosaic was hired to complete the Consolidated Plan, the Annual Action Plan and the Analysis of Impediments. The Consolidated Plan identifies community development housing and homeless needs and serves as an application submitted in order to receive CDBG block grant funds. The main point was to look at data, get input from the community and develop a strategy on how to use the funds.

The second study is a fair housing study required for any city or county that gets money from HUD. It looks at any barriers to obtaining equal housing within the city. The document is comprised from research, data analysis, and input from the community and finally feedback from the city. Today is the last day of the 30-day comment period. Ms. Mailloux indicated there have been focus groups, a community survey and one-on-one stakeholder interviews in an effort to determine the biggest housing development needs within the city. It was determined in terms of the five year housing priorities, housing affordability was the most popular. Additionally, there was a great deal of discussion on homelessness and prevention, improving public facilities, streets, ADA accessibility and providing services and economic opportunities. Projects recommended for funding include residential
rehabilitation for low income households, a transit shelter, ADA improvements on 5th Street, fair housing outreach and an overall ADA Plan.

Ms. Mailloux said the last study performed was a fair housing study which looked at any outside impediments. It was discovered that potential impediments included a limited supply of affordable housing for low to moderate income households, supply of accessible housing with disabilities and finally a continued rights for residents and landlords. Some activities the city could consider would be providing support for new affordable rental housing, working with landlords on voucher programs, and translating materials about different programs into Spanish.

The Mayor called for testimony both in favor and in opposition.

Mr. Brian Hensley said he can't imagine there is a need to translate material to Spanish and believes the biggest impediment for low income housing is the lack of money. He said he has some difficulty in understanding how the city can make that much of a difference.

There being no further testimony, the public hearing was closed.

C. **PUBLIC HEARING RE: CPA18-000001 AND ZC18-000003: APPLICANTS – BRETT AND MELISSA KINZER**

Noted as the time and place advertised for the public hearing regarding CPA18-000001 and ZC18-000003, Mayor Collins opened the hearing and called for a report from staff.

City Planner Plaskon explained Brett and Melissa Kinzer own a vacant lot next to their heating and air conditioning business at 3139 5th Street. They desire to construct an equipment storage building on the lot. The lot, with their business on it, is zoned Community Commercial (C3), but their adjoining vacant lot is zoned Medium Density Residential (R3). The R3 Zone does not allow construction of a commercial storage building. Therefore, they request a zone change for the subject lot from R3 to C3. Mr. Plaskon continued by explaining the subject lot is also designated High Density Residential on the Comprehensive Plan Map and the C3 Zone does not comply with the HDR Comprehensive Plan Land Use designation. Zoning of property is not to be in conflict with the Comprehensive Plan. Therefore, the rezone requires an amendment of the Comprehensive Plan Map from HDR to Commercial (C).

Mr. Plaskon said the Planning & Zoning Commission conducted a public hearing on the applications on May 9, 2018, and received testimony from one person in favor of granting the requests. The Commission unanimously recommended that the Council approve CPA18-000001 and ZC18-000003.
June 11, 2018

City Council Regular Meeting Minutes

Councilor Blakey asked if the zone change will require additional sidewalk to be installed. City Engineer Stubbers added City Code would require installation of curb, gutter and sidewalk as is with all new construction. He noted, however, the Kinzer’s would be allowed to take part in the FILO program since there are no other sidewalks in the area.

Mayor Collins asked if there was any public testimony, either in favor or against the request. There being none, he closed the public hearing.

V. CONSENT AGENDA

Mayor Collins 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 Kleeburg 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: 04/23/18 BUDGET WORK SESSION

Following the reading of the Consent Agenda, a motion was made by Mayor Pro Tem Schroeder and seconded by Councilor Pernsteiner to adopt. The motion carried with 7 ayes.

VI. ACTIVE AGENDA

A. PY2018-2022 CONSOLIDATED PLAN

Councilor Randall moved to approve the PY2018-2022 Consolidated Plan. The motion was seconded by Councilor Kleeburg.

Councilor Pernsteiner stated he appreciates the information that was gathered and appreciates the community engagement. On the data analysis side, a fair amount of the data supplied is from 2010 or from a survey dated 2009 through 2013. He noted, in moving forward, he would like to see this come to the council earlier so they might have time to make a few changes. One neighborhood is a “little less” than another neighborhood is not as helpful as comparing to another state, regional and national standards. He questioned how much effort the city should put into this as there are already industry leaders working towards that end. Responding to a question raised by Councilor Pernsteiner regarding goal outcome indicators, Ms. Brocke explained the indicators are the program plans for the next five years. She noted it serves as a tracking system used by the city and there would be no implications from HUD if the goals were not reached.

The motion to approve carried unanimously.
B.  **PY2018-2019 ANNUAL ACTION PLAN**

A motion was offered by Mayor Pro Tem Schroeder to approve the PY2018-2019 Annual Action Plan. Councilor Blakey seconded the motion.

Councilor Blakey asked if the ROC is fully aware the Executive Director is only being funded for one year under this Action Plan. Ms. Brocke confirmed, explaining they could reapply for the same funding the following year but would have to go through the application process and meet the eligibility requirements. She noted it is the ROC’s plan to do fundraising to help pay for the salary in the future.

Councilor Randall expressed concern for the city financing a salaried position for another organization. One of the stipulations for CDBG funding is to administer grant funds as efficiently as possible, noting bricks and mortar projects as an option. He suggested the funds be used for rental rehabilitation.

Therefore, Councilor Randall moved to modify the Action Plan goals to utilize the $28,000 the ROC is requesting for the salary of the Executive Director for residential rehabilitation. Councilor Miller offered a second.

Councilor Blakey asked if the city has used CDBG funding in the past to fund salaried positions. Community Development Director Von Tersch indicated it has not as it falls under the category of social services and the city prefers capital projects. Mr. Blakey said having read the results of the consolidated plan and surveys, homelessness issues continue to rise. He said he sees the requested $28,000 as seed money to get the ROC headed in the right direction and to address the homeless issues within the city. It serves as a one-year partnership to get the organization up and running. Councilor Pernsteiner agreed, noting homelessness is a huge issue.

Councilor Randall pointed out the report states that many of the lower rent apartments/living units are in disrepair and individuals often have to rent more expensive places to live. He reiterated the importance of putting the $28,000 toward rehabilitation.

Responding to a question asked by Mayor Pro Tem Schroeder, Community Development Specialist Brocke explained every applicant who applies for CDBG funding has to sign a sub recipient agreement which outlines all of HUD’s requirements. If they are not in compliance, then the City can terminate that funding and put it towards other qualified projects.

Councilor Miller said she would be remiss to not mention all of the work that has been done to address homelessness in the city. The ROC Rescue Mission has a history of serving this population and if CDBG funds can be used to extend those
services, then she believes it should go towards the Executive Director’s salary. This is just part of a process many people have been working on for a long time.

Mayor Collins asked if there is a way to measure the success of the Executive Director’s position. Ms. Brocke replied that one measurement is performed by the number of clients they have served.

The amended motion carried 4 to 3 with Mayor Collins, Mayor Pro Tem Schroeder and Councilors Kleeburg and Randall voting aye and Councilors Blakey, Miller and Pernsteiner voting nay.

The main motion on the floor carried 6 to 1, with Councilor Blakey voting nay.

C. **2018 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

Councilor Randall moved and Mayor Pro Tem Schroeder seconded adoption of the 2018 Analysis of Impediments to Fair Housing Choice. There were no objections and the motion carried with 7 ayes.

D. **REASONED STATEMENT**

A motion and second were made by Councilors Kleeburg and Pernsteiner to approve the Reasoned Statement for ZC18-000003 and CPA18-000001. The motion carried unanimously.

E. **RESOLUTION 2018-28**

A motion was made by Councilor Kleeburg to approve Resolution 2018-28 by title only. Councilor Blakey seconded the motion. **ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.**

**RESOLUTION 2018-28:** “A RESOLUTION OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL’S DECISION IN CPA18-000001 AND AMENDING THE NEIGHBORHOOD NUMBER FIVE - WEST ORCHARDS FUTURE LAND USE MAP OF CHAPTER 6.5 OF LEWISTON’S COMPREHENSIVE LAND USE PLAN”

F. **ORDINANCE 4723**

Councilor Randall moved to approve the first reading of Ordinance 4723 by title only. Councilor Pernsteiner seconded the motion and it carried with 7 ayes.
ORDINANCE 4723: "AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL’S DECISION IN ZC18-000003, DECLARING THAT CERTAIN REAL PROPERTY BE REMOVED FROM THE MEDIUM DENSITY RESIDENTIAL (R-3) ZONE AND INCLUDED IN THE COMMUNITY COMMERCIAL (C-3) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE"

G. RESOLUTION 2018-34

Community Development Director Von Tersch said she cannot count the number of hours the three entities (City of Lewiston, Lewis Clark State College and School District) involved have put into this project. The bond was just the beginning. Now there is an agreement outlining what is needed and the appropriate methodology for cost allocation. All three groups have taken this agreement to the executive level and have each had the document reviewed by their respective attorneys. The city is the first elected body to vote on the agreement, the School District will do so on July 9th, and LCSC is scheduling a special meeting of the State Board of Education. Each team has agreed to not recommend any unilateral changes at this point as everyone is in agreement with the proposed document.

Upon a motion and second offered by Mayor Pro Tem Schroeder and Mayor Collins, respectively, Resolution 2018-34 was adopted.

Councilor Blakey said he believes the project is short sided by not including sidewalks along Warner Avenue. There will be no connectivity clear around the corner by Dels until it gets back to the park property. Additionally, there is another gap all the way to 13th. Ms. Von Tersch noted this is being pursued. She noted the council typically allocates $50,000 per year towards sidewalk projects and may want to direct that expenditure to this project.

ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Randall. VOTING NAY: Pernsteiner.

RESOLUTION 2018-34: "A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LEWISTON; THE STATE OF IDAHO, ACTING BY AND THROUGH THE IDAHO STATE BOARD OF EDUCATION AS TRUSTEES FOR LEWIS-CLARK STATE COLLEGE; AND INDEPENDENT SCHOOL DISTRICT NO. 1 OF NEZ PERCE COUNTY, IDAHO, WHICH AGREEMENT INCLUDES A PROVISION LEASING CERTAIN REAL PROPERTY CURRENTLY OWNED BY THE CITY OF LEWISTON TO LEWIS-CLARK STATE COLLEGE"
H. RESOLUTION 2018-29

A staff report was provided by Community Development Director Von Tersch who explained this will be the last revenue allocation area for a very long time as the cap has been reached. Currently in the design phase of Phase 1, which is along Bryden Avenue from 4th to 7th Streets, the URA would then apply for federal funds with a 7 percent match. It looks like a 50/50 cost share with the utility companies would be needed in order to complete this project, even with such a heavy federal allocation toward the project. Staff prepared a report for the URA as to why this roadway is deteriorated, which really gets down to roadway capacity and safety, as well as the lack of water flow lines and lack of water puts not only the residents in unsafe conditions, but also emergency responders. Therefore, the URA recommends adoption of Resolution 2018-29, making the findings the area is deteriorated and suitable for an urban renewal project.

Councilor Pernsteiner asked if there is a time line for completion of the project. Ms. Von Tersch indicated it is 20 years per statute. Additionally, in response to another question raised by Mr. Pernsteiner, Community Development Director Von Tersch explained the first instructions were to pick up all parcels that touched Bryden Avenue, regardless of their depth, and then attempt to pick up everything between Linden and Airway Avenues. This turned out to be way too much property. Therefore, it was determined if the parcel would have touched Linden Drive or Airway Drive, then it was included. If the council has an interest in including the parcel along 10th, that could certainly be done.

Councilor Kleeburg expressed his full support. He said having lived in the Orchards since 1985, he can attest to the increased volume of traffic along Bryden Avenue.

Councilor Miller moved to adopt Resolution 2018-29. The motion was seconded by Mayor Pro Tem Schroeder and carried 7 to 0. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.

RESOLUTION 2018-29: “A RESOLUTION CREATING THE BRYDEN AVENUE URBAN RENEWAL AREA”

I. RESOLUTION 2018-26

Public Works Director Davies said city staff asked council if they would like to pursue a franchise again after it did not pass with the voters. During several work sessions, the council indicated they wanted to see very specific projects being completed with the money which include 10th Street, 9th Street Grade, 21st Street, 11th Avenue, 11th Street and Warner Avenue, Stewart, 5th Street, Main Street, Blue Bridge and 3rd Street to Capital Street. The 2 percent franchise fee increase would
bring in approximately $5 million plus over the course of 7 years. It is estimated
this would be an approximate $2 per month increase for a single family dwelling.

Councilor Kleeburg noted several organizations are exempt from paying
property taxes, however would be contributing through the franchise fee.

In response to a question asked by Councilor Randall, Mr. Davies explained
the projects would not be completed in the order in which they would be listed on
the ballot. The order would depend on other available dollars through grants and
funding sources. If grant funding were received, the projects would be brought to
the council to determine their priorities.

City Attorney Gómez explained a new law will become effective July 1st that
states a city cannot use any city funds to promote a ballot item; however, they can
use these funds to for education purposes. City Manager Nygaard noted staff has
an education plan, has set up public speaking opportunities, and has created
informational brochures. It is hoped the council will also participate in the
education component.

Councilor Pernsteiner expressed concern about taking this issue to the voters
who have already voted against it. Further, it was reported at the most recent work
session that residents could be looking an additional $400 to $500 more in taxes next
year. For those reasons, Mr. Pernsteiner indicated he would be voting against
pursuit of the franchise fee.

Mayor Pro Tem Schroeder said she believes one of the reasons it failed at the
voter level was because the language was not clear and people did not understand.
With all the education planned, a second effort could be very successful. This
affects everyone in the city as all citizens’ use the streets, sidewalks and curbs and
the franchise fee would be a great way to get the streets repaired.

Councilor Kleeburg noted he fully supports a 2 percent franchise fee increase
on the Avista bill. Councilors Randall and Miller also agreed to move forward with
the franchise fee on the ballot. Ra

Following a motion and second from Mayor Pro Tem Schroeder and
Councilor Miller, respectively, Resolution 2018-26 was adopted. ROLL CALL
VOTE: VOTING AYE: Schroeder; Blakey; Kleeburg; Miller; Randall. VOTING
NAY: Pernsteiner, Collins.

RESOLUTION 2018-26: “A RESOLUTION APPROVING A SPECIAL BALLOT
QUESTION FOR THE NOVEMBER 6, 2018, GENERAL ELECTION TO INCREASE
AVISTA CORPORATION’S FRANCHISE FEE FOR CITY OF LEWISTON STREET
PROJECTS FROM ONE PERCENT (1%) TO THREE PERCENT (3%) FOR SEVEN
(7) YEARS”
June 11, 2018  
City Council Regular Meeting Minutes  

J. RESOLUTION 2018-27

Public Works Director Davies reported the Council passed a motion to proceed with judicial confirmation on May 7, 2018, and then held a public hearing on June 11, 2018. The next step is for the council to decide whether or not to proceed with the filing of the petition for judicial confirmation with the District Court. If the decision is to proceed, Council would approve Resolution 2018-27 declaring the expense of the wastewater system improvements to be an ordinary and necessary expense of the City. Mr. Davies said there has been a lot of discussion about this going to the voters. Though not an easy decision, judicial confirmation is a tool for the council to use to move forward with improvements at the Wastewater Treatment Plant. Public Works Director Davies assured the council that staff is not asking for a Cadillac treatment plant, but merely what is necessary to move forward in the city.

Mayor Pro Tem Schroeder mentioned a savings to the taxpayers by going through the judicial confirmation process now as opposed to building the plant sometime in the future. Mr. Davies concurred, stating materials and interest rates would most likely increase over time.

Mayor Pro Tem Schroeder moved to adopt Resolution 2018-27. Councilor Miller seconded the motion.

Councilor Kleeburg said in 2007 there was a 5 percent increase in sewer rates, another 5 percent increase in 2008, a 4 percent increase in 2009, a 0 percent increase in 2010, a 3 percent increase in 2011 and a 0 percent increase in 2012. That has affected the council’s ability to soften the blow of a 40 percent proposed increase. Regardless if the council chooses to take this issue to the voters by means of an election, it doesn’t change that fact that the City of Lewiston needs a new Wastewater Treatment Plant. Mr. Kleeburg said this increase is unfortunate, but if this is what it is going to take, then it has to be done. He added he would not have any objection to exploring the dissolution of the other two sewer districts within the city.

Councilor Blakey agreed with dissolving the other sewer districts. He explained that 30 or 40 years ago federal tax dollars were available for the construction of sewer plants. Those dollars are no longer available and now cities all over the country have to come up with money for rebuilds and replacement. The State Legislature understands this dilemma and provided the option of judicial confirmation. The wastewater treatment plan is needed for the future of this community. Though nobody wants to see rates increase, the longer it is talked about, the more expensive it will become.

Councilor Pernsteiner said the fact is that nobody wants to pay for a new wastewater treatment plant or a new water plant. However, it comes down to
infrastructure and its necessity. He said he believes if this is taken to the voters they would buy into it. It is important for citizens to have input into this process and allow them to be part of this decision. The key component will be education.

Mayor Pro Tem Schroeder said she believes judicial confirmation is the right option. The wastewater treatment facility is critical to the community. Without it, people would not be able to flush their toilets or drink water from their taps. The choice was taken away by previous councils when they didn’t support consistent rate increases over the years. Mayor Kleeburg added that his opinion is if this was to go to the voters and it didn’t pass, the council would be right back where they are today.

Councilor Pernsteiner agreed that something has to be done. However, he reiterated he believes the citizens of Lewiston are smart enough to make the right decision. Being a part of that comprehensive decision is something they are entitled to.

Mayor Collins said he is wavering. He said he knows the public elected the council to do its very best, but at the same time he said he would like to give them an opportunity to vote. The challenge is how the council does this with the least amount of pain possible. Mr. Collins said he is leaning toward the idea he wants to trust the public will see the dire need and that this plant needs to be happen.

In response to a question raised by Councilor Randall, City Attorney Gómez explained if the council approved the Resolution before them this evening, then the petition would be filed with the District Court. At that time, any member of the public could come forward and contest that petition. Councilor Randall urged the council to consider some sort of discount program for those on fixed incomes and Councilor Blakey agreed.

ROLL CALL VOTE: VOTING AYE: Schroeder; Blakey; Miller; Randall. VOTING NAY: Pernsteiner, Collins, Kleeburg.

K. FINAL PLAT - NORTHEAST CROSSING ADDITION PHASE IIB

Mayor Pro Tem Schroeder and Councilor Miller moved and seconded approval of the Final Plat for Northeast Crossing Addition Phase IIB. There were no objections and the motion carried 7 to 0.

L. STATE/LOCAL AGREEMENT - MAIN STREET PEDESTRIAN IMPROVEMENTS

Public Works Director Davies reported in January 2016, the city applied for Local Highway Safety Improvement Program funding to make pedestrian improvements on Main Street, from Brackenbury Square to DelSol Lane. The
project was awarded and the council approved the State and Local Project Development Agreement. In February 2018, a professional services agreement with TD&H Engineering was executed in the amount of $25,000 to complete the project plans, specifications and estimate.

The Main Street Pedestrian Improvements project will enhance pedestrian crossings and signing on Main Street. The project will construct ADA compliant pedestrian ramps at non-compliant and non-existent ramp locations and install pedestrian actuated rectangular rapid flashing beacons at 11th Street/D Street and Delsol Lane, and retrofit the beacons at Brackenbury Square.

Mr. Davies indicated the agreement is for the construction phase of the project to include construction, administration, inspection and testing. Total funding for the project, $326,376, is 92.66 percent FHWA and 7.34 percent local ($23,956). This funding includes $289,376 for this construction phase and $37,000 expended in the project development phase.

Councilor Kleeburg said he is concerned about the process. After meeting with the Beautiful Downtown Lewiston group earlier in the month, the consensus was some of the information obtained through a circulation study performed in 2015 may not have been included in the construction plan. City Manager Nygaard reported he met with Ms. Kramer and checked into the requirements. Two of BDL’s requests weren’t necessarily compatible with each other. Mr. Nygaard said he understands the group’s needs and wants but the funding source doesn’t necessarily fit. A solution could not be determined through this funding to obtain their desired improvements so other solutions will need to be sought to address their requests for downtown.

Councilor Blakey asked if money has already been committed if the council were to not vote in favor of the agreement. Public Works Director Davies confirmed, noting that to be approximately $5,000 plus the possible expenditure of state dollars that may have to be reimbursed.

A motion was then offered by Councilor Randall to approve the State/Local Agreement between the City of Lewiston and Idaho Transportation Department for Main Street Pedestrian Improvements. Councilor Miller seconded the motion. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.

M. ORDINANCE 4720

Mayor Pro Tem Schroeder and Councilor Kleeburg moved and seconded, respectively, the first reading of Ordinance 4720 by title only.
Councillor Randall moved to amend Section 2-18, Roberts Rules of Order. He asked that the entire section be stricken as other language within the Ordinance contains everything within the new version of Roberts Rules. He said he feels it is redundant. Councilor Blakey seconded the motion.

Councilor Blakey indicated Attorney Jerry Mason has repeatedly come to meetings through the Association of Idaho Cities and said that Roberts Rules of Order is not a functional tool for small government.

Mayor Pro Tem Schroeder sought the opinion of City Attorney Gómez. Ms. Gómez said she is ok with removing this language. At times staff does look to a specific rule to determine how it should be handled, but believes the council would be fine without it.

Councilor Pernsteiner said he doesn’t feel council knows all the implications of removing the Roberts Rules of Order at this point and may be setting themselves up for discontinuity. He stated he doesn’t feel trying to determine all of these implications would be a good use of the city attorney’s time.

The motion to amend carried 5 to 2 with Councilors Miller and Pernsteiner voting nay.

Councilor Pernsteiner moved to amend the council’s compensation to the original amounts of $770 and $520. He said he doesn’t feel it is prudent to ask the citizens to approve an increase in council’s salary when they are being asked to approve a $28 million bond. Mayor Pro Tem Schroeder seconded the motion.

Councilor Miller disagreed. She emphasized the council puts a lot of effort into what they do and there hasn’t been an increase for a very long time. Councilor Blakey noted the proposed increase wouldn’t take place until January 2020. Though it’s not about the money, it shows a token of faith by the city that the council is important. It is already difficult to attract qualified candidates to run for council.

City Manager Nygaard said this was his suggestion as he sees the level of effort the council puts forth. The council has not seen an increase in their salaries for 13 years and it is time as they are worth every penny.

The amended motion failed two to five with Councilors Pernsteiner and Kleeburg voting aye.

Councilor Randall moved to amend Section 2-35, Council Compensation, to change the mayor’s salary to $1,000 per month and the councilor’s salary to $900 per month and to add that both the mayor and councilor’s compensation would be
adjusted with the CPI annually. City Attorney Gómez explained by state statute, an increase in CPI is not allowed. The motion failed for lack of a second.

Another amended motion was made by Councilor Randall to strike the sentence on Page 4 regarding “exceptional circumstances”. He noted if it is necessary to get agenda items into the city clerk so late, they should not be added to the agenda. Mayor Kleeburg seconded the motion. Upon additional discussion, the motion failed 6 to 1, with Councilor Randall voting aye.

The main motion to read carried 7 to 0.

ORDINANCE 4720: AN ORDINANCE OF THE CITY OF LEWISTON REPEALING AND REPLACING CHAPTER 2, ARTICLE II OF THE LEWISTON CITY CODE REGARDING RULES GOVERNING THE CITY COUNCIL; AMENDING SECTION 2-159(b) OF THE CITY CODE REGARDING CONFLICTS OF INTEREST; AND PROVIDING AN EFFECTIVE DATE”

N. ORDINANCE 4713

It was explained by Public Works Director Davies that the Council previously postponed any further action on this item, per staff recommendation, until the June 25, 2018, City Council meeting. In previous action, City Council was apprised of two major changes that have occurred with respect to Special Events: 1) the current Ordinance does not allow for residents and/or businesses to hold a Special Event unless they are “non-profit”; and 2) a long standing event like “Hot August Nights” is no longer held in conjunction with “non-profits” and now is solely sponsored by a private enterprise – thus under current Code would not be allowed to happen.

At this time, city staff recommends the current version of the proposed Ordinance be postponed to provide city staff time to rewrite the Ordinance to allow residents and businesses to hold a Special Event under certain conditions. Due to demands outside of the staff’s control, it is recommended that the Council again postpone the adoption of this Ordinance until September 24, 2018.

A motion was made by Mayor Pro Tem Schroeder to postpone Ordinance 4713 to the September 24, 2018, regular City Council meeting. The motion was seconded by Councilor Pernsteiner and carried unanimously.

O. RESOLUTION 2018-30

It was moved and seconded by Mayor Pro Tem Schroeder and Councilor Blakey to donate a surplus WatchGuard camera system to Lewis County, Idaho by means of Resolution 2018-30. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.
RESOLUTION 2018-30: “A RESOLUTION CONVEYING OWNERSHIP OF A WATCHGUARD CAMERA SYSTEM TO LEWIS COUNTY, IDAHO”

P. RESOLUTION 2018-31

Councilor Randall offered a motion to adopt Resolution 2018-31. Mayor Pro Tem Schroeder seconded the motion. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.

RESOLUTION 2018-31: “A RESOLUTION CONVEYING OWNERSHIP OF VARIOUS SURPLUS EXTRICATION EQUIPMENT TO THE WHITMAN COUNTY FIRE PROTECTION DISTRICT NO. 14”

Q. VOUCHERS PAYABLE

Mayor Pro Tem Schroeder moved to approve the Vouchers Payables dated June 1, 2018, through June 14, 2018, in the amount $1,358,062.59; Councilor Blakey seconded the motion.

Councilors Kleeburg, Blakey, Pernsteiner and Randall all disclosed their names are on the Vouchers for reimbursement purposes.

The motion carried 6 to 0 to 1, with Councilor Miller abstaining due to a potential conflict of interest.

VII. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Randall said while attending the recent Association of Idaho Cities Conference in Boise, he learned that the death rate from drug overdoses has gone from a single digit to 3 digits within the past 5 years.

Councilor Pernsteiner indicated he too attended the AIC Conference wherein some very interesting discussions on affordable housing in Idaho took place. He said there is a lot of confusion about how things are paid for, particularly with regard to public works projects. Mr. Pernsteiner expressed the importance of educating the community on what their tax dollars are going towards.

Councilor Blakey thanked the council as they made some tough decisions this evening. Additionally, he addressed comments offered by Doug Havens under Citizens Comments. He reminded Mr. Havens that the airport is a joint ownership of the city and county and is not the sole responsibility of the city.
June 11, 2018
City Council Regular Meeting Minutes

Councilor Miller congratulated Ms. Deb Smith who was recently appointed to the Airport Authority. She noted Ms. Smith is a devoted economic development specialist who will bring knowledge and diversity to the Authority.

Mayor Collins recognized Fire Chief Myklebust for recently being named as Firefighter of the Year by the American Legion.

Councilor Kleeburg also recognized Assistant City Attorney Kayla Herman for receiving the Rising Star Award from the Municipal Attorney’s Association.

B. CITY MANAGER COMMENTS

City Manager Nygaard said regarding comments made by Doug Havens earlier in the meeting about the City of Lewiston doing the books for the Airport, he reported he offered assistance from the city to Mr. Havens for that purpose but has not heard back from him. City staff has concerns and also wants to ensure the airport can meet its payroll and keep the proper reports. Mr. Nygaard said if the city does assist in this process, he would let the council know.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

There were no advisory board or commission appointments.

D. WORK SESSION AGENDA TOPICS

No new topics were offered for future work session discussion.

VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilor Randall moved and Councilor Schroeder seconded adjournment of the June 25, 2018, Regular Council Meeting at 9:14 p.m.

Kari Ravencroft, Recording Secretary

Date approved by City Council
REVISED JUNE 5, 2018
URBAN RENEWAL AGENCY BOARD
MEETING AGENDA
Tuesday, June 12, 2018 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

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

I. CALL TO ORDER

II. PUBLIC COMMENT

III. INFORMATIONAL ITEMS
A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)
B. Update, East Orchards Sewer (Stubbers)

IV. ACTION ITEMS
A. Approval of Minutes 05/08/18
B. Approval of Invoice #20, McCann Limited Partnership $118,711.46 (total paid to
date, including this invoice $1,593,218.79)
C. Approval of Invoice, Douglass $1,884
D. Approval of Invoice, Elam and Burke, $1,925
E. Approval of Invoice #1 & 2, Mountain Waterworks $12,941.08
F. Approval of Bryden Avenue Finding of Deteriorated Condition

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments

VI. ADJOURN

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at 208-746-1318.
TO: LEWISTON URBAN RENEWAL AGENCY BOARD
FROM: LAURA VON TERSCH
DATE: JUNE 11, 2018
RE: ELIGIBILITY STUDY FOR PROPOSED REVENUE ALLOCATION AREA #6

I. INTRODUCTION

This document sets forth analysis and conclusions regarding whether the Bryden Avenue Corridor, as proposed Revenue Allocation Area 6 meets the statutory definition of blight and whether the Lewiston URA should recommend adoption of the proposed Revenue Allocation Area.

The Bryden Avenue Corridor is the subject of attention for a variety of reasons, including sanitary infrastructure that has reached the end of its useful life and is now obsolete, fire hazards, declining property values, stagnating development, dangerous traffic conditions, faulty lot layout and development relative to the right of way.

II. TRAFFIC CONDITIONS IN THE BRYDEN AVENUE CORRIDOR ARE UNSAFE, DUE TO DEFECTIVE OR INADEQUATE STREET LAYOUT.

Lewiston’s Long Range Transportation Plan (LRTP) updated in 2013 identified significant, existing congestion on Bryden Avenue (Exhibit 1, LRTP Chapter 2 p. 3) that is expected to become progressively worse by year 2040 (LRTP Chapter 5 p. 15). As a result, improvement of the Bryden Avenue Corridor is one of the highest ranked projects in the LRTP (Chapter 8 p. 7). Improvement of the Bryden Avenue Corridor from 4th to Thain is recommended at an estimated cost of $13.9 million (Chapter 7 p. 17). Costs include roadway surface, curb, gutter and sidewalk, roadway induced storm water and right of way acquisitions. Costs do not include sub-surface utilities.

In the four years leading up to the Plan adoption, the intersections of Bryden and 7th and Bryden and 10th had 23 and 25, crashes respectively. The Plan recommended a specific and detailed plan for the Bryden Avenue Corridor to be developed as part of the Long Range Transportation Plan implementation (Chapter 8 p. 7). The Plan notes that an average of 56.8 collisions occur per year along the 1.75 mile Bryden Avenue Corridor, making it a High Accident Corridor (Exhibit 2, Bryden Avenue Corridor Study p. iv). The Bryden and Seventh Avenue Intersection was evaluated recently as part of the Airport Area Circulation Study. From 2011 to 2015 that one intersection had 52 crashes and a crash frequency rate of 1.96 (Exhibit 3, Airport Area Circulation Plan p. 13). It appears that congestion and crash frequencies are increasing. Existing Level of Service is “D” for both the AM and PM Peak Hours. “High traffic volumes, high volumes overall, potential signal timing deficiencies and deficient lighting are prevailing themes as the cause of collisions. The provision of additional roadway widening, improved signal timing
and improved lighting are mitigations for these causes. . . “ Lewiston Police Department call data indicates the annual average accident rate in the Bryden Avenue Corridor was 56.5 in 2016 and 2017. See Exhibit 4. Congestion and accidents along the Bryden Avenue Corridor drive calls for service for Fire and Police personnel. According to the Fire Chief, the Bryden Avenue Corridor “creates an issue for emergency responses due to lack of adequate access and travel routes.” (Exhibit 5). Sidewalks do not exist along much of the Bryden Avenue Corridor. Based on its Arterial Road classification, Bryden Avenue should have an 80’ right of way, whereas the existing right of way averages 60’. (Exhibit 9)

Bryden Avenue’s collision history marks it as a High Accident Corridor. It is unsafe for motorists, emergency services personnel, bicycles and pedestrians.

III. WATER LINES IN BRYDEN AVENUE CORRIDOR ARE INADEQUATE AND OBSOLETE, CREATING UNSAFE AND UNSANITARY CONDITIONS.

The water and sewer lines in this Bryden Avenue Corridor are deteriorated and inadequate. The Lewiston Orchards Irrigation District (LOID) provides water service along the Bryden Avenue Corridor for domestic uses, irrigation and fire flows. LOID reports that the piping system is a mix of sizes and materials. Four blocks are served by lines 4" or smaller (blocks 500, 700, 800 and 900). The 600 block is extremely limited with no main over 6". The 400 block has a 6" main. The 1000 block is 8" on the west half and a mix of smaller sizes on the east. The LOID indicates that a 12" line for domestic uses and a second 12" line for irrigation purposes are needed to service this main east west Bryden Avenue Corridor in the Orchards.

Only three sizable development projects have occurred along Bryden Avenue in the last decade (Tullamore, Southgate Plaza and Kinsale). Each project was hampered by the lack of water service in Bryden and incurred significant costs to extend lines into the property. Water mains had to be tapped in Airway and Linden Avenues. Fire hydrants had to be installed inside South gate proper to meet fire hydrant spacing requirements. Inadequate water is a constraint to development and redevelopment. When lines are not sufficient to support a hydrant and/or the system is not looped and interconnected, fire flows suffer and service is less reliable. The Lewiston Fire Chief has expressed concern for firefighter and citizen safety resulting from a lack of water for fire suppression (Exhibit 5).

It is clear that water and sewer infrastructure is obsolete, inadequate and poses a number of hazards. Factors relevant to these conditions are:

1. The presence of a substantial number of deteriorated or deteriorating structures.
2. Unsanitary or unsafe conditions.
3. Deterioration of site or other improvements.
4. The existence of conditions which endanger life or property by fire or other causes.
The water system is deteriorated, and the lack of adequate water creates unsafe conditions, including the potential loss of life and property by fire. Therefore, obsolete water volume and water infrastructure due to obsolescence make the Bryden Avenue Corridor a deteriorated and blighted site within the City of Lewiston.

IV. BRYDEN IS A DETERIORATED CORRIDOR WHERE THE CITY HAS ATTEMPTED TO INCENTIVIZE DEVELOPMENT WITH VERY LIMITED SUCCESS.

The Bryden Avenue Corridor was rezoned to allow commercial development in 2005. Since that time, 5 houses have converted to commercial uses and one new commercial structure was built. The only bright spot is the existing shopping center that has undergone substantial renovation. But even with that project, the city contributed $33,600 in waived building permit fees to secure construction of 24 apartment units.

Two other residential projects (Tullamore and Kinsale apartments) received $3,752,910 and $1,504,470 in public monies. A single family unit was renovated with $12,975 in Community Development Block Grant funds (Exhibit 7). These public investments did not provide the desired catalyst for private investment.

Property values along Bryden attest to the market conditions created by the traffic congestion and other limited infrastructure. Of five areas studied (Exhibit 8), Bryden Avenue had the lowest average sales price per square foot from 2010 to 2017. It was $66 per sq. ft. whereas four other areas studied were $66.45 (9th Ave.) $78.59, $83.23 and $104.07. Recent sales along Ninth Avenue have averaged $116.14 per square foot. Bryden properties had by far the longest average days on the market at 240, whereas the other study areas had 78, 94, 132 and 146 days.

The factors identified in ¶ 1 as well as predominance of defective or inadequate street layout, indicate that the Bryden Avenue Corridor has economic stagnation and is a blighted area.

V. DIVERSITY OF OWNERSHIP SUBSTANTIALLY ARRESTS THE SOUND GROWTH OF LEWISTON IN REGARDS TO THE NEED TO WIDEN BRYDEN AVENUE.

Final project design, bidding and construction to implement the improvements needed, cannot proceed without all right of way issues addressed. Right of way will need to be acquired or the design modified, along the length of the Bryden Avenue Corridor. The number of individual property owners involved, approximately 150, will make right of way acquisition a lengthy process. Private individual development will not address this large scale problem affecting multiple properties. Therefore, diversity of ownership arrests the sound growth of Lewiston.
BRYDEN AVENUE IS INADEQUATE TO HANDLE THE EXISTING AND PROJECTED VOLUMES OF TRAFFIC.

As addressed above, the Bryden Avenue Corridor presents current and projected traffic volume concerns. Increasing the width of the Bryden Avenue right of way from 60’ to 80’ improves safety by:

1. Providing room for designated turn pockets or turn lanes reducing conflicts between cars in que and flow through traffic;
2. Providing room for islands to control or limit specific turning movements;
3. Providing for storm water collection and conveyance away from private property;
4. Providing room for utility placement, maintenance and repair outside of the travel lane;
5. Providing a designated shoulder (recovery area); and
6. Providing for sidewalks.

VI. FAULTY LOT LAYOUT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY OR USEFULNESS CREATE BLIGHT CONDITIONS ALONG THE BRYDEN CORRIDOR.

Improving Bryden will be difficult not only from a cost perspective, but also because of the 172 individual parcels along the Bryden Avenue Corridor (Exhibit 2). Right of way for roadway widening will be required on 151 parcels; potentially a multi-year effort. (Bryden Avenue Corridor Study, 80’ wide ROW Alternative). Faulty lot lay out and development have hampered accessibility and created traffic issues, resulting in blighted conditions.

VII. BRYDEN AVENUE FINDING OF DETERIORATED CONDITIONS.

The sanitary and safety infrastructure along the Bryden Avenue Corridor is obsolete and inadequate for existing and/or future development. This appears to have directly caused stagnating or declining property values and impaired economic development. Conditions along the Bryden Avenue Corridor that pose a danger to life and property include traffic congestion, dangerous intersections, driveway incursions, lack of sidewalks and bicycle lanes, and water volumes inadequate for effective fire suppression. The deterioration on the Bryden Avenue Corridor has resulted in economic underdevelopment and impairment of growth in the area as well as a menace to the public health, safety and welfare of the Bryden Avenue Corridor. The combination of these factors and effects lead to a conclusion of blighted conditions along the Bryden Avenue Corridor.
June 12, 2018

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO met in a regular meeting Tuesday, June 12, 2018, at Lewiston City Hall. Chair Hulett called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

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

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Jana Gomez, City Attorney; Shawn Stubbers, City Engineer; Joe Kaufman, Supervisory Project Engineer; Jennifer Douglass, URA Attorney; Neal Drury, IT;

II. PUBLIC COMMENT

Doug Mattoon, Valley Vision introduced the new Valley Vision CEO, Karl Dye to the Board.

Board members discussed the Agenda Changes from Idaho Statute that requires Item to be recognized as “Action Items”.

III. INFORMATIONAL ITEMS

A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)

Eric Hasenoehrl, Keltic Engineering presented a video clip to the Board and informed them that all the underground utilities are now hidden. Forthcoming are curbs and gutters, sidewalks and they have been working through a few little issues. They are at 75% in dollar amount and 60% in time, with a September date for completion.

Board member Blakey brought up an issue of a deteriorated culvert that was brought up at the joint Lewiston City Council and Board of Nez Perce County Commissioners meeting and asked if it could be fixed.

Board members discussed how the deteriorated culvert affected the project and, while the culvert is outside the Revenue Allocation Area and not the URA’s to solve or fund, discussed the city and county meeting to consider possible solutions.

B. Update, East Orchards Sewer (Stubbers)

City Engineer, Shawn Stubbers informed the Board that a new incentive option will be available to landowners in the East Orchards Sewer area. The city pays for the installation of the lateral and once the landowner connects, they reimburse the city. Board member Tippett asked for clarification on the incentive options. URA Attorney,
Jennifer Douglas clarified that the city funds the lateral and the owner refunds the city.
City Attorney Jana Gomez, further clarified the four options:

1) Fully connect property, the project will pay $1,500 - $2,000 to install the lateral in the right of way and the homeowner puts forward money to hook up their actual property.

2) Project will pay $500 to connect to the trunk line, but requires the landowner to pay for the installation of the lateral (i.e. Total cost is $2,000, landowner pays $1,500) at a later date.

3) Don't put in the lateral.

4) The city uses its project dollars to pay for the lateral to be installed in the right of way. The landowner signs an agreements stating if they connect in the future, they will be required to reimburse the city for the lateral/connection costs.

Board member Cole-Hansen stated she was pleased to see this because it meets the city's goals, but she can see option 2 going away with the implementation of option 4.

Mr. Stubbers explained, if the Board approves the options, the next steps are to go to the remaining residents and provide them with the options and see what happens. Supervisory Project Engineer Joe Kaufman informed the Board that they would be starting construction on June 13th.

IV. ACTION ITEMS
A. Approval of Minutes 5/8/18
Board members Hasenoehrl and Cole-Hansen moved and seconded, respectively, approval of the minutes. The motion carried 5-0-2 with Board members Tippett and Marsh abstaining.

B. Approval of Invoice #20, McCann Limited Partnership, $118,711.46 (total paid to date, including this invoice, $1,593,218.79)
Board members Alford and Cole-Hansen moved and seconded, respectively, approval of the McCann Invoice #20. The motion carried 7-0.

C. Approval of Invoice, Douglass, $1,884
Board members Marsh and Hasenoehrl moved and seconded, respectively, approval of the Invoice for Douglass law. The motion carried 7-0.

D. Approval of Invoice, Elam & Burke, $1,925
Board members Hasenoehrl and Marsh moved and seconded, respectively, approval of the Elam & Burke Invoice. The motion carried 7-0.

E. Approval of Invoice #1 & #2, Mountain Waterworks $12,941.08
Board member Alford and Blakey moved and seconded, respectively, approval of the Mountain Waterworks invoices. The motion carried 7-0.

F. Approval of Bryden Avenue Finding of Deteriorated Condition
Board members Marsh and Tippett moved and seconded, respectively, approval of the Bryden Avenue Finding of Deteriorated Condition. The motion carried 6-0-1 with Board member Cole-Hansen abstaining.
V. UNFINISHED AND NEW BUSINESS
   A. Board Member Comments
      None.
   B. Staff Comments
      Ms. Von Tersch noted the draft budget would be presented at the next meeting.

      Ms. Douglass informed the Board she was being considered for the airport attorney but
does not think it will be a conflict.

VI. ADJOURN
    There being no further business, Chair Hulett adjourn the meeting at approximately 1:24
p.m.

RESPECTFULLY SUBMITTED,

Tanya M. Brocke
Recording Secretary

Chair or Acting Chair
Urban Renewal Agency

Approved this 12th day of July, 2018
URBAN RENEWAL AGENCY BOARD
MEETING AGENDA
Tuesday, July 10, 2018 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

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

I. CALL TO ORDER

II. PUBLIC COMMENT

III. INFORMATIONAL ITEMS
   A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)
   B. Review Correspondence from Danielle Quade

IV. ACTION ITEMS
   A. Consent Agenda
      1. Approval of Minutes 06/12/18
      2. Approval of Invoice #21, McCann Limited Partnership $122,022.25 (total paid to date, including this invoice $1,715,241.04)
      3. Approval of Invoice, Douglass $1,116.00
      4. Approval of Invoice, Elam and Burke, $1,047.50
      5. Approval of Invoice, Hawley Troxell, $330
      6. Approval of Invoice #1, Titan Technologies, $125,547.15
   B. Approve $15,000 Funding Request for Mountain Water Works to Conduct High Level Lateral Study, EOS
   C. Review Draft FY 19 Budget and Direct Staff to Publish for Hearing
   D. Review Draft Urban Renewal Plan, RAA #6, Bryden Avenue and Direct Staff to Publish for Hearing

V. UNFINISHED AND NEW BUSINESS
   A. Board Member Comments
   B. Staff Comments

VI. ADJOURN

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at 208-746-1318.
July 10, 2018

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO met in a regular meeting Tuesday, July 10, 2018, at Lewiston City Hall. Chair Hulett called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

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

BOARD MEMBERS ABSENT: Bob Tippett

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Katie Hollingshead, Permit Representative; Shawn Stubbers, City Engineer; Jennifer Douglass, URA Attorney; Neal Drury, IT;

II. PUBLIC COMMENT

None.

III. INFORMATIONAL ITEMS

A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)

Eric Hasenoehrl, Keltic Engineering presented a video clip to the Board and informed them that the project is at 82% completion and that the culvert is scheduled to be fixed on Friday, July 13, 2018. The project is expected to be complete in September or October.

Board member Blakey suggested some kind of celebration, like a fun run or ribbon cutting, once the project is completed. Board member Marsh concurred.

Mr. Hasenoehrl thanked Chair Hulett for his assistance with the discussion on the culvert and funding. Chair Hulett also recognized Nez Perce County Commissioner Zenner for his suggestion of splitting the cost. Mr. Hasenoehrl also recognized City Engineer, Shawn Stubbers for his timely resolution of issues.

The video clip can be viewed online at: https://livestream.com/accounts/11220190/events/3725864/videos/177533210
B. Review Correspondence from Danielle Quade
URA Attorney, Jennifer Douglass explained that two questions were sent to Ms. Danielle Quade that were generated regarding changes to the EOS Plan. The questions were 1) Is the Lewiston Urban Renewal Agency and/or the City of Lewiston required to inform Banner Bank of the intended revisions to the scope of work? And 2) Are the revisions to the scope of work in any manner, a violation of the Note Purchase Agreement or related documents? Ms. Quade's response to the questions were as follows:

1) Assuming such additional project scope is compliant with the Plan, no notice to Banner Bank would be required. Here again, the broad definition of “Project” means that any project that fits within the Plan is approved under the Note Purchase Agreement, thus to the extent the Lewiston Urban Renewal Agency is comfortable the revised scope of work fits within the Plan, notice would not be required.

2) Ms. Quade does not believe the use of project funds for public sewer infrastructure would require a change in the bond documents, since the project is defined broadly in the Note Purchase Agreement and the real test is whether the additional project scope is an “eligible capital expenditure project” as defined in the Urban Renewal Plan for East Orchards Urban Renewal Area. To the extent the Lewiston Urban Renewal Agency determines the additional project scope works under the Plan, it is included in the definition of “Project” in the Note Purchase Agreement.

Community Development Director, Laura Von Tersch informed the Board that staff felt confident the extension of the trunk line from 22nd and Power east, 22nd and Powers south complied with the project scope, since they looked at the larger project as a whole. Ms. Von Tersch noted that they are keeping with the larger plan and they are well within the definition of the project and staff recommends moving forward with the bid alternate.

IV. ACTION ITEMS
A. Consent Agenda
   1. Approval of Minutes 6/12/18
   2. Approval of Invoice #21, McCann Limited Partnership, $122,022.25
      (total paid to date, including this invoice, $1,715,241.04)
   3. Approval of Invoice, Douglass, $1,116.00
   4. Approval of Invoice, Elam & Burke, $1,047.50
   5. Approval of Invoice, Hawley Troxell, $330.00
6. Approval of Invoice #1, Titan Technologies, $125,547.15
Board members Alford and Blakey moved and seconded, respectively, approval of the consent agenda as a whole. The motion carried 6-0.

B. Approve $15,000 Funding Request for Mountain Water Works to Conduct High Level Lateral Study, EOS
Community Development Director, Laura Von Tersch explained that, since the bid and alternate costs were under budget, there were funds remaining and the bank is not interested in having the funds returned and the board cannot pay on the bond payment yet, there is a question on how to spend the funding.

City Engineer Shawn Stubbers explained the study would determine the best place to put the lines.

After discussion, Board members Blakey and Alford moved and seconded, respectively, approval of up to $15,000 for Mountain Water Works to conduct high level lateral study. The motion carried 6-0.

C. Review Draft FY 19 Budget and Direct Staff to Publish for Hearing
After review of the Draft FY19 Budget, Board members unanimously consented to direct staff to prepare a publication for a public hearing.

D. Review Draft Urban Renewal Plan, RAA #6, Bryden Avenue and Direct Staff to Publish for Public Hearing
Ms. Von Tersch reviewed the draft Urban Renewal Plan. After discussion, Board members Hasenoehrl and Alford moved and seconded, respectively, approval to direct staff to prepare a publication for a public hearing. The motion carried 5-0-1 with Board member Cole-Hansen abstaining.

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
Board member Alford noted he would be out of town for the August 14th meeting but could attend by phone.

Board member Hasenoehrl informed the Board that she would be at the August 14th meeting but would have her great-niece with her.

Board member Blakey said that Mr. Jerry Northrup with COSD attended the City Council meeting, expressed displeasure of how the URA is doing the incentive
plan and presented a bunch of numbers. Mr. Blakey asked Ms. Von Tersch and Mr. Stubbers to watch the meeting and look at the numbers.

B. Staff Comments
City Engineer, Shawn Stubbers told the Board that he did a second touch with property owners regarding the East Orchards Sewer. 26 residents will decommission, with 6 paying for dry tap. Mr. Stubbers stated that 4 additional persons agreed to sign to pay the city back for later extension and they now have half of the existing septic along the line signed up for an incentive.

VI. ADJOURN
There being no further business, Chair Hulett adjourn the meeting at approximately 1:15 p.m.

RESPECTFULLY SUBMITTED,

Tanya M. Brocke
Recording Secretary

Chair or Acting Chair
Urban Renewal Agency

Approved this 14th day of August, 2018
TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING
INVOICE

Sold To: CITY OF LEWISTON
P O BOX 617
LEWISTON ID 83501

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Description 145656 PUBLIC N
Times 1 Lines 35
Tab. lines

$ 54.60

PO# Tanya M. Brocke

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

PUBLIC NOTICE
The Urban Renewal Agency of the City of Lewiston, Idaho will
hold a public hearing 8/14/18 at 12:00 noon, 1134 "F" Street,
City Hall, West Conference Room, to discuss and potentially
adopt an Urban Renewal Plan for RAA#6, Bryden Avenue.
This plan incorporates a revenue allocation area generally
consisting of properties (a) Along the Bryden Avenue Cor-
rider, (b) west of Thain Grade, (c) east of Fourth Street, (d)
north of Airway Drive, (e) south of Linden Drive.

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 project
being considered is widening of Bryden Avenue from a 60'
right of way to a 80' right of way, including new road surface,
striping, curb, gutter, sidewalks, all underground utilities
(water, sewer, storm, fiber, etc.) and other matters properly
relating thereto.

Copies of the draft plan can be obtained or viewed on line
at http://www.cityoflewiston.org/content/848/6585/default.
asp, 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 lwintersch@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 un-
til its adoption by the City Council. Please check the website
for the most current version.

AFFIDAVIT OF PUBLICATION
Julie L. Winters, 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 145656 PUBLIC N
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Tribune,

1 time(s). Publication being on

07/29, or once a

Day

for 1 consecutive

the first publication thereof being on the 07/29/2018,
and the last publication thereof being on the 07/29/2018,
and said 145656 PUBLIC N 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.

State of Idaho
S.S.
County of Nez Perce

On this 31st day of July in the year of 2018, before me, a Notary Public, personally
appeared Julie L. Winters, 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, thereon
Commission Expires 9/1/2023
I. CALL TO ORDER

II. PUBLIC COMMENT

III. INFORMATIONAL ITEMS
   A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)

IV. PUBLIC HEARINGS
   A. Accepting Public Comment on the FY 18 Amended Agency Budget
   B. Accepting Public Comment on the FY 19 Agency Budget
   C. Accepting Public Comment on Urban Renewal Plan, Revenue Allocation Area #6, Bryden Avenue

V. ACTION ITEMS
   A. Consent Agenda
      1. Approval of Minutes 07/10/18
      2. Approval of Invoice #22, McCann Limited Partnership $108,304.03 (total paid to date, including this invoice $1,823,545.07)
      3. Approval of Invoice, Douglass $492.00
      4. Approval of Invoice, Elam and Burke, $137.50
      5. Approval of Invoice, Hawley Troxell, $599.80
      6. Approval of Invoice #2, Titan Technologies, $146,232.74 (total paid to date, including this invoice $271,779.89)
      7. Approval of Invoice #3, Mountain Waterworks, $5,937.67
      8. Approval of Invoice, Lewiston Morning Tribune, $54.60
      9. Approval of Invoice, Director Services, $2,167.18
   B. Adoption of FY 18 Amended Budget
   C. Adoption of FY 19 Budget
   D. Adoption of Resolution 2018-01 Approving Urban Renewal Plan, Revenue Allocation Area #6, Bryden Avenue
VI. UNFINISHED AND NEW BUSINESS
   A. Board Member Comments
   B. Staff Comments

VI. ADJOURN
RESOLUTION NO. 2018-1

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF LEWISTON APPROVING THE URBAN RENEWAL AGENCY’S PLAN FOR REVENUE ALLOCATION AREA #6, BRYDEN AVENUE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Urban Renewal Agency has considered in a public hearing held August 14, 2018, an Urban Renewal Plan for Revenue Allocation Area #6, Bryden Avenue, which is attached hereto;

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

1) The Urban Renewal Plan for Revenue Allocation Area #6, Bryden Avenue, shall be and is hereby approved, as attached hereto as Exhibit 1.
2) The Urban Renewal Agency upon approval of this Resolution hereby submits Revenue Allocation Area #6, Bryden Avenue, to the City pursuant to I.C. § 50-2008 for approval of the Plan.
3) This Resolution shall be in full force and effect upon its passage and approval.

DATED this 14th day of August 2018.

BOARD OF COMMISSIONERS:

By: ____________________________

Joe Hulett, Chairman

ATTEST:

______________________________
Dan Marsh, Secretary
Memo

To: URBAN RENEWAL AGENCY
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: JULY 19, 2018
Re: COSD SEWER INFORMATION

Please find enclosed a brief report on the cost of replacing sewer lines along Bryden Avenue. Costs are broken into the three likely phases of road construction (4th-7th, 7th-10th and 10th to Thain). In 2018 dollars, the total cost is projected at $2,359,000. Page 14 of the Plan, Project Summary Estimated Costs has been updated.
July 23, 2018

Laura Von Tersch
Community Development Director
P.O. Box 617
Lewiston, ID 83501

Re: Sanitary Sewer Replacement Needs on Bryden Avenue, Between 4th Street and Thain Road

Dear Ms. Von Tersch and Members of the Lewiston URA,

The Lewiston Orchards Sewer District (LOSD) contracted with Keller Associates to evaluate the Bryden Avenue sanitary sewer collection system in order to be able to respond to the Lewiston URA on any potential sewer line replacement needs. As a part of this evaluation, the LOSD also contracted with Dr. Pipeline to conduct CCTV inspections of a portion of the east-west pipelines located on Bryden Avenue at various locations between 4th Street and Thain Road. The condition of these locations would then be used to provide an overall recommendation for all sanitary sewer pipelines.

It was determined that each of the sewer mainlines was approximately 6 to 8-inches in diameter and consisted of concrete for pipe material. CCTV inspections revealed that much of the pipelines had exposed aggregates. Other issues found included root growth and metal bar obstructions.

The LOSD’s current Master Plan, finalized in early 2017, has laid out a plan to replace all concrete pipelines in their system. Coupled with the above CCTV findings, this Bryden Avenue corridor would be a good candidate for complete sewer main replacement with PVC. Sewer mains should be replaced in-place of the existing pipelines to avoid any possible rock removal. Sewer services would need to be reconnected to this new main. In addition to the east-west mains, north-south lines running through the intersections should be replaced to the limits of construction as well.

We have broken down the cost estimate into three main areas to hopefully coincide with any possible phasing by the Lewiston URA for the roadway improvements. The three areas consist of 4th Street to 7th Street, 7th Street to 10th Street, and 10th Street to Thain Road. The attached cost estimates are calculated in 2018 dollars and would need to be corrected for inflation and changes in the construction market as this project moves forward.

Sincerely,

KELLER ASSOCIATES, INC.

Salman Norton, PE
Clarkston Manager / Project Manager

Enclosures

cc: Urban Wessels, LOSD
Wastewater Capital Improvements Project
Bryden Avenue Pipelines

Project Identifier: 1d.1

Objective: Replace all sewage pipelines and manholes along Bryden Avenue, between 4th Street and 7th Street, in coordination with either the District's IRRP program or URA's improvement project.

Potential issues:
- Coordination between LOSD and URA for potential cost sharing
- Maintaining services during construction
- Estimate does not include surface restoration or repair and is contingent on improvements being completed at the same time as a roadway reconstruct.

<table>
<thead>
<tr>
<th>General Line Items</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Estimated Quantity</th>
<th>2018 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-Inch Pipe - Excavation, Backfill</td>
<td>LF</td>
<td>$90</td>
<td>4400</td>
<td>$396,000</td>
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<tr>
<td>8-Inch Concrete Pipe - Removal and Disposal</td>
<td>LF</td>
<td>$10</td>
<td>4400</td>
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<td>Manholes - 48&quot;</td>
<td>EA</td>
<td>$4,000</td>
<td>17</td>
<td>$69,000</td>
</tr>
<tr>
<td>Sewer Service Connection to Main</td>
<td>EA</td>
<td>$500</td>
<td>55</td>
<td>$27,500</td>
</tr>
<tr>
<td>Sewer Service Line Repair</td>
<td>LF</td>
<td>$35</td>
<td>330</td>
<td>$11,550</td>
</tr>
</tbody>
</table>

**Subtotal** $547,050

| Mobilization - Percent of Item Cost Sum  | %    | 10%        | $54,705
| Contingency - % of construction costs   | %    | 30%        | $161,400

**Total Construction Costs** $792,323

| Engineering and CMS - % of construction costs | %    | 25%    | $198,306

**Total Project Cost (rounded)** $992,000

The cost estimate herein is based on our perception of current conditions at the project location. This estimate reflects our opinion of probable costs at this time and is subject to change as the project design matures. Keller Associates has no control over variances in the cost of labor, materials, equipment, services provided by others, contractor's methods of determining prices, competitive bidding or market conditions, practices or bidding strategies. Keller Associates exert and does not warrant or guarantee that proposals, bids, or actual construction costs will not vary from the cost presented herein.
# Wastewater Capital Improvements Project
## Bryden Avenue Pipelines

**Project Identifier:** 1d.2

**Objective:** Replace all sewage pipelines and manholes along Bryden Avenue, between 7th Street & 10th Street, in coordination with either the District’s IRRP program or URA’s improvement project.

**Potential Issues:**
- Coordination between LOSD and URA for potential cost sharing.
- Maintaining services during construction.
- Estimate includes surface restoration or repair and is contingent on improvements being completed at the same time as a roadway reconstruction.

## General Line Items

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Estimated Quantity</th>
<th>2018 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-inch Pipe - Excavation, Backfill</td>
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<td>$50</td>
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<td>LF</td>
<td>$70</td>
<td>420</td>
<td>$42,000</td>
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<tr>
<td>Manholes - 48&quot;</td>
<td>EA</td>
<td>$4,000</td>
<td>17</td>
<td>$66,000</td>
</tr>
<tr>
<td>Sewer Service Connection to Main</td>
<td>EA</td>
<td>$500</td>
<td>70</td>
<td>$35,000</td>
</tr>
<tr>
<td>Sewer Service Line Repair</td>
<td>LF</td>
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<td>420</td>
<td>$14,700</td>
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<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
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<td>$537,700</td>
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<td>Mobilization - Percent of Item Cost Est.</td>
<td>%</td>
<td>10%</td>
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<td>$53,770</td>
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<tr>
<td>Contingency - % of construction costs</td>
<td>%</td>
<td>25%</td>
<td></td>
<td>$160,150</td>
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<tr>
<td><strong>Total Construction Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td>$778,655</td>
</tr>
<tr>
<td>Engineering and CMS - % of construction</td>
<td>%</td>
<td>25%</td>
<td></td>
<td>$194,016</td>
</tr>
<tr>
<td><strong>Total Project Cost (rounded)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$675,000</td>
</tr>
</tbody>
</table>

The cost estimate herein is based on our perception of current conditions at the project location. This estimate reflects our opinion of probable costs at this time and is subject to change as the project design matures. Keller Associates has no control over variances in the cost of labor, materials, equipment, services provided by others, contractor’s methods of determining prices, competitive bidding or market conditions, practices or bidding strategies. Keller Associates cannot and does not warrant or guarantee that proposals, bids, or actual construction costs will not vary from the cost presented herein.
Wastewater Capital Improvements Project
Bryden Avenue Pipelines

Project Identifier: 1d.3

Objective: Replace all sewage pipelines and manholes along Bryden Avenue, between 10th Street & Thain Road, in coordination with either the District's IRRP program or URA's improvement project.

Potential Issues:
- Coordination between LOSD and URA for potential cost sharing
- Maintenance services during construction
- Estimate does not include surface restoration or repair and is contingent on improvements being completed at the same time as a roadway reconstruct.

<table>
<thead>
<tr>
<th>General Line Items</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Estimated Quantity</th>
<th>2015 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-Inch Pipe - Excavation, Backfill</td>
<td>LF</td>
<td>$ 90</td>
<td>1800</td>
<td>$ 102,000</td>
</tr>
<tr>
<td>8-Inch Concrete Pipe - Removal and Disposal</td>
<td>LF</td>
<td>$ 10</td>
<td>1800</td>
<td>$ 18,000</td>
</tr>
<tr>
<td>Manholes - 48&quot;</td>
<td>EA</td>
<td>$ 4,000</td>
<td>7</td>
<td>$ 28,000</td>
</tr>
<tr>
<td>Sewer Service Connection to Main</td>
<td>EA</td>
<td>$ 500</td>
<td>12</td>
<td>$ 6,000</td>
</tr>
<tr>
<td>Sewer Service Line Repair</td>
<td>LF</td>
<td>$ 35</td>
<td>60</td>
<td>$ 2,100</td>
</tr>
</tbody>
</table>

Subtotal

% 10% $ 216,100

Contingency - % of construction costs

% 35% $ 75,635

Total Construction Costs

$ 311,735

Engineering and GMS - % of construction costs

% 25% $ 78,338

Total Project Cost (rounded)

$ 392,000

The cost estimate herein is based on our perception of current conditions at the project location. This estimate reflects our opinion of probable costs at this time and is subject to change as the project design matures. Keller Associates has no control over wages, materials, equipment, services provided by others, contractor's methods of determining prices, competitive bidding of market conditions, permits or bidding strategies. Keller Associates cannot and does not warrant or guarantee that proposals, bids, or actual construction costs will not vary from the cost presented herein.
**LEGAL NOTICES**

**PUBLIC NOTICE**

The Planning and Zoning Commission of the City of Lewiston, Idaho will hold a public meeting 9/12/18 at 5:30 p.m., 215 "D" Street, Community Development Department, second floor conference room, to discuss an Urban Renewal Plan for Bryden Avenue and its conformity with the City of Lewiston Comprehensive Plan. This plan incorporates a Revenue Allocation Area generally consisting of properties (a) along the Bryden Avenue Corridor, (b) west of Thain Grade, (c) east of Fourth Street, (d) north of Airway Drive, (e) south of Linden Drive.

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 project being considered is widening of Bryden Avenue from a 60' right of way to a 80' right of way, including new road surface, striping, curb, gutter, sidewalks, all underground utilities (water, sewer, storm, fiber, etc.) and other matters properly relating thereto.

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 837, Lewiston, Idaho 83501; by email to Ivontersch@cityoflewiston.org; or at the public meeting.

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.

---

**HELP**

Drop off your donated school supplies or monetary donations at the Lewiston Elks Lodge 3444 Country Club Drive Lewiston

**SUMMONS BY PUBLICATION**

Case No. CV35-18-1033

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF NEZ PERCE

CREDIT BUREAU OF LEWISTON CLARKSTON, INC., A Washington Corporation.
AGENDA
SEPTEMBER 12, 2018
5:30 P.M.
LEWISTON PLANNING AND ZONING COMMISSION
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING,
SECOND FLOOR MEETING ROOM,
215 “D” STREET
AS A MATTER OF PUBLIC SERVICE AND GOVERNMENTAL TRANSPARENCY, THIS MEETING MAY BE
RECORDED, STREAMED LIVE AND/OR ACCESSED AT A LATER TIME. NOTE THAT THIS MAY INCLUDE
VIDEO AND AUDIO OF ALL PERSONS PRESENT IN THE ROOM

COMMISSION MEMBERS: Chair, Richard Kremer; Vice Chair, Corey Sandstrom;
Joan Hunter; Kevin Kelly; Hannah Liedkie; Rick Tousley
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

I. CALL TO ORDER

II. 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.

III. APPROVAL OF AUGUST 22, 2018 MEETING MINUTES (ACTION ITEM)

IV. APPROVAL OF REASONED STATEMENT OF RELEVANT CRITERIA AND
STANDARDS (WRITTEN DECISION) FOR ZC18-000004, PROPOSED FORM AND
IMPACT BASED ZONE (ACTION ITEM)

V. CONSIDERATION OF PROPOSED BRYDEN AVENUE URBAN RENEWAL AREA PLAN
REGARDING CONFORMITY TO THE LEWISTON COMPREHENSIVE PLAN (ACTION
ITEM)– Pursuant to Idaho Code Sect. 50-2008(b), the Planning and Zoning Commission
shall review the proposed Urban Renewal Area Plan and make recommendation to City
Council as to its conformity with the Comprehensive Plan.

VI. PUBLIC HEARING, CONDITIONAL USE PERMIT APPLICATION, CU18-000006
(ACTION ITEM): An application by the Lewiston Orchards Irrigation District to establish a
water well and pump house as a public use on a 1.3 acre parcel of land in the Agricultural
Transitional, F-2, Zone on the west side of the 3700 block of 10th Street between Powers
Avenue and Ripon Avenue.

VII. CONSIDERATION OF REQUESTS FOR MODIFICATION OF SUBDIVISION CODE
REQUIREMENTS (ACTION ITEM) – A request by the Lewiston Orchards Irrigation District
to create a 1.3 acre (approximate) lot on the west side of the 3700 block of 10th Street
between Powers Avenue and Ripon Avenue without a subdivision plat and a related request
to not upgrade 10th Street to current city standards.
VIII. **FUTURE AGENDA ITEMS:**
   A. New Airport Chapter for the Comprehensive Plan.
   B. New Wireless Communications Facilities Ordinance
   C. Appropriate/Acceptable Sizes and Related Matters for Parks and Public Open Spaces in New Subdivisions.

IX. **STAFF-COMMISSION COMMUNICATIONS:**
   A. A query of Commissioners planning to attend the next meeting scheduled for September 26, 2018.
   B. Other

X. **ADJOURN**
Memo

To: PLANNING AND ZONING COMMISSION
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: SEPTEMBER 12, 2018
Re: BRYDEN AVENUE URBAN RENEWAL PLAN

Enclosed for your consideration is an Urban Renewal Plan for the Bryden Avenue Corridor, adopted by the Urban Renewal Agency 8/14/18. 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 Comprehensive Plan for the development of the municipality as a whole”.

The Bryden Avenue Plan incorporates a Revenue Allocation Area generally consisting of properties (a) along Bryden Avenue, (b) west of Thain Grade, (c) east of Fourth Street, (d) north of Airway Drive, (e) south of Linden Drive.

The project being considered is widening Bryden Avenue from a 60’ right of way to an 80’ right of way, including four travel lanes, a center turn lane, new road surface, striping, curb, gutter, sidewalk, all underground utilities (water, sewer, storm, fiber, etc.) and matters relating properly thereto.

Comprehensive Plan Policies in support of this project includes:

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, LU 10.1 To the extent that the demand for commercial land can be accommodated, encourage the concentration of new and existing commercial uses in existing commercial areas... (such as) Bryden Avenue: at Thain, Southgate Shopping Center (and) at the Airport.

LU-10.7 Encourage the enhancement, revitalization and renewal of under-utilized commercial areas. Strategies may include the creation of small area commercial design guidelines, street and right of way design, and the creation of business improvement districts.

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

LU-17.2 Facilitate pedestrian and bike use in neighborhoods.

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

LU-18 Provide and maintain public services, utilities and associated infrastructure in a cost-effective manner, by encouraging compact and contiguous growth.

From the Bryden Avenue Special Planning Area, adopted in 2004:

Planning Area A Goals:
a. Reconstruction and widening of Bryden Avenue will occur towards the later part of the twenty-year planning horizon. Design of the reconstructed avenue is anticipated to include four travel lanes, a center turning lane and sidewalk on both sides. . .

The Lewiston Transportation Improvement Plan, adopted in December of 2017, lists Bryden Avenue Reconstruction as a top priority where funding has already been obligated for engineering design work from 4th to 7th.

Staff recommends that the Planning and Zoning Commission find that the Urban Renewal Plan for Bryden Avenue is in conformity with the Comprehensive Plan of the City of Lewiston.

The Planning and Zoning Commission Chairman will be asked to sign a simple attestation to that fact.
Memo

To:          CITY MANAGER NYGAARD
From:        COREY SANDSTROM, ACTING CHAIRMAN LEWISTON
             PLANNING AND ZONING COMMISSION
Date:        SEPTEMBER 12, 2018
Re:          URBAN RENEWAL PLAN, BRYDEN AVENUE

By this memo I am notifying the City of Lewiston that the Lewiston Planning and Zoning Commission has found Urban Renewal Plan and Revenue Allocation Area #6, Bryden Avenue, in conformance with the Comprehensive Plan on this date, in accordance with Idaho Statute 50-2008 (b).

[Signature]
Corey Sandstrom
September 12, 2018

THE LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Upstairs Conference Room at 215 “D” Street. Chair Kremer called the meeting to order at 5:30 p.m. and turned the meeting over to Vice Chair Sandstrom.

I. CALL TO ORDER
COMMISSIONERS PRESENT: Richard Kremer, Chair (phone); Corey Sandstrom, Vice Chair; Kevin Kelly; Hannah Liedkie (phone)

COMMISSIONERS EXCUSED: Joan Hunter; Rick Tousley

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Joel Plaskon, Planner - Local Initiatives; Kayla Herman, Assistant City Attorney; Tanya Brocke, Community Development Specialist; Neal Drury, IT; Mark Weigand, City Surveyor

II. CITIZENS COMMENTS
None.

III. APPROVAL OF AUGUST 22, 2018 MEETING MINUTES (ACTION ITEM)
Commissioners Kelly and Kremer moved and seconded, respectively, approval of the August 22, 2010 meeting minutes as presented. The motion carried 4-0.

IV. APPROVAL OF REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS (WRITTEN DECISION) FOR ZC18-000004, PROPOSED FORM AND IMPACT BASED ZONE (ACTION ITEM)
Commissioners Kremer and Kelly moved and seconded, respectively, approval of written decision for ZC18-000004. The motion carried 3-0-1 with Commissioner Liedkie abstaining.

V. CONSIDERATION OF PROPOSED BRYDEN AVENUE URBAN RENEWAL AREA PLAN REGARDING CONFORMITY TO THE LEWISTON COMPREHENSIVE PLAN (ACTION ITEM) - Pursuant to Idaho Code Section 50-2008(b), the Planning and Zoning Commission shall review the proposed Urban Renewal Area Plan and make recommendation to City Council as to its conformity with the Comprehensive Plan.
Community Development Director, Laura Von Tersch informed the Commission that the Urban Renewal Plan for the Bryden Avenue Corridor was adopted by the Urban Renewal Agency on August 14, 2018. The Bryden Avenue Plan incorporates a Revenue Allocation Area generally consisting of properties along Bryden Avenue, west of Thain Grade, east of Fourth Street, north of Airway Drive, and south of Linden Drive. The project being considered is widening Bryden Avenue from a 60’ right of way to an 80’ right of way, including four travel lanes, a center turn lane, new road surface, striping, curb, gutter, sidewalk, all underground utilities (water, sewer, storm, fiber, etc.) and matters relating properly thereto.
A memo was provided the Comprehensive Plan Policies in support of the project, which includes:

- A Vision for Lewiston, Fifth, we have superior transportation system, serving the needs of all segments of our community, from walkers to drivers, bicyclists and joggers;
- LU-10, LU-10.1 To the extent that the demand for commercial land can be accommodated, encourage the concentration of new and existing commercial uses in existing commercial areas. (such as) Bryden Avenue: at Tain, Southgate Shopping Center (and) at the Airport;
- LU-10.7 Encourage the enhancement, revitalization and renewal of under-utilized commercial areas. Strategies may include the creation of small area commercial design guidelines, street and right of way design, and the creation of business improvement districts;
- 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;
- LU-17.3 Create pedestrian connections to other uses within and between neighborhoods, where feasible;
- LU-18 Provide and maintain public services, utilities and associated infrastructure in a cost-effective manner, by encouraging compact and contiguous growth; and
- From the Bryden Avenue Special Planning Area, adopted in 2004, Planning Area A Goals, a. Reconstruction and widening of Bryden Avenue will occur towards the later part of the twenty-year planning horizon. Design of the reconstructed avenue is anticipated to include four travel lanes, a center turning land and sidewalk on both sides.

Ms. Von Tersch concluded her staff report with the recommendation that the Planning and Zoning Commission find that the Urban Renewal Plan for Bryden Avenue is in conformity with the Comprehensive Plan of the City of Lewiston and authorize Acting Chair Sandstrom to sign an attestation.

Commissioners Kelly and Liedkie moved and seconded, respectively, the finding that the Urban Renewal Plan for Bryden Avenue is in conformance of the Comprehensive Plan and authorizing Acting Chair Sandstrom to sign the attestation. The motion carried 4-0.

VI. PUBLIC HEARING, CONDITIONAL USE PERMIT APPLICATION, CUP18-000006 (ACTION ITEM) - An application by the Lewiston Orchards Irrigation District to establish a water well and pump house as a public use on a 1.3 acre parcel of land in the Agricultural Transitional, F-2, Zone on the west side of the 3700 block of 10th Street between Powers Avenue and Ripon Avenue.

Acting Chair Sandstrom provided the public hearing process, opened the public hearing and asked for the staff report.

City Planner, Joel Plaskon provided visuals of the subject property and then summarized the staff report. The subject property is undeveloped farm ground and is adjacent to farm ground to the north and west, a ravine to the south and undeveloped single family home lots and single
family homes to the east across 10th Street. A conditional use permit CU-05-13 was approved for Lewiston Orchards Irrigation District (LOID) well #5, which is approximately 1,100’ to the west of the subject property.

Mr. Plaskon continued his summary with the analysis that the subject lot is yet to be approved by City Council, which needs to occur or the subject lot must be returned to the owner of the larger parcels from which it was sold, and instead, leased by LOID for the proposed well. The F-2 Zone has a five acre minimum lot size, while the proposed lot is only approximately 1.3 acres. However, it is believed that the five acre minimum lot size is intended as a buffer to decrease potential for conflict between agriculture and single family homes, and CUP18-000006 is for a public water well, so no such conflict could occur. Mr. Plaskon noted the Commission is authorized to allow a reduced minimum lot size as part of a conditional use permit, pursuant to Zoning Code Section 37-160(b).

No concern was expressed from the Public Works Department regarding the site distance to the north on 10th Street, when exiting the private access road to the subject property, is relatively poor but very little traffic will be generated from the proposed well. The proposal does not appear to be inconsistent with the intents of the applicable F-2 Zoning District, and it is consistent with the Comprehensive Plan. The proposal does not conflict with the adjoining agricultural production or appear to pose adverse conditions to neighboring single family residential uses to the east across 10th Street. Staff has not identified any inherently adverse impacts of note to surrounding land uses or to the adjoining drainageway.

Mr. Plaskon concluded his summary by informing the Commission that in addition to a reduction in the five acre minimum lot size of the F-2 Zone, the applicant requests a modification from the Subdivision Code requirement to obtain subdivision plat approval to create the subject lot and of the Subdivision Code requirement to upgrade 10th Street to current city standards. Subdivision Code Section 32-49 allows for modifications to the requirements of the Subdivision Code, subject to recommendation by the Planning and Zoning Commission and approval by City Council. The Community Development Department staff defers to the recommendation by the Public Works Department regarding those types of requests.

Acting Chair Sandstrom called the applicants forward.

Brad Marshall, J-U-B Engineers, thanked Mr. Plaskon for his help and stated they agree to everything in the staff report. Mr. Marshall informed the Commission that the well will be similar in nature to well #5, which was established in 2013 and he has been working with Mr. Barney Metz on the project.

Barney Metz, General Manager of Lewiston Orchards Irrigation District (LOID), informed the Commission that with the irrigation restrictions, lack of water and endangered species act, the system didn't always work. Mr. Metz noted that the water exchange will resolve those issues.
Commissioner Kelly asked if another well would be built in five years. Mr. Metz explained they receive funding from the Bureau of Reclamation and that it might be on the schedule, which is driven by the availability of funding.

There being no public comments, Acting Chair Sandstrom closed the public hearing and asked for staff recommendation.

Mr. Plaskon recommended approval of CUP18-000006, including a reduction from the five acre minimum lot size standard of the F-2 Zone to allow the proposed approximate 1.3 acre lot, subject to the condition that the subject lot be approved by City Council or that ownership of it be returned to the owner of the larger tax parcels from which it was sold and instead leased to LOID for purposes of the proposed well.

Commissioners Kremer and Liedkie moved and seconded, respectively, to approve CUP18-000006 with the conditions and directed staff to draft the reasoned statement of relevant criteria and standards. The motion carried 4-0.

VII. CONSIDERATION OF REQUESTS FOR MODIFICATION OF SUBDIVISION CODE REQUIREMENTS (ACTION ITEM) - A request by the Lewiston Orchards Irrigation District (LOID) to create a 1.3 acre (approximate) lot on the west side of the 3700 block of 10th Street between Powers Avenue and Ripon Avenue without a subdivision plat and a related request to not upgrade 10th Street to current city standards.
Mark Weigand, City Surveyor informed the Commission that the Lewiston Orchards Irrigation District (LOID) expressed the desire to construct a new well (#6) and an associated pump house on a parcel of land that they own located west of 10th Street between the extensions of Powers Ave and Ripon Ave. The subject property is unplatted and is currently non-conforming and undevelopable due to its substandard size for its zone and its status as an illegally split lot. LOID has three options for resolving the issue of the lot's nonconformance 1) return the parcel to the original owner, 2) complete the platting process for the parcel, or 3) receive approval of a modification to the platting process.

Mr. Weigand explained that LOID has requested they be granted a modification to the platting process contained in Lewiston City Code and that the City officially recognize the parcel as created by deed and legal description and filed for record as Instrument Number 859085 in the records of Nez Perce County. Mr. Weigand explained that the Public Works staff reviewed the matter and believes that strict adherence to the full requirements of the platting process, per the Lewiston Subdivision Code, are not appropriate or necessary in this circumstance. Further, the Public Works staff agrees that the application of Subdivision Code Section 32-49 may be more appropriate than implementing the full process and requirements of the Subdivision Code and feels that the intents and purposes of the Subdivision Code will still be fulfilled.

Mr. Weigand concluded with the recommendation that the Commission recommend to the Lewiston City Council a conditional approval of the applicant's request for a subdivision modification with the following conditions:
1. The applicant/owner will provide for the creation and filing of a record of survey of the parcel which conforms to the applicable State Codes, including but not limited to, Idaho Title 55 Chapter 19.
2. The applicant/owner agrees to utilize the parcel only for the purpose of “public utilities” until and unless such time that the proposed parcel’s designated development zone changes, and renders the created lot “conforming” to then-current zoning requirements.
3. The applicant/owner agrees to provide a fee-in-lieu-of for right-of-way improvements normally required as part of the subdivision process either by cash payment, or by mutually approved exchange of services.

Although this was not a public hearing, Acting Chair Sandstrom asked if there were any public comments but received none.

Commissioners Liedkie and Kelly moved and seconded, respectively, approval of the two modification requests with the conditions referenced in the memo dated August 23, 2018, from the City Surveyor and recommended approval to City Council. The motion carried 4-0.

VIII. FUTURE AGENDA ITEMS:
A. NEW AIRPORT CHAPTER FOR THE COMPREHENSIVE PLAN
B. NEW WIRELESS COMMUNICATIONS FACILITIES ORDINANCE
C. APPROPRIATE/ACCEPTABLE SIZES AND RELATED MATTERS FOR PARKS AND PUBLIC OPEN SPACES IN NEW SUBDIVISIONS (ON HOLD UNTIL EARLY SUMMER)

IX. STAFF-COMMISSION COMMUNICATIONS
A. A query of Commissioners planning to attend the next meeting scheduled for September 26, 2018.
   All Commissioners present indicated they would be at the September 26, 2018 meeting.
B. Other

X. ADJOURN
There being no further business, Commissioners Sandstrom and Kelly moved and seconded, respectively, to adjourn the meeting. The motion carried 4-0 and the meeting adjourned at approximately 6:35 p.m.

RESPECTFULLY SUBMITTED,

Tanya M. Brocke
Recording Secretary

Chair or Acting Chair
Planning & Zoning Commission

Approved this 20th day of September, 2018
Memo

To: TAXING ENTITIES
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: OCTOBER 25, 2018
Re: URBAN RENEWAL PLAN, BRYDEN AVENUE

The City Council of the City of Lewiston, Idaho, will hold a public hearing November 26, 2018 at 6:00 p.m., 411 “D” Street, Library second floor, to consider adoption of the Bryden Avenue Urban Renewal Plan and proposed Revenue Allocation Area #6. The Revenue Allocation Area is generally located (a) along the Bryden Avenue corridor, (b) west of Thain Grade, (c) east of Fourth Street, (d) north of Bryden Drive and (e) south of Linden Avenue.

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 #6 to the City Council. Attached is a copy of the public hearing notice to be published October 25, 2018 and the plan.
AFFIDAVIT OF PUBLICATION

Alaina M Clugey, 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 newspaper of general circulation published at Lewiston, Nez Percé 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 147833 PUBLIC N attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune.

Publication being on 10/25, or once a Day for 1 consecutive Day, the first publication thereof being on the 10/25/2018, and the last publication thereof being on the 10/25/2018, and said 147833 PUBLIC N 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.

State of Idaho
S.S.
County of Nez Percé

On this 25th day of Oct in the year of 2018, before me, a Notary Public, personally appeared Alaina M Clugey, 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.
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: URBAN RENEWAL AREA REVENUE ALLOCATION AREA #6 BRYDEN AVENUE: Accepting testimony on approval of an Urban Renewal Plan and Urban Renewal Projects and approval of the Urban Renewal Plan for Revenue Allocation Area #6 Bryden Avenue. (Laura Von Tersch)

V. CONSENT AGENDA

A. CITY COUNCIL MEETING MINUTES: 10/08/18 Regular – Action Item

B. BOARD/COMMISSION MEETING MINUTES: 09/19/18 Parks and Recreation Advisory Commission; 09/18 Youth Advisory Commission – Action Item

VI. ACTIVE AGENDA

A. EMERGENCY AND NON-EMERGENCY AMBULANCE SERVICE: Considering approval of the Certificate of Compliance for the Lewiston Fire Department to provide emergency and non-emergency ambulance service. Action Item (Travis Myklebust)

B. ORDINANCE 4732: Considering approving an Urban Renewal Plan and Urban Renewal Projects; approving the Urban Renewal Plan for Revenue Allocation Area #6 Bryden Avenue. Action Item (Laura Von Tersch)

D. **ORDINANCE 4726**: Considering implementing the City Council’s decision in ZC18-000004, declaring that certain real property be removed from the Light Industrial (M-1) Zone, General Commercial (C-4) Zone, and Central Commercial (C-5) Zone and included in the Form and Impact Based (FIB) Zone. Action Item (Joel Plaskon)

E. **ORDINANCE 4710**: Considering repealing and replacing Chapter 6 of the Lewiston City Code regarding alcohol beverages, amending Section 31-47(d) regarding alcohol and temporary right-of-way uses. Action Item (Joel Plaskon/Kayla Hermann)

F. **ORDINANCE 4733**: Considering amending various sections in Chapter 26 of the Lewiston City Code regarding hours of park operation, use of park property, and conduct in parks; enacting a new Chapter 26, Article V, titled “Reserving Park Space and Alcohol in Parks”. Action Item (Tim Barker)

G. **RESOLUTION 2018-66**: Considering accepting a Perpetual and Non-Exclusive Public Purpose Easement from Abs-ID-O LLC (Albertsons Companies) to the City of Lewiston. Action Item (Mark Weigand)

H. **RESOLUTION 2018-68**: Considering accepting a Perpetual Public Purpose Easement from Opportunities Unlimited, Inc., for the purposes of a bus stop and bus shelter. Action Item (Mark Weigand)

I. **WATER MASTER PLAN**: Considering approving a Water Master Plan Consultant Agreement between the City of Lewiston and Mountain Waterworks for Phase I, Amendment 2. Action Item (Shawn Stubbers)

J. **RESOLUTION 2018-69**: Considering approving a State/Local Agreement for Project No. A013(440) between the City and the Idaho Transportation Department. Action Item (Chris Davies)

K. **ALCOHOL LICENSE**: Action Item (Dee Maertress)
   - Imua Hawaiian Style Restaurant, Lewiston Idaho - Retail Wine by the Drink
   - Shari’s – 2122 Nez Perce Grade, Lewiston Idaho – Retail Wine by the Bottle, Retail Wine by the Glass and Retail Beer on Premise

L. **VOUCHERS PAYABLE**: Considering approval of the Vouchers Payables dated 10/19/18 through 11/01/18 in the amount of $822,145.05 and 11/02/18 through 11/15/18 in the amount of $1,399,428.21. Action Item

VII. UNFINISHED AND NEW BUSINESS

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**
C. ADVISORY BOARD AND COMMISSION APPOINTMENTS - ACTION ITEM

- Appointment – Robert Brown – Urban Forestry Cemetery Commission
- Appointment – Don Beck – Urban Renewal Agency Board

D. AGENDA TOPICS - ACTION ITEM

VIII. ADJOURNMENT
THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, November 26, 2018, on the second floor of the Lewiston City Library, 411 “D” Street, Lewiston. Mayor Collins called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Collins; Schroeder; Kleeburg; Miller; Pernsteiner; Randall.

Councilors Excused: Blakey.

II. PLEDGE OF ALLEGIANCE

Councilor Miller 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. Sam Skinner, Twin County United Way Executive Director, indicated he works hard to keep a pulse on what is needed most in the community and the issues people are facing. He provided the Council with an ALICE (Asset Limited Income Constrained and Employed) Report for both Idaho and Washington which establishes household budgets. It shows what it costs to live, to purchase a home, to rent, the cost of groceries, and to buy a vehicle, etc. The report can be broken down by family dynamics and compared to neighboring counties and can be found online.

Mr. Doug Welch, Commander of VFW, addressed Ordinance 4710 which is later on the agenda. He suggested it would be less confusing and less misinterpreted if the language on Page 3, Paragraph 2, was changed from “it shall be unlawful to serve, handle, and/or sell liquor by the drink at a party or festivity” to incorporate the words “retail sales”. He continued to say the words “serve and/or sell” is not in Idaho Code.

IV. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING: URBAN RENEWAL AREA REVENUE ALLOCATION AREA #6 BRYDEN AVENUE
Stating it as the time and place announced for the Public Hearing regarding the Urban Renewal Area Revenue Allocation Area #6 Bryden Avenue, Mayor Collins declared the hearing open and asked that a staff report be provided.

Community Development Director Von Tersch explained that Bryden Avenue has been the focus of long-range transportation since 2013. The roadway needs to be widened to handle traffic as the current levels are producing congestion and causing dangerous conditions at times for the traveling public and first responders. The utilities under the road bed are inadequate and the curb, gutter and sidewalk are spotty at best. The Urban Renewal Plan will provide an opportunity to improve the roadway by putting away money into a savings account along with contributions from other taxing entities. When the time comes to apply for federal funding, there will be enough match available and enough increment to cost share in upsizing and improving the underground utilities. Ms. Von Tersch noted public hearings were held by both the Urban Renewal Agency and Planning & Zoning Commission wherein they both recommended approval, and no testimony in disapproval has been received.

Mayor Collins asked for testimony both in favor and in opposition of the Revenue Allocation Area.

In response to a question raised by Mayor Collins, Fire Chief Myklebust said that as the city grows, there will be a need to improve emergency response. Having a larger water line will definitely be a positive for the city.

Councilor Randall asked if the city is currently facing a severe problem with regard to enough water for emergency services in this area. Chief Myklebust replied that future growth could certainly precipitate the need for improved utilities.

Replying to a question raised by Councilor Kleeburg with regard to right-of-way, Community Development Director Von Tersch explained that detailed plans and an environmental review are needed prior to securing right-of-way. This needs to be done over time so when developers come in they can be addressed one by one. Ms. Von Tersch said this is a much more organic way to achieve the end goal. She added that quite a bit of engineering has already been done which recommended 80 feet of right-of-way. Further, there have been some cost estimates and indepth design work at the Public Works level for the first phase of the project.

Councilor Kleeburg stated he is curious about the boundary, noting it seems to have a lot of “jogs” back and forth. Ms. Von Tersch replied as the boundaries were being identified, it was realized there wasn’t enough allocation under the revenue cap to go from Linden Avenue to Airway Avenue. Not wanting to capture too much valuation in the revenue allocation area, it ended up with a lot of “jogs”.

E-65
Since this area is underserved by water and sewer, Councilor Kleeburg questioned the amount of involvement from LOID and COSD. Community Development Director Von Tersch reported there is no cost estimate at this time, but it is recommended that it would be optimal to split the bill.

Councilor Randall expressed concern that there won’t be enough revenue for the project. Ms. Von Tersch reported the corridor is split into three sections so work can be done in one area or all three, depending on federal funding. She noted that the City is looking at a 20-year window and a lot can change in that time. It will be best to form the district and collect the increment as properties appreciate.

Mayor Collins closed the public hearing.

V. CONSEN

T AGENDA

Mayor Collins 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 Schroeder seconded the motion and it carried 7 to 0.

A. CITY COUNCIL MEETING MINUTES: 10/08/18 REGULAR MEETING

B. BOARD/COMMISSION MEETING MINUTES: 09/29/18 PARKS AND RECREATION ADVISORY COMMISSION; 10/10/18 YOUTH ADVISORY COMMISSION

Following the reading of the Consent Agenda, a motion was made by Councilor Randall and seconded by Mayor Pro Tem Schroeder to adopt. The motion carried with 7 ayes.

VI. ACTIVE AGENDA

A. EMERGENCY AND NON-EMERGENCY AMBULANCE SERVICE

Councilor Randall moved and Mayor Pro Tem Schroeder seconded, respectively, approval of the Certificate of Compliance for the Lewiston Fire Department to provide emergency and non-emergency ambulance service.

Councilor Pernsteiner questioned the reason for this procedure. Fire Chief Myklebust explained it is part of an ordinance that has been in place since 1996 to ensure services to citizens and the City of Lewiston meet standards with regard to a certified agency, personnel, dispatch, medical control, and a plethora of other things. Each year any entity that wants to provide ambulance services has the ability to meet all of the established criteria. The purpose is to ensure the users of
the services know they are getting the best level of service available. Although there have been numerous ambulance service providers in the valley over the years, they have not been able to apply because they could not meet the level of care outlined within the ordinance.

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

B. ORDINANCE 4732

A motion and second were made by Councilor Kleeburg and Mayor Pro Tem Schroeder, respectively, to read Ordinance 4732 for the first time, by title only.

Councilor Kleeburg reported although it will be many years before this project comes to fruition, he is glad to finally see it moving forward. He added he feels this is a totally appropriate use of URA funding and will be a great project when it is complete. Councilor Randall agreed, adding that improvements to Bryden Avenue would alleviate the heavy traffic on other streets.

Collins entertained a motion to amend Ord. 4732 and outlined all 10 changes recommended within the staff report. Mayor Pro Tem Schroeder moved and Councilor Kleeburg seconded the motion.

Replying to a question raised by Councilor Kleeburg, Community Development Director Von Tersch noted the parcel in question is located immediately south of the intersection at Linden and 10th. As the exhibit changed and the attorney requested some modifications, that little parcel got morphed into the area. When the City Council adopted the Resolution declaring the area was deteriorated, that parcel was not included. Therefore, it cannot be included now.

The motion carried with 6 ayes with Councilor Blakey excused.

The motion to read carried with 6 ayes with Councilor Blakey excused.

ORDINANCE 4732: “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 #6 BRYDEN AVENUE”: 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 #6 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
C. **ORDINANCE 4725**

Mayor Pro Tem Schroeder moved to waive the third reading of Ordinance 4725 in full. A second was made by Councilor Miller.

Councilor Randall expressed his desire to not waive the third reading, stating he believes downtown business owners may have not had enough opportunity to speak. Mayor Pro Tem Schroeder disagreed, noting the Ordinance was well publicized and a public hearing was held. Councilor Pernsteiner agreed, noting it has been thoroughly vetted and this is a step in the right direction.

The motion carried 5 to 1, with Councilor Blakey excused and Councilor Randall voting nay.

A motion was then offered by Mayor Pro Tem Schroeder to read Ordinance 4725 for the third time by title only. A second was offered by Councilor Kleeburg.

Councilor Randall offered an amended motion to remove Item F in its entirety. Mayor Collins seconded the motion. Mr. Randall said he has an issue with the public art requirement noting that it is not defined well within the document and leaves it wide open for interpretation.

Councilor Pernsteiner stated he too had some issues with a committee defining what the public art should look like. However, after reviewing this section further, the council will only be determining whether or not the private owner will receive points for something they would already be doing. He expressed the importance of encouraging art as it can really transform a community. Mayor Pro Tem Schroeder agreed, stating art is important for child development.

Councilor Kleeburg said he is not in favor of eliminating the language. The section in question merely talks about the points that could be given for the “art” parts of their project.

Councilor Randall emphasized that he is not opposed to public art, but rather to government controlling it. He said he can almost guarantee under the current language within the Ordinance, the city will end up with an Art Commission in a few years.

The motion to eliminate Item F failed with Mayor Collins, Mayor Pro Tem Schroeder, Councilor Kleeburg, Councilor Miller and Councilor Pernsteiner voting nay and Councilor Randall voting aye. Councilor Blakey was excused.
The motion to read carried 6 to 1, with Councilor Blakey excused.


Ordinance 4725 was adopted and the Ordinance Summary approved upon a motion and second from Mayor Pro Tem Schroeder and Councilor Kleeburg. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Kleeburg; Miller; Pernsteiner. VOTING NAY: Randall. EXCUSED: Blakey.

**D. ORDINANCE 4726**

A motion was made by Mayor Pro Tem Schroeder to waive the third reading of Ordinance 4726 in full. Councilor Kleeburg seconded the motion which carried 6 to 1 with Councilor Blakey excused.

Upon a motion and second from Mayor Pro Tem Schroeder and Councilor Kleeburg, respectively, Ordinance 4726 was read for the third time by title only. The motion carried 7 to 0.

**ORDINANCE 4726:** “AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL’S DECISION IN ZC18-000004, DECLARING THAT CERTAIN REAL PROPERTY BE REMOVED FROM THE LIGHT INDUSTRIAL (M-1) ZONE, GENERAL COMMERCIAL (C-4) ZONE, AND CENTRAL COMMERCIAL (C-5) ZONE AND INCLUDED IN THE FORM AND IMPACT BASED (FIB) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE”

Mayor Pro Tem Schroeder and Councilor Kleeburg moved and seconded, respectively, adoption of Ordinance 4726 and approval of the Ordinance Summary. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.

**E. ORDINANCE 4710**

Mayor Pro Tem Schroeder moved to approve the second reading of Ordinance 4710 by title only. A second was provided by Councilor Randall.
Councilor Kleeberg asked for clarification on comments offered earlier by Mr. Welch. City Attorney Gómez explained she was advised by the Idaho State Police that it is unlawful to serve or sell liquor by the drink at a party or convention that is open to the public. Events at the VFW are generally private parties and a permit would not be required unless the event was open to the public. Mr. Welch added the words serve and/or sell could be misinterpreted. Again, he said Idaho State Law references public retail sales, noting his belief that by using this language would eliminate any confusion.

Assistant City Attorney Hermann indicated extensive conversations amongst staff as well as with the ISP took place and it kept coming back to the words “open to the public”. Therefore, she stated she is comfortable with the current language within the Ordinance.

Mayor Pro Tem Schroeder noted the council relaxed the closure requirements for beer gardens from six feet to 3 feet at a previous meeting, but noted the Police Chief had expressed some concern. Chief Hurd added the previous Code required a sight-obscuring, six-foot high fence. He expressed concern for being able to monitor individuals coming over the fence and alcohol being passed back and forth. Chief Hurd said he would much prefer a six-foot, sight obscuring fence requirement.

Councilor Miller offered an amended motion to amend Article 5, Section 6, stating that beer gardens shall be enclosed on all sides which is at least 72 inches in height and sight obscuring. Mayor Collins seconded the motion.

As a matter of clarification, Chief Hurd noted this requirement would only apply to permanent structures and not for events such as Hot August Nights. When restrictions are relaxed, business owners can become compromised as it would be much easier for minors to get in and for individuals to pass alcohol back and forth.

Mayor Pro Tem Schroeder questioned why this requirement was reduced to three feet. City Planner Plaskon noted the City Council asked for this reduction at a previous work session. He noted that Community Development staff is much more comfortable with the six-foot, sight obscuring fence option.

Councilor Pernsteiner questioned the number of businesses that would be impacted by this change. Mr. Plaskon explained there would be none. If this change were implemented, it would not have any retroactive effect on the existing businesses because it was the previous Code requirement prior to the change to a three-foot fence.

Upon further discussion, it was the consensus of the Council to direct staff to bring back a recommendation which would separate requirements for liquor, beer
and wine. Councilor Miller noted she would agree with whatever the Police Chief is comfortable with to prevent minors from consuming alcohol and individuals being able to enter establishments illegally. Therefore, she withdrew her amended motion.

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

ORDINANCE 4710: “AN ORDINANCE OF THE CITY OF LEWISTON REPEALING AND REPLACING CHAPTER 6 OF THE LEWISTON CITY CODE REGARDING ALCOHOL BEVERAGES AMENDING SECTION 31-74(d) REGARDING ALCOHOL AND TEMPORARY RIGHT-OF-WAY USES; AND PROVIDING AN EFFECTIVE DATE”

F. ORDINANCE 4733

It was moved and seconded by Councilor Randall and Mayor Pro Tem Schroeder, respectively, to read Ordinance 4733 for the second time by title only. The motion carried unanimously.

ORDINANCE 4733: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING VARIOUS SECTIONS IN CHAPTER 26 OF THE LEWISTON CITY CODE REGARDING HOURS OF PARK OPERATION, USE OF PARK PROPERTY, AND CONDUCT IN PARKS; ENACTING A NEW CHAPTER 26, ARTICLE V, TITLED “RESERVING PARK SPACE AND ALCOHOL IN PARKS”; AND PROVIDING AN EFFECTIVE DATE”

G. RESOLUTION 2018-66

Councilor Randall moved to adopt Resolution 2018-66. A second was offered by Mayor Pro Tem Schroeder.

City Surveyor Weigand explained the Lewiston Transit System has procured funds to improve the bus stop near the Albertsons store on the north side of 11th Avenue by adding a rider waiting shelter. Due to space limitations within the existing right-of-way, it will be necessary to place the shelter on private property behind the existing sidewalk. The Transit Manager has been working with the landowner, Albertsons Companies, to obtain permission to place the shelter in the planter strip behind the sidewalk. They have agreed to grant a perpetual public purpose easement for the purpose of a bus stop and bus shelter. The City Attorney prepared an easement document and it has been signed by the property owners.

The motion to adopt carried. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None. EXCUSED: Blakey.
RESOLUTION 2018-66: “A RESOLUTION ACCEPTING A PERPETUAL AND NON-EXCLUSIVE PUBLIC PURPOSE EASEMENT FROM ABS ID-O LLC TO THE CITY OF LEWISTON

H. RESOLUTION 2018-68

A motion and second were made by Mayor Pro Tem Schroeder and Councilor Pernsteiner to adopt Resolution 2018-68.

City Surveyor Weigand reported the Lewiston Transit System has procured funds to improve the bus stop near the Opportunities Unlimited facility on Snake River Avenue by adding a rider waiting shelter. Due to space limitations within the existing right-of-way, it will be necessary to place the shelter on private property behind the existing sidewalk. Opportunities Unlimited has agreed to grant a perpetual public purpose easement for the purpose of a bus stop and shelter.

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

RESOLUTION 2018-68: “A RESOLUTION ACCEPTING A PERPETUAL PURPOSE EASEMENT FOR THE PURPOSES OF A BUS STOP AND BUS SHELTER”

I. WATER MASTER PLAN

Mayor Pro Tem Schroeder and Councilor Randall offered a motion and second, respectively to adopt The Water Master Plan Consultant Agreement, Phase 1, Amendment 2.

Councilor Pernsteiner questioned what had changed from the original agreement. Public Works Director Davies indicated the original scope did not include the intake that is upstream of the current intake. In talking with the Corps of Engineers, that intake was installed in 1977 and never worked. City Engineer Stubbers has been working with the Corps and they feel because it was not working in the past, it would be worth looking at the primary intake again and possibly reversing roles. In order for the Corps to continue in this process, they will take a survey of the river bed both upstream and downstream to determine what kind of pumps and facilities they would need if this were to become the primary intake again. Doing so would expand options for the City.

With regard to funding, Mr. Davies stated if this proves to be a viable intake for the City, it is not known what the costs to the City or Corps would be at this point. Funding options are being reviewed so the City doesn’t have to pay for the entire project. If the intake becomes the primary down the road, the City would be responsible for maintenance and operations.
Mayor Collins asked if the above project would alleviate water issues in East Lewiston. Public Works Director Davies replied it goes back to water rights and use of water. The City of Lewiston has water and ground rights in wells. The current issue with the intake structure is that it tends to silt over every two to five years and a permit is required from the Corps of Engineers to dredge it. Changing up the intakes would not necessarily improve anything else in the system other than providing a more reliable long-term source of water.

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

J. RESOLUTION 2018-69

It was moved by Councilor Kleeburg to adopt Resolution 2018-69. Councilor Pernsteiner seconded the motion. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None. EXCUSED: Blakey.

Assistant City Attorney Hermann reported she is still waiting to hear from the Association of Idaho Cities. It is her understanding that changes to the standard templates cannot be made by the Idaho Transportation Department at this time. Kayla: Still waiting to hear from Association of Idaho Cities.


K. ALCOHOL LICENSE

A motion was made by Mayor Pro Tem Schroeder to approve a Retail Wine by the Drink License for Imua Hawaiian Style Restaurant and a Retail Wine by the Bottle, Retail Wine by the Glass and Retail Beer on Premise License for Shari’s. Councilor Pernsteiner seconded the motion and it carried 6 to 0 with Councilor Blakey excused.

L. VOUCHERS PAYABLE

Mayor Pro Tem Schroeder moved to approve the Vouchers Payables dated October 19, 2018, through November 1, 2018, in the amount $822,145.05 and November 2, 2018, through November 15, 2018, in the amount of $1,399,428.21. Councilor Pernsteiner seconded the motion which carried 7 to 0.
VII. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Pernsteiner noted it would have been very helpful on the Master Plan Amendment to see the differences in funding from the previous Amendment 1 to the one proposed this evening.

Councilor Randall mentioned Councilor Blakey is out on medical and will hopefully be back soon.

Councilor Kleeburg announced though he could not attend the lighting ceremony in Locomotive Park this year, it looks beautiful, as always.

B. CITY MANAGER COMMENTS

City Manager Nygaard said, as the Council knows, the Joint Airport Authority has appointed Chris Clemens as Interim Airport Manager. Mr. Clemens has approached both the City and County for assistance on the administration portion of airport operations. Staff will be helping as they can.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

Mayor Collins moved to appoint Robert Brown to the Urban Forestry Cemetery Commission. The motion was seconded by Councilor Kleeburg and carried 6 to 1 with Blakey excused.

A motion was then made by Mayor Collins to appoint Don Beck to a four-year term on the Urban Renewal Agency Board. Mayor Pro Tem Schroeder offered a second.

Councilor Miller announced there are still two openings on the Historic Preservation Commission. Mayor Pro Tem Schroeder reported the Planning & Zoning Commission is also seeking a member.

D. WORK SESSION AGENDA TOPICS

Mayor Collins asked that an update on railroad track removal be scheduled.

Councilor Miller requested an update on the strategic planning sessions with the community.
VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilor Randall moved and Councilor Miller seconded adjournment of the November 26, Regular Council Meeting at 7:34 p.m.

Kari Ravencroft, Recording Secretary

01/14/2019
Date Approved by City Council
I. CALL TO ORDER

II. 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.

IV. WORK SESSION ITEMS

A. LEWISTON DOWNTOWN MASTER PLAN: UPDATE BY BEAUTIFUL DOWNTOWN LEWISTON (Kramer)

B. OVERVIEW OF THE WATER SYSTEM MASTER PLAN: (Stubbers) - Power Point Presentation - Master Plan can be viewed at cityoflewiston.org/pwprojects

C. DEQ LOAN LETTER OF INTEREST FOR WATER AND WASTEWATER: (Stubbers) - Power Point Presentation

D. SNOW REMOVAL: UPDATE ON PLAN/PROCESS FOR WINTER STORM EVENTS - (Bingman/Barker) - Power Point Presentation

E. CITY COUNCIL AGENDAS: (Nygaard)

F. PARADES AND PUBLIC ASSEMBLIES: OVERVIEW (Davies)

V. ACTIVE AGENDA

A. ORDINANCE 4732: Considering approving an Urban Renewal Plan and Urban Renewal Projects; approving the Urban Renewal Plan for Revenue Allocation Area #6 Bryden Avenue. Action Item (Laura Von Tersch)
B. **AIRPORT MANAGEMENT/ASSISTANCE**: Discussing the need for assistance to the Airport from the City of Lewiston and Nez Perce County. Action Item (Mike Collins/Alan Nygaard)

VI. **UNFINISHED AND NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**

C. **REPORTS FROM CITY COMMISSIONS OR OTHER AGENCIES**

D. **PROPOSED WORK SESSION TOPICS**

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

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 x 6203.
DECEMBER 3, 2018

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular Meeting/Work Session on Monday, December 3, 2018, in the City Hall Conference Room, located at 1134 “F” Street, Lewiston, Idaho 83501.

COUNCIL MEMBERS PRESENT: Collins; Schroeder; Blakey; Kleeburg; Miller; Randall; Fernsteiner.

COUNCIL MEMBERS EXCUSED:

STAFF MEMBERS PRESENT: Alan Nygaard; Laura Von Tersch; Chris Davies; Dan Marsh; Jana Gomez; Kayla Hermann; Shawn Stubbers; Keith Bingman; Tim Barker; Corky Fazio; Travis Myklebust; Budd Hurd; Alannah Bailey; Carol Maurer; Jackie Gilbert; Kari Ravencroft

I. CALL TO ORDER

Mayor Collins called the meeting to order at 3:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor Collins 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.

Brian Hensley, 1013 11th Avenue, indicated he has a keen interest in water and wastewater projects and systems. He suggested staff lower the cost of water by 25 percent and keep the fees on each meter to ensure consistent revenue. Property owners have the ability to use less water to lower their bill, which in turn, lowers their payment to the city.

Steve Martin, Lewiston, said he would like to see the use of Nar can by first responders back on the agenda for discussion. Additionally, he voiced his displeasure with what is happening at the airport and encouraged the city to hire an experienced manager.
December 3, 2018  
City Council Work Session Minutes  

IV. WORK SESSION ITEMS

A. LEWISTON DOWNTOWN MASTER PLAN

Ms. Courtney Kramer, Beautiful Downtown Lewiston, reported that Newberry Square is full with 15 suites occupied, and an additional ten residential units are full six weeks before the Occupancy Permit has even been issued. She noted the creation of a BDL Downtown Master Plan is on time and on budget, noting that for every dollar of the $50,000 the City provided for this purpose, she was able to obtain an additional $1.34 in grants and private funding. The document will be full of community input and will indicate the desires for what is wanted downtown to recruit investors and businesses. Ms. Kramer introduced several individuals, all present to support the Grant for Arts in collaboration with the BDL Master Plan.

Continuing, Ms. Kramer announced she will be working in conjunction with holiday promotions to get the word out to people downtown. Additionally, she will be rolling out shortly with some citizen engagement coasters and storefront window displays.

B. OVERVIEW OF THE WATER SYSTEM MASTER PLAN

City Engineer Stubbers said that two and one-half years ago he started accumulating funds to put together a Water Master Plan. After receiving a significant amount of outside funds, work on the plan began about 18 months ago. Although it is not yet a finished document, it does outline the city’s capital needs and it will help to chart a path for the city moving forward. The city’s water system has a lot of positives: vast sources of high quality water supply, both surface and ground water; water rights; and exemplary city staff. Major deficiencies include sources of supply (antiquated treatment plant and insufficient high system supply capacity); undersized transmission mains; and aging water mains.

Continuing, Mr. Stubbers said the end goal is to reduce reliance on the plant and to have a major state of the art facility that will last for the next 30 to 40 years. There is a need to undergo some changes to the booster stations and wells currently in place to make them as reliable and useable as possible.

Mr. Stubbers introduced Mr. Ryan Raeder and Tim Farrell of Mountain Waterworks. Mr. Raeder presented the information on the attached Power Point presentation.
C. **DEQ LOAN LETTER OF INTEREST FOR WATER AND WASTEWATER**

It was reported by City Engineer Stubbers that the Letter of Interest is due by December 11th for both water and wastewater. Current cost estimates are based off the Master Plan, which is between $21 and $31 million.

After reviewing the attached Power Point presentation, Mr. Stubbers noted that staff is recommending approval. Rate increases made in Water were very difficult, but if this comes to fruition, it would be great.

Councilor Pernsteiner asked if it is staff’s recommendation to not construct a new plant, but to rather do an overhaul. City Engineer Stubbers replied that depends on what is considered new. He said staff believes they can get a very good system for the next 30 to 40 years at the same site. City Manager Nygaard added that at this point there is not a specific recommendation.

Councilor Pernsteiner stated the map he has does not include the downtown corridor to replace the lines. Mr. Stubbers clarified it shows a 24-inch line all the way down 21st Street and across Main Street, almost to the Lewis Clark Hotel.

With regard to wastewater, Mr. Stubbers noted the city is looking at about $28.5 million in upgrades. He referred to the Power Point presentation noted above and attached.

D. **SNOW REMOVAL**

Street Maintenance Manager Bingman reported when a winter storm event occurs, the Street Division is split into two 12-hour shifts. One runs from 7:00 a.m. to 7:00 p.m. and the other from 7:00 p.m. to 7:00 a.m. During regular work hours, crews can immediately respond. During night hours, supervisors are notified by LPD of any issues that need to be addressed. Current equipment includes two F-550’s with small plows and one deicer tank, three trucks carrying 1,000 gallons of deicer, two dump trucks with sanders, a small truck for chemical deicer, one sander with no plow, and a new loader with plow and wing.

Mr. Bingman indicated materials used include liquic magnesium chloride for deicing frost or light snow, dry chemical magnesium chloride for the snow floor to break up its bond to the pavement, and half-inch aggregate on the snow floor for traction.

The first priority areas are the heaviest traffic routes, steep grades, sharp curves with significant traffic levels, busy intersections, bridges, arterials and approaches to arterials. All roads in the first priority list can be designated as emergency snow routes. Additionally, roads providing travel routes to and from
hospitals, medical clinics and extended care facilities are also designated as emergency snow routes.

Mr. Bingman said second priority areas include heavily traveled sections of arterial and collector systems that are not classified as priority one. Everything else falls under priority three.

Finally, Mr. Bingman explained that routine closures include 5th Street from F Street to 2nd Avenue, Vineyard Avenue from Vineyard Drive to 4th Street, 11th Avenue from Prospect Avenue to Snake River Avenue, and 10th Street from Miller Street to 7th Avenue. Typical responses include anti-icing with liquid magnesium chloride applied to the road prior to snowfall, application of deicing during snowfall, and aggregate abrasives applied on roads with a snow floor. Routine closures are 5th Street from F Street to 2nd Avenue, Vineyard Avenue from Vineyard Drive to 4th Street, 11th Ave from Prospect Ave to Snake River Ave; and 10th Street from Miller Street to 7th Avenue. Typical responses include anti-icing with liquid magnesium chloride applied to road prior to snowfall, application of deicing during snowfall, and aggregate abrasives applied on roads with a snow floor. Snow plow operations begin at three to four inches of snow accumulation and dry chemical deicing is applied on the plowed roads to melt the snow floor.

E. CITY COUNCIL AGENDAS

City Manager Nygaard indicated he has heard that the Council would like to have an opportunity to respond to citizen’s comments made during the meetings. Additionally, discussion has ensued on the use of the Consent Agenda for more routine items and a different process for Ordinance readings and approval.

City Attorney Gómez provided copies of example agendas from Boise and Meridian, noting that if the city’s format is changed for the Consent Agenda, it would handle routine items. There would not be a staff report made at the meeting so the viewing public would not hear what the item is about. However, all items for agendas are posted on the city’s website and councilors would still have the option to pull items off the Consent Agenda and place them under the Active Agenda for discussion. The Consent Agenda would be approved by Roll Call vote rather than by voice to accommodate resolutions, contracts, etc.

Councillor Pernteiner questioned who would determine if the item is routine. Ms. Gómez replied the Leadership team meets every Wednesday and would have that discussion at that time.

With regard to ordinance readings, City Attorney Gómez stated the proposal would be to have all first readings as separate items on the agenda to accommodate a staff report and to inform the public of what the ordinance is.
about. Second and third readings could then be combined, with a motion to waive the third reading in full. If a councilor wishes to make an amendment, they could do so at that time. Then it would go back to main motion to approve the second and third readings. Finally, there would be an additional item for adoption of all of the ordinances listed on the agenda and approval of the ordinance summaries.

Councilor Pernsteiner said that although he appreciates the efficiency, he doesn’t want the combination of second and third readings to become the standard. He said he would rather have three separate readings with the option of combining if the council so chooses.

Councilor Blakey expressed concern that a “no” vote on the first reading may get lost since approval of the ordinances would be done in a group rather than individually.

Councilor Miller agreed that routine items should be placed under the Consent Agenda. However, she said she would like to see ordinance readings and approvals remain as they are currently handled.

Mayor Collins noted he likes the idea of combining second and third readings of ordinances.

Lastly, Ms. Gómez talked about the council responding to public comments under “Citizen’s Comments”. She stated she doesn’t have an issue with this from a legal standpoint as long as it is merely a response to the question or comment and not a debate with the speaker. If for some reason it should turn into a lengthy discussion, then the mayor should step in and suggest the item be added to a future agenda for further discussion. Further, if a question is asked that council is unable to answer, they would have the ability to direct it to staff or the City Manager for response.

F. PARADES AND PUBLIC ASSEMBLIES

Public Works Director Davies said this has been before the council numerous times. Several options have been provided and it seemed that one was more favorable wherein a flat fee of $500 would be charged if no alcohol is involved, and a flat fee of $700 would be charged if there is alcohol at the event. If this is still council’s desire, staff can prepare a fee Resolution and bring it to council for consideration.

Mayor Collins said there are often events wherein people don’t obtain permits. Mr. Davies indicated staff has not enforced this in the past, but City Attorney Gómez said there has now been language regarding penalties for late fees at one and one-half times the fee incorporated into the document.
BDL Executive Director Kramer said discussion was previously held on whether or not to assess fees to non-profit organizations and the document before council today looks like fees would be charged. Mr. Davies confirmed.

Councilor Miller said she would be interested to determine if moving forward with this proposal would deter future events from taking place, adding she would hate to see that. Councilor Kleeburg said the Veteran’s Parade, put on by a group of volunteers, would be charged $380 to hold a parade under this structure.

Councilor Miller said that though she understands the city is expending resources, she would be willing to budget for some of these expenses rather than expecting non-profit organizations and others to pay the proposed permit fees. Mr. Davies noted the proposed costs do not even recover the full expenses to the city and merely take a portion in an effort to get some of the dollars reimbursed. Currently the city does not have a policy with respect to parades and special events.

Councilor Blakey asked if, for instance, Artwalk pays a $420 fee, should they also be charged a fee by Parks and Recreation if they were to come in and remove the leaves and prep the streets. City Attorney Gómez explained the fee is a city fee in general rather than broken down by departments.

Mayor Pro Tem Schroeder agreed with the proposed fee structure, but stressed the importance of education and informing those who have done events in the past of the change. City Manager Nygaard indicated staff has met with the School District, College, Fair Board and County Commissioners to provide some outreach and to get their feedback. None of the entities disagreed with the proposal.

Mayor Collins asked if fees could be waived for some groups. City Attorney Gómez replied there would have to be a rational basis as to why fees would be waived for one group versus another.

Councilor Randall suggested a break-in period of one-half the fees for the first year in order to reduce the “sticker shock”. Councilor Pernsteiner added possibly charging for road closures only. Councilor Kleeburg stressed the importance of events in the community and not wanting to deter organizations with large permit fees.
V. ACTIVE AGENDA

✓ A. ORDINANCE 4732

Mayor Pro Tem Schroeder moved to read Ordinance 4732 for the second time by title only. The motion was seconded by Councilor Kleeberg and carried unanimously.

ORDINANCE 4732: "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 #6 BRYDEN AVENUE"; 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 #6 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"

Councilor Blakey made a motion to waive the third reading in full. Councilor Randall seconded the motion which carried 5 to 2, with Councilors Pernsteiner and Kleeberg voting nay.

Councilor Blakey then offered a motion to read Ordinance 4732 for the third time by title only. A motion was made by Councilor Randall and it carried 6 to 1, with Councilor Kleeberg voting nay.

ORDINANCE 4732: "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 #6 BRYDEN AVENUE"; 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 #6 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”

Mayor Pro Tem Schroeder moved to adopt Ordinance 4732 and approve the Ordinance Summary. Councilor Randall seconded the motion. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Randall. VOTING NAY: Pernsteiner.

B. AIRPORT MANAGEMENT/ASSISTANCE

Mayor Collins offered a motion that would allow City Manager Nygaard and other city staff to offer assistance to the Nez Perce County Regional Airport. Mayor Pro Tem Schroeder seconded the motion.

Mayor Collins noted it was brought to his attention that there was a great deal of work at the airport that needed to be caught up and airport staff needed assistance. Both the city and county have indicated they would be able to help. Councilor Randall added the big issue is finances and getting the books in order in an effort to meet FAA requirements. He said this would not be a free service as the airport would pay for assistance.

Interim Airport Manager Clemens said primarily the airport is looking for financial assistance and Administrative Services Director Marsh has stepped up to provide it. Additionally, there is a need for some human resources and legal assistance. He noted this is not a new problem at the airport, but one that has been ongoing for the past 20 years. It is anticipated the airport will need about 60 days at ten hours per week, minimum, of assistance from the city. Another desire would be to have a completely revamped personnel policy to fend off potential lawsuits.

Councilor Pernsteiner proposed having some type of component to this amendment that could be revisited by the council in 60 days. Councilor Blakey agreed, but said he believes 90 days would be more realistic. Councilor Kleeburg noted he is not in favor of any time limit, stressing the importance of getting the airport running smoothly even if it takes six months. Opposing assistance to the airport if it were to hurt the city’s normal functions, Councilor Pernsteiner said there needs to be a time set for reevaluation to determine if this is an efficient use of funds.

Mayor Collins offered an amended motion to authorize the city manager to make decisions regarding providing temporary assistance to the Lewiston/Nez Perce County Regional Airport through the beginning of March 2019. Councilor Blakey seconded the motion and it carried
VI. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Mayor Pro Tem Schroeder noted three applications have been received for the Planning and Zoning Commission and interviews will be scheduled.

Councilor Pernsteiner requested a copy of the Power Point presentation on the water plant utilized earlier in the meeting.

Mayor Collins expressed condolences to the family of Bob Tippett.

B. CITY MANAGER COMMENTS

There were no City Manager comments.

C. REPORTS FROM CITY COMMISSIONS OR OTHER AGENCIES

None.

D. PROPOSED WORK SESSION TOPICS

No new work session topics were suggested.

Mayor Pro Tem Schroeder moved to go into Executive Session to discuss an item related to Personnel. The motion was seconded by Councilor Kleeburg. The motion failed. ROLL CALL VOTE: VOTING AYE: Pernsteiner. VOTING NAY: Collins; Schroeder; Blakey; Kleeburg; Miller; Randall. It was noted that due to the length of this evening’s meeting, the Executive Session would be placed on a future agenda.

VII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Collins adjourned the December 3, 2018, Regular Meeting/Work Session at 6:28 p.m.

Kari Ravencroft, Recording Secretary

Date approved by City Council

02/11/19
ORDINANCE NO. 4732

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 #6 BRYDEN AVENUE"; 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 #6 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 2018-29, 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 and the Agency want to carry out urban renewal projects within the Urban Renewal Area, such as widening Bryden Avenue and upgrading all related infrastructure and utilities;

WHEREAS, in order to move forward with urban renewal projects within the Urban Renewal Area, the Agency prepared an urban renewal plan, titled "Urban Renewal Plan for Revenue Allocation Area #6 Bryden Avenue".
Allocation Area #6 Bryden Avenue” (“Bryden Avenue Plan”), which plan sets forth an urban renewal project to be completed within the Urban Renewal Area;

WHEREAS, on July 10, 2018, the Agency met to consider the Bryden Avenue Plan and, on August 14, 2018, through Resolution 2018-1, approved the Bryden Avenue Plan;

WHEREAS, on September 5, 2018, the Bryden Avenue Plan was submitted to the City of Lewiston Planning and Zoning Commission, in accordance with Idaho Code § 50-2008(b);

WHEREAS, on September 12, 2018, the Planning and Zoning Commission reviewed the Bryden Avenue Plan and unanimously determined that the Bryden Avenue Plan is in conformity with the City of Lewiston Comprehensive Plan and submitted its written recommendation to the City Manager, in accordance with Idaho Code § 50-2008(b);

WHEREAS, on October 25, 2018, a notice of a public hearing regarding the Bryden Avenue Plan was published in the Lewiston Tribune, in accordance with Idaho Code §§ 50-2008(c) and 50-2906(3);

WHEREAS, on October 25, 2018, the City transmitted a notice of public hearing regarding the Bryden Avenue Plan, a copy of the Bryden Avenue 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 #6, in accordance with Idaho Code § 50-2906(3);

WHEREAS, on October 25, 2018, the Planning and Zoning Commission’s written recommendation with respect to the Bryden Avenue Plan was submitted to the Lewiston City Council;

WHEREAS, on November 26, 2018, the City Council held a public hearing on the proposed Bryden Avenue Plan;

WHEREAS, because the Bryden Avenue Plan contains a revenue allocation financing provision, the Bryden Avenue 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 #6 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 #6;

(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 #6, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in revenue allocation area #6;

(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 Bryden Avenue Plan and revenue allocation area #6; and

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

WHEREAS, it is in the best interest of the City to adopt the Bryden Avenue Plan and form revenue allocation area #6 because tax increment financing will: (a) help fund the urban renewal projects to be completed in accordance with the Bryden Avenue Plan, which projects will encourage private development and investment in the project area, and such development would not be possible without sufficient roadway capacity, water flows, and other utilities; (b) prevent and arrest decay of the project area due to the inability of existing financing methods to provide needed public improvements; and (c) 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; and

WHEREAS, it is in the best interest of the City to adopt the Bryden Avenue Plan because the identified urban renewal projects will reduce public safety issues associated with inadequate road capacity and water capacity needed for fire flows and land development.

ORDINANCE NO. 4732
Page 3 of 6
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 Bryden Avenue Plan.
(b) The Bryden Avenue Plan conforms to the City of Lewiston Comprehensive Plan.
(c) The Bryden Avenue 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 Bryden Avenue Plan.
(d) The Bryden Avenue 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 Bryden Avenue Plan is hereby approved, a copy of which is attached hereto and incorporated herein as Exhibit A.

SECTION 3: As part of the Bryden Avenue Plan, revenue allocation area #6 is hereby created, the legal description for which is attached hereto and incorporated herein as Exhibit B.

SECTION 4: The Bryden Avenue Plan establishes a base assessment roll as of January 1, 2018, as it may be adjusted, in revenue allocation area #6.

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 #6 is located, the Nez Perce County Commissioners shall, with respect to the taxable property located in revenue allocation area #6, 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. 4732, including a copy of the legal description and a map of the boundaries of revenue allocation area #6, attached hereto and incorporated herein as Exhibits B and C, to the Nez Perce County Auditor and Tax Assessor; the affected taxing districts, consisting of the City of Lewiston, Nez Perce County, 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. 4732.

SECTION 7: In accordance with Idaho Code §§ 50-2027 and 50-2911, no direct or collateral action attacking the Bryden Avenue 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 3rd day of December, 2018.

By: Michael C. Collins, Mayor

Kari J. Ravencroft, City Clerk

ORDINANCE NO. 4732
Page 5 of 6
 STATE OF IDAHO
)
)
County of Nez Perce
)

On this ___ day of December 2018, before me, a Notary Public, personally appeared Michael G. Collins and Kari J. Ravencroft, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.

[Signature]
Notary Public for the State of Idaho
Commission Expires 12/4/2020
EXHIBIT A

Urban Renewal Plan for
Revenue Allocation Area #6
Bryden Avenue
URBAN RENEWAL PLAN

FOR
REVENUE ALLOCATION AREA #6
Bryden Avenue

THE CITY OF LEWISTON
URBAN RENEWAL AGENCY

Prepared by

Urban Renewal Agency of the City of Lewiston

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

August 14, 2018
TABLE OF CONTENTS

EXECUTIVE SUMMARY ........................................................................................................ 1
INTRODUCTION ................................................................................................................... 2
PURPOSE ............................................................................................................................... 3
OBJECTIVES ......................................................................................................................... 3
ORGANIZATION .................................................................................................................... 4
POWERS ................................................................................................................................. 4
DUTIES .................................................................................................................................... 5
SOURCE OF AGENCY REVENUES .................................................................................... 5
FINANCING IMPROVEMENTS ............................................................................................. 5
ELIGIBLE PROJECT ACTIVITIES ....................................................................................... 6
EXHIBITS 1 AND 2 ................................................................................................................. 7
EXHIBIT 3: MAP .................................................................................................................... 8
COOPERATION BETWEEN THE CITY AND AGENCY ......................................................... 9
DESCRIPTION OF PROJECTS ............................................................................................... 9
BRYDEN AVENUE ................................................................................................................ 9
OTHER PROJECTS AND REVENUE ALLOCATION AREAS ................................................ 14
ECONOMIC FEASIBILITY STUDY ....................................................................................... 14
FISCAL IMPACT TO OTHER TAXING ENTITIES .............................................................. 14
CONCLUSION AND RECOMMENDATION ........................................................................ 15
APPENDIX A: SUMMARY STATEMENTS, LEGAL INSTRUMENTS ................................. A-1
APPENDIX B: DEFINITIONS ................................................................................................. B-1
APPENDIX C: INCREMENT PROJECTION ......................................................................... C-1
APPENDIX D: IDAHO STATUTES 50-2002 AND 50-2905 .................................................. D-1
APPENDIX E: ADOPTION PROCESS ................................................................................... E-1
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 2018. 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, (12/10/38), will be used for the widening of Bryden Avenue from 4th Street to Thain, including roadway surface, curb, gutter, sidewalk, streetlights and timing, all utilities, water lines, sewer lines, stormwater and other matters properly related thereto. The Urban Renewal Agency intends to implement the projects described in this plan and then terminate Revenue Allocation Area #6 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 #6 (Bryden Avenue). This area has been deemed suitable for an Urban Renewal project by the City Council through Resolution 2018-29 adopted June 25, 2018.

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;
- 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 public safety hazards in the project area, including among others inadequate roadway capacity and water flows;
- Provision of adequate land for 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.

**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 2018:
- Chairman, Joe Hulett, Member-at-Large
- Vice-Chairman Jo Ann Cole-Hansen, Member-at-Large
- Secretary Dan Marsh, Administrative Services Director, City of Lewiston
- A.L. "Butch" Alford, Jr., Valley Vision
- Bob Blakey, Lewiston City Council
- 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. This plan has been prepared with the assistance of Shawn Stubbers, Lewiston City Engineer.

**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 12/10/38. 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 2018. 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. See Exhibits 1 and 2.

It should be noted that Exhibit 2 reflects conditions as of 06/20/2018; RAA #3, RAA #4 and RAA #5 are open.

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 #6, the Agency anticipates that the City will continue with design work along the corridor starting with the 4th to 7th Street segment. With a design in hand, the city can apply for federal funds allocated by the state for roadway construction.
(STP). STP funds require a local match, currently at +/- 7.5%. Bryden Avenue increment will fund the local match. Other financial partners may be needed to cover improvements not eligible for STP funding, such as utilities.

Securing STP funds is approximately 10 years out. They will be used to fund engineering design and construction. Prior to that time (year 2-9), and subject to available increment, the URA could fund necessary appraisals for right of way acquisition, acquisition and design work. Construction will occur years 11-13. The remaining years (14-20) are expected to focus on paying off any debts incurred. All Project timelines reflect the best information available at this time, but may be subject to changes outside of the URA’s control.

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.

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

Exhibit 1.

SOURCE OF URA REVENUES FY2019

Nez Perce County: 35.2%
City of Lewiston: 60.6%
Independent School District No 1: 5.5%
Port of Lewiston: .7%

Exhibit 2.

PERCENTAGE OF TAXING DISTRICTS' TAXABLE VALUES SUBJECT TO URA\(^{(1)}\)

<table>
<thead>
<tr>
<th>Taxing District</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Lewiston</td>
<td>9.8%</td>
</tr>
<tr>
<td>Nez Perce County</td>
<td>6.5%</td>
</tr>
<tr>
<td>Independent School District No 1</td>
<td>7.2%</td>
</tr>
<tr>
<td>Port of Lewiston</td>
<td>6.5%</td>
</tr>
</tbody>
</table>

\(^{(1)}\) Taxable values from 2018 September Value Worksheet & Nez Perce County & City of Lewiston estimates.
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, a special district 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) Negotiate the transfer and or purchase of private land or easements necessary to implement the project.

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

DESCRIPTION OF PROJECTS

BRYDEN AVENUE

The Bryden Avenue 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, 2018.

Tax increment revenues for Bryden Avenue are projected at $2.7 to $4.4 million, depending on assumed appreciation rates. Two scenarios are put forward, one holding appreciation at 1% per year. A second scenario steps up appreciation to 2% at year six, and 3% at year 11-20.

See Appendix C.

The Bryden Corridor is the subject of attention for a variety of reasons, including waterlines that have reached the end of their useful life and are now obsolete, fire
hazards, declining property values, stagnating development, dangerous traffic conditions, faulty lot layout and development relative to the right of way.

TRAFFIC CONDITIONS IN THIS AREA ARE UNSAFE, DUE TO DEFECTIVE OR INADEQUATE STREET LAYOUT.

Lewiston's Long Range Transportation Plan (LRTP) updated in 2013 identified significant, existing congestion on Bryden Avenue (LRTP Chapter 2 pg. 3) that is expected to become progressively worse by year 2040 (LRTP Chapter 5 pg. 15). As a result, improvement of the Corridor is one of the highest ranked projects in the LRTP (Chapter 8 pg. 7). Improvement of the Corridor from 4th to Thain is recommended at an estimated cost of $13.9 million (Chapter 7 pg. 17). Costs include roadway surface, curb, gutter and sidewalk, roadway induced storm water and right of way acquisitions. Costs do not include sub-surface utilities.

In the four years leading up to the Plan adoption, the intersections of Bryden and 7th and Bryden and 10th had 23 and 25 crashes respectively. The Plan recommended a specific and detailed plan for the Corridor to be developed as part of the Long Range Transportation Plan implementation (Chapter 8 pg. 7). The Plan notes that an average of 56.8 collisions occur per year along the 1.75 mile Corridor, making it a High Accident Corridor (Exhibit 2, Bryden Avenue Corridor Study page iv). Bryden and Seventh Avenue was evaluated recently as part of the Airport Area Circulation Study. From 2011 to 2015, that one intersection had 52 crashes and a crash frequency rate of 1.96 (Exhibit 3, Airport Area Circulation Plan pg. 13). It appears that congestion and crash frequencies are increasing. Existing Level of Service is "D" for both the AM and PM Peak Hours. "High traffic volumes, high volumes overall, potential signal timing deficiencies and deficient lighting are prevailing themes as the cause of collisions. The provision of additional roadway widening, improved signal timing and improved lighting are mitigations for these causes. . .". Lewiston Police Department call data indicates the annual average accident rate in the Corridor is 56.5 in 2016 and 2017. Congestion and accidents along the corridor drive calls for service for Fire and Police personnel. According to the Fire Chief, the corridor "serves for emergency responses due to lack of adequate access and travel routes". Sidewalks do not exist along much of the corridor. Based on its Arterial Road classification, Bryden Avenue should have an 80' right of way, whereas the existing right of way averages 60'.

Bryden Avenue's collision history marks it as a High Accident Corridor. It is unsafe for motorist, emergency services personnel, bicycles and pedestrians.
BRYDEN AVENUE IS INADEQUATE TO HANDLE THE EXISTING AND PROJECTED VOLUMES OF TRAFFIC.

As addressed above, the corridor presents current and projected traffic volume concerns. Increasing the width of the Bryden Avenue right of way from 60' to 80' improves safety by:

1. Providing room for designated turn pockets or turn lanes reducing conflicts between cars in que and flow through traffic;
2. Providing room for islands to control or limit specific turning movements;
3. Providing for stormwater collection and conveyance away from private property;
4. Providing room for utility placement, maintenance and repair outside of the travel lane;
5. Providing a designated shoulder (recovery area); and
6. Providing for sidewalks.

WATER LINES IN BRYDEN AVENUE ARE INADEQUATE AND OBSOLETE, CREATING UNSAFE AND UNSANITARY CONDITIONS.

The water lines in Bryden Avenue are deteriorated and inadequate. The Lewiston Orchards Irrigation District (LOID) provides water service along the Bryden Avenue Corridor for domestic uses, irrigation and fire flows. LOID reports that the piping system is a mix of sizes and materials. Four blocks are served by lines 4" or smaller (blocks 500, 700, 800 and 900). The 600 block is extremely limited with no main over 6". The 400 block has a 6" main. The 1000 block is 8" on the west half and a mix of smaller sizes on the east. The LOID indicates that a 12" line for domestic uses and a second 12" line for irrigation purposes are needed to service this main east west corridor in the Orchards.

Only three sizable development projects have occurred along Bryden Avenue in the last decade (Tullamore, Southgate Plaza and Kinsale). Each project was hampered by the lack of water service in Bryden and incurred significant costs to extend lines into the property. Water mains had to be tapped in Airway and Linden Avenues. Fire hydrants had to be installed inside Southgate proper to meet fire hydrant spacing requirements. Inadequate water is a constraint to development and redevelopment. When lines are not sufficient to support a hydrant and/or the system is not looped and interconnected, fire flows suffer and service is less reliable. The Lewiston Fire Chief has expressed concern for firefighter and citizen safety resulting from a lack of water for fire suppression.

The water system is deteriorated, and the lack of adequate water creates unsafe conditions, including the potential loss of life and property by fire. Therefore, obsolete water volume and water infrastructure due to obsolesce make the Bryden Corridor a deteriorated and blighted site within the City of Lewiston.
BRYDEN IS A DETERIORATED CORRIDOR WHERE THE CITY HAS ATTEMPTED TO INCENTIVIZE DEVELOPMENT WITH VERY LIMITED SUCCESS.

The Corridor was rezoned to allow commercial development in 2005. Since that time, 5 houses have converted to commercial uses and one new commercial structure was built. The only bright spot is the existing shopping center that has undergone substantial renovation. But even with that project, the city contributed $33,600 in waived building permit fees to secure construction of 24 apartment units.

Two other residential projects (Tullamore and Kinsale apartments) received $3,752,910 and $1,504,470 in public monies. A single-family unit was renovated with $12,975 in Community Development Block Grant funds. These public investments did not provide the desired catalyst for private investment.

Property values along Bryden attest to the market conditions created by the traffic congestion and other limited infrastructure. Of five areas studied, Bryden Avenue had the lowest average sales price per square foot from 2010 to 2017. It was $66 per sq. ft. whereas four other areas studied were $66.45 (9th Ave.) $78.59, $83.23 and $104.07. Recent sales along Ninth Avenue have averaged $116.14 per square foot. Bryden properties had by far the longest average days on the market at 240, whereas the other study areas had 78, 94, 132 and 146 days.

FAULTY LOT LAYOUT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY OR USEFULNESS CREATE BLIGHT CONDITIONS ALONG THE BRYDEN CORRIDOR.

Improving Bryden will be difficult not only from a cost perspective, but also because of the 172 individual parcels along the corridor. Right of way for roadway widening will be required on 151 parcels; potentially a multi-year effort. (Bryden Avenue Corridor Study, 80' wide ROW Alternative). Faulty lot lay out and development have hampered accessibility and created traffic issues, resulting in blighted conditions.

DIVERSITY OF OWNERSHIP SUBSTANTIALLY ARRESTS THE SOUND GROWTH OF LEWISTON IN REGARDS TO THE NEED TO WIDEN BRYDEN AVENUE.

Final project design, bidding and construction to implement the improvements needed, cannot proceed without all right of way issues addressed. Right of way will need to be acquired or the design modified, along the length of the corridor. The number of individual property owners involved, approximately 150, will make right of way acquisition a lengthy process. Private individual development will not address this large-scale problem affecting multiple properties. Therefore, diversity of ownership arrests the sound growth of Lewiston.

It is proposed that needed right of way and/or acquisition of easements commence once funds are available. It would be ideal to approach owners when properties come onto the market for sale. If the right of way acquisition takes the entire front yard, the URA should
consider whether the entire property needs to be acquired. Circumstance would dictate whether the land should be cleared and/or offered for sale to facilitate land assembly. Fewer, larger projects along the corridor would result in fewer driveways/access points, enhanced traffic control and improved safety. Right of way acquisition will need to follow federal rules regarding appraisals, environmental review and the like.

**BRYDEN AVENUE FINDING OF DETERIORATED CONDITIONS.**

The infrastructure along the Bryden Corridor is obsolete and inadequate for existing and/or future development. This appears to have directly caused stagnating or declining property values and impaired economic development. Conditions along the corridor that pose a danger to life and property include traffic congestion, dangerous intersections, driveway incursions, lack of sidewalks and bicycle lanes, and water volumes inadequate for effective fire suppression. The deterioration on the Bryden Corridor has resulted in economic underdevelopment and impairment of growth in the area as well as a menace to the public health, safety and welfare of the Corridor. The combination of these factors and effects lead to a conclusion of blighted conditions along the Bryden Corridor.

It is clear that water infrastructure is obsolete, inadequate and poses a number of hazards. Factors relevant to these conditions are:

1. The presence of a substantial number of deteriorated or deteriorating structures.
2. Unsanitary or unsafe conditions.
3. Deterioration of site or other improvements.
4. The existence of conditions which endanger life or property by fire or other causes.

The factors identified in above, as well as predominance of defective or inadequate street layout, indicate that the Bryden Corridor has economic stagnation due to these statutory factors.

<table>
<thead>
<tr>
<th>PROJECT SUMMARY ESTIMATED COSTS(1)</th>
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<tbody>
<tr>
<td>PROJECT</td>
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</tr>
<tr>
<td>Bryden Avenue Widening (2)</td>
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<tr>
<td>Water System (3)</td>
</tr>
<tr>
<td>Sanitary Sewer System(4)</td>
</tr>
</tbody>
</table>

(1) A formal cost sharing agreement has not yet been approved.
(2) In 2012 dollars
(3) Projected 2027 costs
(4) In 2018 dollars
OTHER PROJECTS AND REVENUE ALLOCATION AREAS

In developing Revenue Allocation Area #6, Bryden Avenue, the Agency discussed other areas that could be considered blighted, or lacking sufficient infrastructure to support land development, such as Lewiston High School and circulation around the Airport. Another Revenue Allocation Area may not be formed until Lewiston's taxable value grows considerably or an existing RAA is closed. This Plan only addresses Bryden Avenue.

ECONOMIC FEASIBILITY STUDY

Costs to widen Bryden Avenue (roadway improvements, not utilities) were determined through a nine month $80,000 engineering analysis funded jointly by the Metropolitan Planning Organization and the City of Lewiston.

Improvements needed for the Central Orchards Sewer District were determined through a 3 month, $11,500 analysis. Lewiston Orchards Irrigation District determined cost of needed improvements in house, using decades of experience with similar projects as a guide.

Cost of projects described for Area #6 exceed projected revenues. The Agency will be tasked with finding other sources of revenues to complete the projects, phasing the project, 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 #6 (12/10/2038).

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 2018 Tax Year levies, the four taxing entities will forego an estimated $2.7 million to $4.4 million over the life of the project in tax revenues. Two estimates are provided reflecting differing assumptions on appreciation rate and use of foregone taxes.

City of Lewiston: $2,676,335 ($134,000 average over 20 years)
County of Nez Perce: $1,466,243
Lewiston Independent School District No. #1: $242,901
Port of Lewiston: $30,915

The total base value contained in the RAA in 2018 is estimated at $54,270,325, 2.47% of the total assessed value in the municipality. The total assessed value of the City of Lewiston in Tax Year 2018 is $2,196,276,600.

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 #6, Bryden Avenue 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 #6 (RAA) as set forth in Exhibit 4 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.

On June 25, 2018, pursuant to Resolution 2018-29 adopted by the City Council, the City determined that all properties within the corporate limits of the City and generally (a) south of Linden Avenue, (b) west of Thain Road, (c) north of Bryden Drive and east of 4th Street and 4th Street D were deteriorated.

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 2018

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 Bryden Avenue #6 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 #6.

Project shall mean the infrastructure improvements 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: Revenue Projections

#### Bryden Avenue A

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(1) Levies for 2018 Tax Year. Levies will change over time.
(2) Total Taxable Value 54,270,325
(3) Revenue from City County & City of Lewiston Estimated
(4) Sewage and Water Divisions are expected to come on line the next year.

Scenario A has a flat appreciation rate of 1% throughout the term of the Revenue Allocation Area. Use of City forage taxes is in place for the first four years then drops off. Scenario A is the low-end forecast.

Scenario B has a stepped appreciation rate of 3% to 4% over time. City forage taxes are kept in the levy over the term. Scenario B is a more robust increment forecast.

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28
APPENDIX D:
IDAHO 50-2018 AND 50-2905
STATUTES

TITLE 50
MUNICIPAL CORPORATIONS
CHAPTER 20
URBAN RENEWAL LAW

50-2018. DEFINITIONS. The following terms wherever used or referred to in this chapter, shall have the following meanings, unless a different meaning is clearly indicated by the context:

(1) "Agency" or "urban renewal agency" shall mean a public agency created by section 50-2006, Idaho Code.

(2) "Municipality" shall mean any incorporated city or town, or county in the state.

(3) "Public body" shall mean the state or any municipality, township, board, commission, authority, district, or any other subdivision or public body of the state.

(4) "Local governing body" shall mean the council or other legislative body charged with governing the municipality.

(5) "Mayor" shall mean the mayor of a municipality or other officer or body having the duties customarily imposed upon the executive head of a municipality.

(6) "Clerk" shall mean the clerk or other official of the municipality who is the custodian of the official records of such municipality.

(7) "Federal government" shall include the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy,
accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(10) "Urban renewal project" may include undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated or deteriorating areas and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include:

(a) Acquisition of a deteriorated area or a deteriorating area or portion thereof;
(b) Demolition and removal of buildings and improvements;
(c) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, off-street parking facilities, public facilities or buildings and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this chapter in accordance with the urban renewal plan;
(d) Disposition of any property acquired in the urban renewal area, including sale, initial leasing or retention by the agency itself, at its fair value for uses in accordance with the urban renewal plan except for disposition of property to another public body;
(e) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;
(f) Acquisition of real property in the urban renewal area which, under the urban renewal plan, is to be repaired or rehabilitated for dwelling use or
related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property;

(g) Acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or to prevent the spread of blight or deterioration, or to provide land for needed public facilities;

(h) Lending or investing federal funds; and

(i) Construction of foundations, platforms and other like structural forms.

(11) "Urban renewal area" means a deteriorated area or a deteriorating area or a combination thereof which the local governing body designates as appropriate for an urban renewal project.

(12) "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan:

(a) Shall conform to the general plan for the municipality as a whole except as provided in section 50-2008(g), Idaho Code; and

(b) Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.

(13) "Related activities" shall mean:

(a) Planning work for the preparation or completion of a community-wide plan or program pursuant to section 50-2009, Idaho Code; and

(b) The functions related to the acquisition and disposal of real property pursuant to section 50-2007(d), Idaho Code.

(14) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest, right and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise.

(15) "Bonds" shall mean any bonds, including refunding bonds, notes, interim certificates, certificates of indebtedness, debentures or other obligations.

(16) "Obligee" shall include any bondholder, agents or trustees for any bondholders, or lessor demising to the municipality property used in connection with urban renewal, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the municipality.

(17) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(18) "Area of operation" shall mean the area within the corporate limits of the municipality and the area within five (5) miles of such limits, except that it shall not
include any area which lies within the territorial boundaries of another incorporated city or town or within the unincorporated area of the county unless a resolution shall have been adopted by the governing body of such other city, town or county declaring a need therefor.

(19) "Board" or "commission" shall mean a board, commission, department, division, office, body or other unit of the municipality.

(20) "Public officer" shall mean any officer who is in charge of any department or branch of the government of the municipality relating to health, fire, building regulations, or to other activities concerning dwellings in the municipality.

History:


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
Lewiston City Council
REGULAR MEETING AGENDA
Monday, June 25, 2018 - 6:00 p.m.
Lewiston City Library – Second Floor – 411 D Street
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. **PRESENTATIONS AND PUBLIC HEARINGS**

A. **FINANCIAL REPORT:** Presentation by Administrative Services Director Dan Marsh. (Dan Marsh)


C. **PUBLIC HEARING RE: CPA18-000001 AND ZC18-000003: APPLICANTS – BRETT AND MELISSA KINZER:** A request to amend the Comprehensive Plan Land Use Designation from High Density Residential to Commercial and change the zoning from Medium Density Residential to Community Commercial for the vacant, 0.23 acre parcel adjacent to and east of 3139 5th Street. (Joel Plaskon)

V. **CONSENT AGENDA**

A. **CITY COUNCIL MEETING MINUTES: 04/23/18 BUDGET WORK SESSION**

VI. **ACTIVE AGENDA**

A. **PY2018-2022 CONSOLIDATED PLAN:** Considering approval of the PY2018-2022 Consolidated Plan. (Tanya Brocke) – Action Item


C. **2018 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE:** Considering approval of the 2018 Analysis of Impediments to Fair Housing Choice. (Tanya Brocke) – Action Item

D. **REASONED STATEMENT:** Considering approval of the Reasoned Statement for ZC18-000003 and CPA18-000001. (Joel Plaskon) – Action Item
E. **RESOLUTION 2018-28**: Considering implementing the Council's decision in CPA18-000001 and amending the Neighborhood Number Five - West Orchards Future Land Use Map of Chapter 6.5 of Lewiston's Comprehensive Land Use Map. (Joel Plaskon) – Action Item

F. **ORDINANCE 4723**: Considering implementing the Council's decision in ZC18-000003, declaring that certain real property be removed from the Medium Density Residential (R-3) Zone and included in the Community Commercial (C-3) Zone. (Joel Plaskon) – Action Item

G. **RESOLUTION 2018-34**: Considering approving a Development Agreement between the City of Lewiston; the State of Idaho, acting by and through the Idaho State Board of Education as Trustees for Lewis-Clark State College; and Independent School District No. 1 of Nez Perce County, Idaho, which agreement includes a provision leasing certain real property currently owned by the City of Lewiston to Lewis-Clark State College. (Laura Von Tersch) – Action Item

H. **RESOLUTION 2018-29**: Considering creating the Bryden Avenue Urban Renewal Area. (Laura Von Tersch) – Action Item

I. **RESOLUTION 2018-26**: Considering approving a special ballot question for the November 6, 2018, General Election to increase Avista Corporation's Franchise Fee for City of Lewiston street projects from one percent (1%) to three percent (3%) for seven (7) years. (Chris Davies) – Action Item

J. **RESOLUTION 2018-27**: Considering making findings and declarations with respect to financing improvements to the City's public sewer system facilities; authorizing the filing of a petition for judicial confirmation in the District Court of the Second Judicial District of the State of Idaho, and for Nez Perce County. (Chris Davies) – Action Item

K. **FINAL PLAT - NORTHEAST CROSSING ADDITION PHASE III-B**: Considering conditionally approving the Northeast Crossing Addition, Phase IIIB Final Plat, with the condition that the plat will not be recorded until all Phase IIIB subdivision improvements, including punch list items, are installed, inspected and approved by City staff or an approved financial surety is received by the City to cover minor construction items specifically approved by the City Engineer for bonding; record drawings are received, reviewed and approved by City staff; all applicable Transportation Mitigation Fees have been paid; and all property pins and centerline monuments are installed, inspected and approved by the City Surveyor. (Shawn Stubbers) – Action Item

L. **STATE/LOCAL AGREEMENT - MAIN STREET PEDESTRIAN IMPROVEMENTS**: Considering approving a State/Local Agreement between the City of Lewiston and Idaho Transportation Department for Main Street Pedestrian Improvements. (Chris Davies) – Action Item

M. **ORDINANCE 4720**: Considering repealing and replacing Chapter 2, Article II of the Lewiston City Code regarding rules governing the City Council, amending Section 2-159(b) of the City Code regarding conflicts of interest. (Jana Gómez) – Action Item

N. **ORDINANCE 4713**: Considering amending various sections of Chapter 35, Article IX of the Lewiston City Code titled “Special Events” (Chris Davies) – Action Item
## CITY COUNCIL MEETING
### AGENDA ITEM HISTORY/COMMENTARY

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### ORIGINATING SOURCE
Community Development Director

### FUNDING CERTIFICATION (IF APPLICABLE)
Date: 6/25/18

### DIVISION MANAGER REVIEW (If applicable)

### DEPARTMENT MANAGER REVIEW (If applicable)

### RECOMMENDED FOR COUNCIL ACTION
CITY MANAGER

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

7/28/14—CC adopted Ordinance No. 4607 “Urban Renewal Plan 2” that recognized that Bryden Avenue may be suitable for an urban renewal project in the future.

2/06/17—CC was requested to prioritize urban renewal efforts in Main East Main (#1), East Orchards Sewer (#2) and Bryden Avenue (#3).

### 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.

An urban renewal project must be located in an area that is found to be deteriorated or deteriorating as defined in Statute (50-2018 (8), (9) and 50-2903(8)). Specific findings need to be made by the City Council in resolution format to officially start the process of adopting a plan, forming a Revenue Allocation Area and constructing a project.

Bryden Avenue has been found by the Urban Renewal Agency 6/12/18 to be deteriorated as a result of inadequate roadway and water line capacity, safety hazards to persons travelling in vehicles, on foot, persons in need of emergency services and first responders. Diversity of ownership contributes to the problem and makes the solution harder to achieve: widening Bryden Avenue and upsizing utilities. A copy of their report is attached.

### ACTION PROPOSED:
I move to adopt Resolution No. 2018-29 and forward same to the Urban Renewal Agency as authorization to begin preparation of an Urban Renewal Plan for Bryden Avenue.
RESOLUTION 2018-29

A RESOLUTION CREATING THE BRYDEN AVENUE URBAN RENEWAL AREA

WHEREAS, pursuant to Resolution 99-75, the City of Lewiston created the Urban Renewal Agency of the City of Lewiston;

WHEREAS, pursuant to Resolution 99-85, the City of Lewiston created the Nez Perce Terrace Urban Renewal Area #1;

WHEREAS, pursuant to Resolution 2005-76, the City of Lewiston expanded the boundaries of Nez Perce Terrace Urban Renewal Area #1;

WHEREAS, pursuant to Resolution 2017-20, the City of Lewiston created the East Orchards Urban Renewal Area; and

WHEREAS, the City of Lewiston now desires to create another urban renewal area within its area of operation, in accordance with the Idaho Urban Renewal Act, I.C. §§ 50-2001 et seq., and the Local Economic Development Act, I.C. §§ 50-2901 et seq.

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

SECTION 1: The real property described and illustrated in Exhibit A, attached hereto and incorporated herein, is hereby declared to be a deteriorated or deteriorating area, as defined by Idaho Code §§ 50-2018(8), 50-2018(9), and 50-2903(8), due to the following: (a) the narrowness of Bryden Avenue is inadequate to safely accommodate existing and projected traffic volumes, thereby endangering public safety or welfare; (b) Bryden Avenue is a high accident corridor and is detrimental to the public safety or welfare of persons travelling in vehicles and on foot, emergency responders, and persons in need of emergency services; (c) the large number of private driveways connected to Bryden Avenue, which result in vehicles pulling onto and off Bryden Avenue and disrupting the flow of traffic, present a public safety hazard; (d) diversity of land ownership substantially impairs or arrests the sound
growth of the City of Lewiston relative to the need to widen Bryden Avenue; (e) traffic congestion, dangerous intersections, driveway incursions, lack of sidewalks, and inadequate water volumes endanger life and property by fire and other causes and also result in economic underdevelopment; and (f) water and sewer lines are deteriorated and inadequate, creating unsafe and unsanitary conditions that are detrimental to the public health, safety, morals, or welfare.

SECTION 2: The real property described and illustrated in Exhibit A is hereby designated as an urban renewal area, in accordance with the Idaho Urban Renewal Act, I.C. §§ 50-2001 et seq., and the Local Economic Development Act, I.C. §§ 50-2901 et seq. Such urban renewal area is to be known as the "Bryden Avenue Urban Renewal Area."

SECTION 3: The Bryden Avenue Urban Renewal Area is hereby designated as appropriate for one or more urban renewal projects. Accordingly, the Urban Renewal Agency of the City of Lewiston is hereby directed to develop an urban renewal plan for the Bryden Avenue Urban Renewal Area. Such urban renewal plan shall then be returned to the City Council, with recommendations from the Urban Renewal Agency of the City of Lewiston, for public hearing.

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

PASSED this 25th day of June 2018.

CITY OF LEWISTON

By

Michael C. Collins, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

RESOLUTION 2018-29

2 of 4
EXHIBIT A

Bryden Avenue Urban Renewal Area

The Bryden Avenue Urban Renewal Area shall, generally, consist of properties: (a) south of Linden Avenue, (b) west of Thain Road, (c) north of Airway Avenue, and (d) east of 4th Street and 4th Street D, as more particularly depicted in the diagram on the following page:
JUNE 25, 2018

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, June 11, 2018, on the second floor of the Lewiston City Library, 411 “D” Street, Lewiston. Mayor Collins called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall.

II. PLEDGE OF ALLEGIANCE

Councilor Blakey 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.

Ms. Deanne Scrabeck, 512 24th Street North, reported she has been a member of the Friends of the Airport for the past 8 years. During that time there have been many ups and downs, but what is going on today is absolutely shameful. She said it is obvious there needs to be a change and a transformation began about two years ago. There was a large lease on the south side, a US Forest Service tanker base was considered, and the possibility of paved parking to increase revenue was researched. Then the existing board became fractured. Since that time, three members have resigned and others have been assigned by the city and county. Ms. Scrabeck said the city assigned a temporary individual evaded attending the meetings and was then placed on the board as a permanent board member. Additionally, the city appointed a grant writer with economic development experience. Ms. Scrabeck said the airport doesn’t need this as they have an airport manager who performs these tasks. Soon the airport will lose Horizon Air and nothing is being done to replace them. Gary Peters gathered a group and went to talk to Skywest to see what could be done, and the airport manager didn’t even participate. The current manager has now terminated the bookkeeper and there is nobody to do payroll or pay the bills. Ms. Scrabeck said it is shameful what the airport manager has been allowed to create. She shamed the councilor who she felt has drug Gary Peters through the mud, stating all of the allegations were false. Ms. Scrabeck stressed that the truth of what has happened with the airport will come out very soon and the council will be responsible for explaining this to the community.
June 11, 2018  
City Council Regular Meeting Minutes  

Mr. Jerry Northrup, 1623 Powers, COSD Board member, said he is opposed to judicial confirmation and asked the council to consider saving capital improvement monies over the course of about 11 years and to make improvements to the plant at that time. Additionally, he encouraged the council to extend the East Orchards sewer line to all residents in that area of the city.

Mr. Brian Hensley, 1013 11th Avenue, said there may be some unintended consequences if the City chooses to dissolve COSD and LOSD. He noted there are potential legal differences of opinion and that the council should not rely heavily on the City’s legal advice because he believes it hasn’t had a very good record in the past.

Mr. Mark Edelblute, 1730 8th Avenue, said he has lived in Lewiston his entire life. When the Orchards was annexed, everyone thought it was going to be a great deal; however, downtown residents ended up getting the shaft with regard to water and sewer. He said he is amazed the council can continually put huge amounts of money toward projects such as 18th Avenue, the round-a-bout at Thain and Powers and North Lewiston when they have enormous obligations in terms of the water and sewer plants. He asked for an explanation.

Mr. Doug Havens, 3513 22nd Street, addressed the airport and a great concern for its budget. He said he is surprised there is so little attention given to the fact that it has tripled and board meetings have not been taking place due to a lack of quorum. City representatives are not showing up and county appointees are just waiting on them. The bookkeeper has been fired and there is nobody to take her place. Mr. Havens said if people cannot trust the council to take care of a major asset like the airport that is already in place, then they cannot be expected to approve a $29 million bond to build a new sewer plant.

Mr. Gary Peters, Clarkston, extended an invitation to the council and the city manager to attend an event at the airport on Friday evening prior to the air show on Saturday. He said he is focused on keeping things positive and growing and has faith in the Lewiston/Nez Perce County Airport. One of the best airports in the region as far as location, weather, terrain, etc., Mr. Peters said it deserves some special treatment. Prior to expecting upwards of 10,000 people at Saturday’s air show, Friday evening there will be a dinner and a movie about one of the rarest Warcraft of World War II as well as some lifetime achievement awards and other accolades. He asked all those interested to e-mail him.

Councilor Pernsteiner moved to swap the order of Items I and J on the Active Agenda. The motion was seconded by Councilor Blakey and carried unanimously.
IV. PUBLIC HEARINGS AND PRESENTATIONS

A. FINANCIAL REPORT

Administrative Services Director Marsh reported on the April and May financials, noting that the information is also available on the city's Open Gov website, and City of Lewiston website. Within the General Fund, the average expenditures sit at 58 percent. The revenues are beginning to catch up with the expenses. The Capital Fund receives most of its property taxes early so is at 46 percent; however, capital expenditures are really just now beginning to take place.

Councilor Pernsteiner questioned the reason Parks and Recreation revenue is so low at 12 percent. Mr. Marsh replied many of the programs for Parks and Recreation are seasonal, so the fund should be closer to normal by the end of August. Additionally, there are shortfalls in Senior Nutrition.

B. PUBLIC HEARING RE: CDBG PY2018-22 CONSOLIDATED PLAN, 2018-2019 ANNUAL ACTION PLAN AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Mayor Collins announced this as the time and place advertised for the public hearing regarding the CDBG PY2018-22 Consolidated Plan, 2018-2019 Annual Action Plan and Analysis of Impediments to Fair Housing Choice. He opened the hearing and asked that a staff report be provided.

Community Development Specialist Brocke introduced Melissa Mailloux, Principal of Mosaic Planning from Atlanta GA. Ms. Mailloux reported Mosaic was hired to complete the Consolidated Plan, the Annual Action Plan and the Analysis of Impediments. The Consolidated Plan identifies community development housing and homeless needs and serves as an application submitted in order to receive CDBG block grant funds. The main point was to look at data, get input from the community and develop a strategy on how to use the funds.

The second study is a fair housing study required for any city or county that gets money from HUD. It looks at any barriers to obtaining equal housing within the city. The document is comprised from research, data analysis, and input from the community and finally feedback from the city. Today is the last day of the 30-day comment period. Ms. Mailloux indicated there have been focus groups, a community survey and one-on-one stakeholder interviews in an effort to determine the biggest housing development needs within the city. It was determined in terms of the five year housing priorities, housing affordability was the most popular. Additionally, there was a great deal of discussion on homelessness and prevention, improving public facilities, streets, ADA accessibility and providing services and economic opportunities. Projects recommended for funding include residential
June 11, 2018
City Council Regular Meeting Minutes

rehabilitation for low income households, a transit shelter, ADA improvements on 5th Street, fair housing outreach and an overall ADA Plan.

Ms. Mailloux said the last study performed was a fair housing study which looked at any outside impediments. It was discovered that potential impediments included a limited supply of affordable housing for low to moderate income households, supply of accessible housing with disabilities and finally a continued rights for residents and landlords. Some activities the city could consider would be providing support for new affordable rental housing, working with landlords on voucher programs, and translating materials about different programs into Spanish.

The Mayor called for testimony both in favor and in opposition.

Mr. Brian Hensley said he can't imagine there is a need to translate material to Spanish and believes the biggest impediment for low income housing is the lack of money. He said he has some difficulty in understanding how the city can make that much of a difference.

There being no further testimony, the public hearing was closed.

C. PUBLIC HEARING RE: CPA18-000001 AND ZC18-000003: APPLICANTS - BRETT AND MELISSA KINZER

Noted as the time and place advertised for the public hearing regarding CPA18-000001 and ZC18-000003, Mayor Collins opened the hearing and called for a report from staff.

City Planner Plaskon explained Brett and Melissa Kinzer own a vacant lot next to their heating and air conditioning business at 3139 5th Street. They desire to construct an equipment storage building on the lot. The lot, with their business on it, is zoned Community Commercial (C3), but their adjoining vacant lot is zoned Medium Density Residential (R3). The R3 Zone does not allow construction of a commercial storage building. Therefore, they request a zone change for the subject lot from R3 to C3. Mr. Plaskon continued by explaining the subject lot is also designated High Density Residential on the Comprehensive Plan Map and the C3 Zone does not comply with the HDR Comprehensive Plan Land Use designation. Zoning of property is not to be in conflict with the Comprehensive Plan. Therefore, the rezone requires an amendment of the Comprehensive Plan Map from HDR to Commercial (C).

Mr. Plaskon said the Planning & Zoning Commission conducted a public hearing on the applications on May 9, 2018, and received testimony from one person in favor of granting the requests. The Commission unanimously recommended that the Council approve CPA18-000001 and ZC18-000003.
June 11, 2018
City Council Regular Meeting Minutes

Councilor Blakey asked if the zone change will require additional sidewalk to be installed. City Engineer Stubbers added City Code would require installation of curb, gutter and sidewalk as is with all new construction. He noted, however, the Kinzer’s would be allowed to take part in the FILO program since there are no other sidewalks in the area.

Mayor Collins asked if there was any public testimony, either in favor or against the request. There being none, he closed the public hearing.

V. CONSENT AGENDA

Mayor Collins 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 Kleeburg 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: 04/23/18 BUDGET WORK SESSION

Following the reading of the Consent Agenda, a motion was made by Mayor Pro Tem Schroeder and seconded by Councilor Pernsteiner to adopt. The motion carried with 7 ayes.

VI. ACTIVE AGENDA

A. PY2018-2022 CONSOLIDATED PLAN

Councilor Randall moved to approve the PY2018-2022 Consolidated Plan. The motion was seconded by Councilor Kleeburg.

Councilor Pernsteiner stated he appreciates the information that was gathered and appreciates the community engagement. On the data analysis side, a fair amount of the data supplied is from 2010 or from a survey dated 2009 through 2013. He noted, in moving forward, he would like to see this come to the council earlier so they might have time to make a few changes. One neighborhood is a “little less” than another neighborhood is not as helpful as comparing to another state, regional and national standards. He questioned how much effort the city should put into this as there are already industry leaders working towards that end. Responding to a question raised by Councilor Pernsteiner regarding goal outcome indicators, Ms. Brocke explained the indicators are the program plans for the next five years. She noted it serves as a tracking system used by the city and there would be no implications from HUD if the goals were not reached.

The motion to approve carried unanimously.
B. **PY2018-2019 ANNUAL ACTION PLAN**

A motion was offered by Mayor Pro Tem Schroeder to approve the PY2018-2019 Annual Action Plan. Councilor Blakey seconded the motion.

Councilor Blakey asked if the ROC is fully aware the Executive Director is only being funded for one year under this Action Plan. Ms. Brocke confirmed, explaining they could reapply for the same funding the following year but would have to go through the application process and meet the eligibility requirements. She noted it is the ROC’s plan to do fundraising to help pay for the salary in the future.

Councilor Randall expressed concern for the city financing a salaried position for another organization. One of the stipulations for CDBG funding is to administer grant funds as efficiently as possible, noting bricks and mortar projects as an option. He suggested the funds be used for rental rehabilitation.

Therefore, Councilor Randall moved to modify the Action Plan goals to utilize the $28,000 the ROC is requesting for the salary of the Executive Director for residential rehabilitation. Councilor Miller offered a second.

Councilor Blakey asked if the city has used CDBG funding in the past to fund salaried positions. Community Development Director Von Tersch indicated it has not as it falls under the category of social services and the city prefers capital projects. Mr. Blakey said having read the results of the consolidated plan and surveys, homelessness issues continue to rise. He said he sees the requested $28,000 as seed money to get the ROC headed in the right direction and to address the homeless issues within the city. It serves as a one-year partnership to get the organization up and running. Councilor Pernsteiner agreed, noting homelessness is a huge issue.

Councilor Randall pointed out the report states that many of the lower rent apartments/living units are in disrepair and individuals often have to rent more expensive places to live. He reiterated the importance of putting the $28,000 toward rehabilitation.

Responding to a question asked by Mayor Pro Tem Schroeder, Community Development Specialist Brocke explained every applicant who applies for CDBG funding has to sign a sub recipient agreement which outlines all of HUD’s requirements. If they are not in compliance, then the City can terminate that funding and put it towards other qualified projects.

Councilor Miller said she would be remiss to not mention all of the work that has been done to address homelessness in the city. The ROC Rescue Mission has a history of serving this population and if CDBG funds can be used to extend those
services, then she believes it should go towards the Executive Director’s salary. This is just part of a process many people have been working on for a long time.

Mayor Collins asked if there is a way to measure the success of the Executive Director’s position. Ms. Brocke replied that one measurement is performed by the number of clients they have served.

The amended motion carried 4 to 3 with Mayor Collins, Mayor Pro Tem Schroeder and Councilors Kleeburg and Randall voting aye and Councilors Blakey, Miller and Pernsteiner voting nay.

The main motion on the floor carried 6 to 1, with Councilor Blakey voting nay.

C. **2018 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

Councilor Randall moved and Mayor Pro Tem Schroeder seconded adoption of the 2018 Analysis of Impediments to Fair Housing Choice. There were no objections and the motion carried with 7 ayes.

D. **REASONED STATEMENT**

A motion and second were made by Councilors Kleeburg and Pernsteiner to approve the Reasoned Statement for ZC18-000003 and CPA18-000001. The motion carried unanimously.

E. **RESOLUTION 2018-28**

A motion was made by Councilor Kleeburg to approve Resolution 2018-28 by title only. Councilor Blakey seconded the motion. **ROLL CALL VOTE:** VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.


F. **ORDINANCE 4723**

Councilor Randall moved to approve the first reading of Ordinance 4723 by title only. Councilor Pernsteiner seconded the motion and it carried with 7 ayes.
June 11, 2018
City Council Regular Meeting Minutes

ORDINANCE 4723: "AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZC18-000003, DECLARING THAT CERTAIN REAL PROPERTY BE REMOVED FROM THE MEDIUM DENSITY RESIDENTIAL (R-3) ZONE AND INCLUDED IN THE COMMUNITY COMMERCIAL (C-3) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE"

G. RESOLUTION 2018-34

Community Development Director Von Tersch said she cannot count the number of hours the three entities (City of Lewiston, Lewis Clark State College and School District) involved have put into this project. The bond was just the beginning. Now there is an agreement outlining what is needed and the appropriate methodology for cost allocation. All three groups have taken this agreement to the executive level and have each had the document reviewed by their respective attorneys. The city is the first elected body to vote on the agreement, the School District will do so on July 9th, and LCSC is scheduling a special meeting of the State Board of Education. Each team has agreed to not recommend any unilateral changes at this point as everyone is in agreement with the proposed document.

Upon a motion and second offered by Mayor Pro Tem Schroeder and Mayor Collins, respectively, Resolution 2018-34 was adopted.

Councilor Blakey said he believes the project is short sided by not including sidewalks along Warner Avenue. There will be no connectivity clear around the corner by Dels until it gets back to the park property. Additionally, there is another gap all the way to 13th. Ms. Von Tersch noted this is being pursued. She noted the council typically allocates $50,000 per year towards sidewalk projects and may want to direct that expenditure to this project.

ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Randall. VOTING NAY: Pernsteiner.

RESOLUTION 2018-34: "A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LEWISTON; THE STATE OF IDAHO, ACTING BY AND THROUGH THE IDAHO STATE BOARD OF EDUCATION AS TRUSTEES FOR LEWIS-CLARK STATE COLLEGE; AND INDEPENDENT SCHOOL DISTRICT NO. 1 OF NEZ PERCE COUNTY, IDAHO, WHICH AGREEMENT INCLUDES A PROVISION LEASING CERTAIN REAL PROPERTY CURRENTLY OWNED BY THE CITY OF LEWISTON TO LEWIS-CLARK STATE COLLEGE"
H. **RESOLUTION 2018-29**

A staff report was provided by Community Development Director Von Tersch who explained this will be the last revenue allocation area for a very long time as the cap has been reached. Currently in the design phase of Phase 1, which is along Bryden Avenue from 4th to 7th Streets, the URA would then apply for federal funds with a 7 percent match. It looks like a 50/50 cost share with the utility companies would be needed in order to complete this project, even with such a heavy federal allocation toward the project. Staff prepared a report for the URA as to why this roadway is deteriorated, which really gets down to roadway capacity and safety, as well as the lack of water flow lines and lack of water puts not only the residents in unsafe conditions, but also emergency responders. Therefore, the URA recommends adoption of Resolution 2018-29, making the findings the area is deteriorated and suitable for an urban renewal project.

Councilor Pernsteiner asked if there is a time line for completion of the project. Ms. Von Tersch indicated it is 20 years per statute. Additionally, in response to another question raised by Mr. Pernsteiner, Community Development Director Von Tersch explained the first instructions were to pick up all parcels that touched Bryden Avenue, regardless of their depth, and then attempt to pick up everything between Linden and Airway Avenues. This turned out to be way too much property. Therefore, it was determined if the parcel would have touched Linden Drive or Airway Drive, then it was included. If the council has an interest in including the parcel along 10th, that could certainly be done.

Councilor Kleeburg expressed his full support. He said having lived in the Orchards since 1985, he can attest to the increased volume of traffic along Bryden Avenue.

Councilor Miller moved to adopt Resolution 2018-29. The motion was seconded by Mayor Pro Tem Schroeder and carried 7 to 0. **ROLL CALL VOTE:**

VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.

**RESOLUTION 2018-29: “A RESOLUTION CREATING THE BRYDEN AVENUE URBAN RENEWAL AREA”**

I. **RESOLUTION 2018-26**

Public Works Director Davies said city staff asked council if they would like to pursue a franchise again after it did not pass with the voters. During several work sessions, the council indicated they wanted to see very specific projects being completed with the money which include 10th Street, 9th Street Grade, 21st Street, 11th Avenue, 10th Street and Warner Avenue, Stewart, 5th Street, Main Street, Blue Bridge and 3rd Street to Capital Street. The 2 percent franchise fee increase would
bring in approximately $5 million plus over the course of 7 years. It is estimated this would be an approximate $2 per month increase for a single family dwelling.

Councilor Kleeburg noted several organizations are exempt from paying property taxes, however would be contributing through the franchise fee.

In response to a question asked by Councilor Randall, Mr. Davies explained the projects would not be completed in the order in which they would be listed on the ballot. The order would depend on other available dollars through grants and funding sources. If grant funding were received, the projects would be brought to the council to determine their priorities.

City Attorney Gómez explained a new law will become effective July 1st that states a city cannot use any city funds to promote a ballot item; however, they can use these funds to for education purposes. City Manager Nygaard noted staff has an education plan, has set up public speaking opportunities, and has created informational brochures. It is hoped the council will also participate in the education component.

Councilor Pernsteiner expressed concern about taking this issue to the voters who have already voted against it. Further, it was reported at the most recent work session that residents could be looking an additional $400 to $500 more in taxes next year. For those reasons, Mr. Pernsteiner indicated he would be voting against pursuit of the franchise fee.

Mayor Pro Tem Schroeder said she believes one of the reasons it failed at the voter level was because the language was not clear and people did not understand. With all the education planned, a second effort could be very successful. This affects everyone in the city as all citizens’ use the streets, sidewalks and curbs and the franchise fee would be a great way to get the streets repaired.

Councilor Kleeburg noted he fully supports a 2 percent franchise fee increase on the Avista bill. Councilors Randall and Miller also agreed to move forward with the franchise fee on the ballot. Ra

Following a motion and second from Mayor Pro Tem Schroeder and Councilor Miller, respectively, Resolution 2018-26 was adopted. ROLL CALL VOTE: VOTING AYE: Schroeder; Blakey; Kleeburg; Miller; Randall. VOTING NAY: Pernsteiner, Collins.

RESOLUTION 2018-26: “A RESOLUTION APPROVING A SPECIAL BALLOT QUESTION FOR THE NOVEMBER 6, 2018, GENERAL ELECTION TO INCREASE AVISTA CORPORATION’S FRANCHISE FEE FOR CITY OF LEWISTON STREET PROJECTS FROM ONE PERCENT (1%) TO THREE PERCENT (3%) FOR SEVEN (7) YEARS”
Public Works Director Davies reported the Council passed a motion to proceed with judicial confirmation on May 7, 2018, and then held a public hearing on June 11, 2018. The next step is for the council to decide whether or not to proceed with the filing of the petition for judicial confirmation with the District Court. If the decision is to proceed, Council would approve Resolution 2018-27 declaring the expense of the wastewater system improvements to be an ordinary and necessary expense of the City. Mr. Davies said there has been a lot of discussion about this going to the voters. Though not an easy decision, judicial confirmation is a tool for the council to use to move forward with improvements at the Wastewater Treatment Plant. Public Works Director Davies assured the council that staff is not asking for a Cadillac treatment plant, but merely what is necessary to move forward in the city.

Mayor Pro Tem Schroeder mentioned a savings to the taxpayers by going through the judicial confirmation process now as opposed to building the plant sometime in the future. Mr. Davies concurred, stating materials and interest rates would most likely increase over time.

Mayor Pro Tem Schroeder moved to adopt Resolution 2018-27. Councilor Miller seconded the motion.

Councilor Kleeburg said in 2007 there was a 5 percent increase in sewer rates, another 5 percent increase in 2008, a 4 percent increase in 2009, a 0 percent increase in 2010, a 3 percent increase in 2011 and a 0 percent increase in 2012. That has affected the council’s ability to soften the blow of a 40 percent proposed increase. Regardless if the council chooses to take this issue to the voters by means of an election, it doesn’t change that fact that the City of Lewiston needs a new Wastewater Treatment Plant. Mr. Kleeburg said this increase is unfortunate, but if this is what it is going to take, then it has to be done. He added he would not have any objection to exploring the dissolution of the other two sewer districts within the city.

Councilor Blakey agreed with dissolving the other sewer districts. He explained that 30 or 40 years ago federal tax dollars were available for the construction of sewer plants. Those dollars are no longer available and now cities all over the country have to come up with money for rebuilds and replacement. The State Legislature understands this dilemma and provided the option of judicial confirmation. The wastewater treatment plan is needed for the future of this community. Though nobody wants to see rates increase, the longer it is talked about, the more expensive it will become.

Councilor Pernsteiner said the fact is that nobody wants to pay for a new wastewater treatment plant or a new water plant. However, it comes down to
infrastructure and its necessity. He said he believes if this is taken to the voters they would buy into it. It is important for citizens to have input into this process and allow them to be part of this decision. The key component will be education.

Mayor Pro Tem Schroeder said she believes judicial confirmation is the right option. The wastewater treatment facility is critical to the community. Without it, people would not be able to flush their toilets or drink water from their taps. The choice was taken away by previous councils when they didn’t support consistent rate increases over the years. Mayor Kleeburg added that his opinion is if this was to go to the voters and it didn’t pass, the council would be right back where they are today.

Councilor Pernsteiner agreed that something has to be done. However, he reiterated he believes the citizens of Lewiston are smart enough to make the right decision. Being a part of that comprehensive decision is something they are entitled to.

Mayor Collins said he is wavering. He said he knows the public elected the council to do its very best, but at the same time he said he would like to give them an opportunity to vote. The challenge is how the council does this with the least amount of pain possible. Mr. Collins said he is leaning toward the idea he wants to trust the public will see the dire need and that this plant needs to be happen.

In response to a question raised by Councilor Randall, City Attorney Gómez explained if the council approved the Resolution before them this evening, then the petition would be filed with the District Court. At that time, any member of the public could come forward and contest that petition. Councilor Randall urged the council to consider some sort of discount program for those on fixed incomes and Councilor Blakey agreed.

ROLL CALL VOTE:  VOTING AYE: Schroeder; Blakey; Miller; Randall.  VOTING NAY: Pernsteiner, Collins, Kleeburg.

K. FINAL PLAT - NORTHEAST CROSSING ADDITION PHASE IIB

Mayor Pro Tem Schroeder and Councilor Miller moved and seconded approval of the Final Plat for Northeast Crossing Addition Phase IIB. There were no objections and the motion carried 7 to 0.

L. STATE/LOCAL AGREEMENT – MAIN STREET PEDESTRIAN IMPROVEMENTS

Public Works Director Davies reported in January 2016, the city applied for Local Highway Safety Improvement Program funding to make pedestrian improvements on Main Street, from Brackenbury Square to DelSol Lane. The
June 11, 2018
City Council Regular Meeting Minutes

The project was awarded and the council approved the State and Local Project Development Agreement. In February 2018, a professional services agreement with TD&H Engineering was executed in the amount of $25,000 to complete the project plans, specifications and estimate.

The Main Street Pedestrian Improvements project will enhance pedestrian crossings and signing on Main Street. The project will construct ADA compliant pedestrian ramps at non-compliant and non-existent ramp locations and install pedestrian actuated rectangular rapid flashing beacons at 11th Street/D Street and Delsol Lane, and retrofit the beacons at Brackenbury Square.

Mr. Davies indicated the agreement is for the construction phase of the project to include construction, administration, inspection and testing. Total funding for the project, $326,376, is 92.66 percent FHWA and 7.34 percent local ($23,956). This funding includes $289,376 for this construction phase and $37,000 expended in the project development phase.

Councilor Kleeburg said he is concerned about the process. After meeting with the Beautiful Downtown Lewiston group earlier in the month, the consensus was some of the information obtained through a circulation study performed in 2015 may not have been included in the construction plan. City Manager Nygaard reported he met with Ms. Kramer and checked into the requirements. Two of BDL’s requests weren’t necessarily compatible with each other. Mr. Nygaard said he understands the group’s needs and wants but the funding source doesn’t necessarily fit. A solution could not be determined through this funding to obtain their desired improvements so other solutions will need to be sought to address their requests for downtown.

Councilor Blakey asked if money has already been committed if the council were to not vote in favor of the agreement. Public Works Director Davies confirmed, noting that to be approximately $5,000 plus the possible expenditure of state dollars that may have to be reimbursed.

A motion was then offered by Councilor Randall to approve the State/Local Agreement between the City of Lewiston and Idaho Transportation Department for Main Street Pedestrian Improvements. Councilor Miller seconded the motion. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.

M. ORDINANCE 4720

Mayor Pro Tem Schroeder and Councilor Kleeburg moved and seconded, respectively, the first reading of Ordinance 4720 by title only.
June 11, 2018  
City Council Regular Meeting Minutes  
Page 14

Councilor Randall moved to amend Section 2-18, Roberts Rules of Order. He asked that the entire section be stricken as other language within the Ordinance contains everything within the new version of Roberts Rules. He said he feels it is redundant. Councilor Blakey seconded the motion.

Councilor Blakey indicated Attorney Jerry Mason has repeatedly come to meetings through the Association of Idaho Cities and said that Roberts Rules of Order is not a functional tool for small government.

Mayor Pro Tem Schroeder sought the opinion of City Attorney Gómez. Ms. Gómez said she is ok with removing this language. At times staff does look to a specific rule to determine how it should be handled, but believes the council would be fine without it.

Councilor Pernsteiner said he doesn’t feel council knows all the implications of removing the Roberts Rules of Order at this point and may be setting themselves up for discontinuity. He stated he doesn’t feel trying to determine all of these implications would be a good use of the city attorney’s time.

The motion to amend carried 5 to 2 with Councilors Miller and Pernsteiner voting nay.

Councilor Pernsteiner moved to amend the council’s compensation to the original amounts of $770 and $520. He said he doesn’t feel it is prudent to ask the citizens to approve an increase in council’s salary when they are being asked to approve a $28 million bond. Mayor Pro Tem Schroeder seconded the motion.

Councilor Miller disagreed. She emphasized the council puts a lot of effort into what they do and there hasn’t been an increase for a very long time. Councilor Blakey noted the proposed increase wouldn’t take place until January 2020. Though it’s not about the money, it shows a token of faith by the city that the council is important. It is already difficult to attract qualified candidates to run for council.

City Manager Nygaard said this was his suggestion as he sees the level of effort the council puts forth. The council has not seen an increase in their salaries for 13 years and it is time as they are worth every penny.

The amended motion failed two to five with Councilors Pernsteiner and Kleeburg voting aye.

Councilor Randall moved to amend Section 2-35, Council Compensation, to change the mayor’s salary to $1,000 per month and the councilor’s salary to $900 per month and to add that both the mayor and councilor’s compensation would be
adjusted with the CPI annually. City Attorney Gómez explained by state statute, an increase in CPI is not allowed. The motion failed for lack of a second.

Another amended motion was made by Councilor Randall to strike the sentence on Page 4 regarding "exceptional circumstances". He noted if it is necessary to get agenda items into the city clerk so late, they should not be added to the agenda. Mayor Kleeburg seconded the motion. Upon additional discussion, the motion failed 6 to 1, with Councilor Randall voting aye.

The main motion to read carried 7 to 0.

ORDINANCE 4720: AN ORDINANCE OF THE CITY OF LEWISTON REPEALING AND REPLACING CHAPTER 2, ARTICLE II OF THE LEWISTON CITY CODE REGARDING RULES GOVERNING THE CITY COUNCIL; AMENDING SECTION 2-159(b) OF THE CITY CODE REGARDING CONFLICTS OF INTEREST; AND PROVIDING AN EFFECTIVE DATE"

N. ORDINANCE 4713

It was explained by Public Works Director Davies that the Council previously postponed any further action on this item, per staff recommendation, until the June 25, 2018, City Council meeting. In previous action, City Council was apprised of two major changes that have occurred with respect to Special Events: 1) the current Ordinance does not allow for residents and/or businesses to hold a Special Event unless they are "non-profit"; and 2) a long standing event like "Hot August Nights" is no longer held in conjunction with "non-profits" and now is solely sponsored by a private enterprise – thus under current Code would not be allowed to happen.

At this time, city staff recommends the current version of the proposed Ordinance be postponed to provide city staff time to rewrite the Ordinance to allow residents and businesses to hold a Special Event under certain conditions. Due to demands outside of the staff's control, it is recommended that the Council again postpone the adoption of this Ordinance until September 24, 2018.

A motion was made by Mayor Pro Tem Schroeder to postpone Ordinance 4713 to the September 24, 2018, regular City Council meeting. The motion was seconded by Councilor Pernsteiner and carried unanimously.

O. RESOLUTION 2018-30

It was moved and seconded by Mayor Pro Tem Schroeder and Councilor Blakey to donate a surplus WatchGuard camera system to Lewis County, Idaho by means of Resolution 2018-30. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.
P. RESOLUTION 2018-31

Councilor Randall offered a motion to adopt Resolution 2018-31. Mayor Pro Tem Schroeder seconded the motion. ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None.

RESOLUTION 2018-31: "A RESOLUTION CONVEYING OWNERSHIP OF VARIOUS SURPLUS EXTRICATION EQUIPMENT TO THE WHITMAN COUNTY FIRE PROTECTION DISTRICT NO. 14"

Q. VOUCHERS PAYABLE

Mayor Pro Tem Schroeder moved to approve the Vouchers Payables dated June 1, 2018, through June 14, 2018, in the amount $1,358,062.59; Councilor Blakey seconded the motion.

Councilors Kleeburg, Blakey, Pernsteiner and Randall all disclosed their names are on the Vouchers for reimbursement purposes.

The motion carried 6 to 0 to 1, with Councilor Miller abstaining due to a potential conflict of interest.

VII. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Randall said while attending the recent Association of Idaho Cities Conference in Boise, he learned that the death rate from drug overdoses has gone from a single digit to 3 digits within the past 5 years.

Councilor Pernsteiner indicated he too attended the AIC Conference wherein some very interesting discussions on affordable housing in Idaho took place. He said there is a lot of confusion about how things are paid for, particularly with regard to public works projects. Mr. Pernsteiner expressed the importance of educating the community on what their tax dollars are going towards.

Councilor Blakey thanked the council as they made some tough decisions this evening. Additionally, he addressed comments offered by Doug Havens under Citizens Comments. He reminded Mr. Havens that the airport is a joint ownership of the city and county and is not the sole responsibility of the city.
Councilor Miller congratulated Ms. Deb Smith who was recently appointed to the Airport Authority. She noted Ms. Smith is a devoted economic development specialist who will bring knowledge and diversity to the Authority.

Mayor Collins recognized Fire Chief Myklebust for recently being named as Firefighter of the Year by the American Legion.

Councilor Kleeburg also recognized Assistant City Attorney Kayla Herman for receiving the Rising Star Award from the Municipal Attorney’s Association.

B. CITY MANAGER COMMENTS

City Manager Nygaard said regarding comments made by Doug Havens earlier in the meeting about the City of Lewiston doing the books for the Airport, he reported he offered assistance from the city to Mr. Havens for that purpose but has not heard back from him. City staff has concerns and also wants to ensure the airport can meet its payroll and keep the proper reports. Mr. Nygaard said if the city does assist in this process, he would let the council know.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

There were no advisory board or commission appointments.

D. WORK SESSION AGENDA TOPICS

No new topics were offered for future work session discussion.

VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilor Randall moved and Councilor Schroeder seconded adjournment of the June 25, 2018, Regular Council Meeting at 9:14 p.m.

Kari Ravencroft, Recording Secretary Date approved by City Council
URBAN RENEWAL AGENCY BOARD
MEETING AGENDA
Tuesday, June 12, 2018 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

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

I. CALL TO ORDER

II. PUBLIC COMMENT

III. INFORMATIONAL ITEMS
   A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)
   B. Update, East Orchards Sewer (Stubbers)

IV. ACTION ITEMS
   A. Approval of Minutes 05/08/18
   B. Approval of Invoice #20, McCann Limited Partnership $118,711.46 (total paid to date, including this invoice $1,593,218.79)
   C. Approval of Invoice, Douglass $1,884
   D. Approval of Invoice, Elam and Burke, $1,925
   E. Approval of Invoice #1 & 2, Mountain Waterworks $12,941.08
   F. Approval of Bryden Avenue Finding of Deteriorated Condition

V. UNFINISHED AND NEW BUSINESS
   A. Board Member Comments
   B. Staff Comments

VI. ADJOURN

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at 208-746-1318.
TO:              LEWISTON URBAN RENEWAL AGENCY BOARD
FROM:            LAURA VON TERSCH
DATE:            JUNE 11, 2018
RE:              ELIGIBILITY STUDY FOR PROPOSED REVENUE ALLOCATION AREA #6

I.     INTRODUCTION

This document sets forth analysis and conclusions regarding whether the Bryden Avenue Corridor, as proposed Revenue Allocation Area 6 meets the statutory definition of blight and whether the Lewiston URA should recommend adoption of the proposed Revenue Allocation Area.

The Bryden Avenue Corridor is the subject of attention for a variety of reasons, including sanitary infrastructure that has reached the end of its useful life and is now obsolete, fire hazards, declining property values, stagnating development, dangerous traffic conditions, faulty lot layout and development relative to the right of way.

II.    TRAFFIC CONDITIONS IN THE BRYDEN AVENUE CORRIDOR ARE UNSAFE, DUE TO DEFECTIVE OR INADEQUATE STREET LAYOUT.

Lewiston’s Long Range Transportation Plan (LRTP) updated in 2013 identified significant, existing congestion on Bryden Avenue (Exhibit 1, LRTP Chapter 2 p. 3) that is expected to become progressively worse by year 2040 (LRTP Chapter 5 p. 15). As a result, improvement of the Bryden Avenue Corridor is one of the highest ranked projects in the LRTP (Chapter 8 p. 7). Improvement of the Bryden Avenue Corridor from 4th to Thain is recommended at an estimated cost of $13.9 million (Chapter 7 p. 17). Costs include roadway surface, curb, gutter and sidewalk, roadway induced storm water and right of way acquisitions. Costs do not include sub-surface utilities.

In the four years leading up to the Plan adoption, the intersections of Bryden and 7th and Bryden and 10th had 23 and 25, crashes respectively. The Plan recommended a specific and detailed plan for the Bryden Avenue Corridor to be developed as part of the Long Range Transportation Plan Implementation (Chapter 8 p. 7). The Plan notes that an average of 56.8 collisions occur per year along the 1.75 mile Bryden Avenue Corridor, making it a High Accident Corridor (Exhibit 2, Bryden Avenue Corridor Study p. iv). The Bryden and Seventh Avenue Intersection was evaluated recently as part of the Airport Area Circulation Study. From 2011 to 2015 that one intersection had 52 crashes and a crash frequency rate of 1.96 (Exhibit 3, Airport Area Circulation Plan p. 13). It appears that congestion and crash frequencies are increasing. Existing Level of Service is “D” for both the AM and PM Peak Hours. “High traffic volumes, high volumes overall, potential signal timing deficiencies and deficient lighting are prevailing themes as the cause of collisions. The provision of additional roadway widening, improved signal timing

1
and improved lighting are mitigations for these causes. . . " Lewiston Police Department call data indicates the annual average accident rate in the Bryden Avenue Corridor was 56.5 in 2016 and 2017. See Exhibit 4. Congestion and accidents along the Bryden Avenue Corridor drive calls for service for Fire and Police personnel. According to the Fire Chief, the Bryden Avenue Corridor "creates an issue for emergency responses due to lack of adequate access and travel routes." (Exhibit 5). Sidewalks do not exist along much of the Bryden Avenue Corridor. Based on its Arterial Road classification, Bryden Avenue should have an 80' right of way, whereas the existing right of way averages 60'. (Exhibit 9)

Bryden Avenue's collision history marks it as a High Accident Corridor. It is unsafe for motorists, emergency services personnel, bicycles and pedestrians.

III. WATER LINES IN BRYDEN AVENUE CORRIDOR ARE INADEQUATE AND OBSOLETE, CREATING UNSAFE AND UNSANITARY CONDITIONS.

The water and sewer lines in this Bryden Avenue Corridor are deteriorated and inadequate. The Lewiston Orchards Irrigation District (LOID) provides water service along the Bryden Avenue Corridor for domestic uses, irrigation and fire flows. LOID reports that the piping system is a mix of sizes and materials. Four blocks are served by lines 4" or smaller (blocks 500, 700, 800 and 900). The 600 block is extremely limited with no main over 6". The 400 block has a 6" main. The 1000 block is 8" on the west half and a mix of smaller sizes on the east. The LOID indicates that a 12" line for domestic uses and a second 12" line for irrigation purposes are needed to service this main east west Bryden Avenue Corridor in the Orchards.

Only three sizable development projects have occurred along Bryden Avenue in the last decade (Tullamore, Southgate Plaza and Kinsale). Each project was hampered by the lack of water service in Bryden and incurred significant costs to extend lines into the property. Water mains had to be tapped in Airway and Linden Avenues. Fire hydrants had to be installed inside South gate proper to meet fire hydrant spacing requirements. Inadequate water is a constraint to development and redevelopment. When lines are not sufficient to support a hydrant and/or the system is not looped and interconnected, fire flows suffer and service is less reliable. The Lewiston Fire Chief has expressed concern for firefighter and citizen safety resulting from a lack of water for fire suppression (Exhibit 5).

It is clear that water and sewer infrastructure is obsolete, inadequate and poses a number of hazards. Factors relevant to these conditions are:

1. The presence of a substantial number of deteriorated or deteriorating structures.
2. Unsanitary or unsafe conditions.
3. Deterioration of site or other improvements.
4. The existence of conditions which endanger life or property by fire or other causes.
The water system is deteriorated, and the lack of adequate water creates unsafe conditions, including the potential loss of life and property by fire. Therefore, obsolete water volume and water infrastructure due to obsolescence make the Bryden Avenue Corridor a deteriorated and blighted site within the City of Lewiston.

IV. BRYDEN IS A DETERIORATED CORRIDOR WHERE THE CITY HAS ATTEMPTED TO INCENTIVIZE DEVELOPMENT WITH VERY LIMITED SUCCESS.

The Bryden Avenue Corridor was rezoned to allow commercial development in 2005. Since that time, 5 houses have converted to commercial uses and one new commercial structure was built. The only bright spot is the existing shopping center that has undergone substantial renovation. But even with that project, the city contributed $33,600 in waived building permit fees to secure construction of 24 apartment units.

Two other residential projects (Tullamore and Kinsale apartments) received $3,752,910 and $1,504,470 in public monies. A single family unit was renovated with $12,975 in Community Development Block Grant funds (Exhibit 7). These public investments did not provide the desired catalyst for private investment.

Property values along Bryden attest to the market conditions created by the traffic congestion and other limited infrastructure. Of five areas studied (Exhibit 8), Bryden Avenue had the lowest average sales price per square foot from 2010 to 2017. It was $66 per sq. ft. whereas four other areas studied were $66.45 (9th Ave.) $78.59, $83.23 and $104.07. Recent sales along Ninth Avenue have averaged $116.14 per square foot. Bryden properties had by far the longest average days on the market at 240, whereas the other study areas had 78, 94, 132 and 146 days.

The factors identified in ¶ 1 as well as predominance of defective or inadequate street layout, indicate that the Bryden Avenue Corridor has economic stagnation and is a blighted area.

V. DIVERSITY OF OWNERSHIP SUBSTANTIALLY ARRESTS THE SOUND GROWTH OF LEWISTON IN REGARDS TO THE NEED TO WIDEN BRYDEN AVENUE.

Final project design, bidding and construction to implement the Improvements needed, cannot proceed without all right of way issues addressed. Right of way will need to be acquired or the design modified, along the length of the Bryden Avenue Corridor. The number of individual property owners involved, approximately 150, will make right of way acquisition a lengthy process. Private individual development will not address this large scale problem affecting multiple properties. Therefore, diversity of ownership arrests the sound growth of Lewiston.
BRYDEN AVENUE IS INADEQUATE TO HANDLE THE EXISTING AND PROJECTED VOLUMES OF TRAFFIC.

As addressed above, the Bryden Avenue Corridor presents current and projected traffic volume concerns. Increasing the width of the Bryden Avenue right of way from 60' to 80' improves safety by:

1. Providing room for designated turn pockets or turn lanes reducing conflicts between cars in que and flow through traffic;
2. Providing room for islands to control or limit specific turning movements;
3. Providing for storm water collection and conveyance away from private property;
4. Providing room for utility placement, maintenance and repair outside of the travel lane;
5. Providing a designated shoulder (recovery area); and
6. Providing for sidewalks.

VI. FAULTY LOT LAYOUT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY OR USEFULNESS CREATE BLIGHT CONDITIONS ALONG THE BRYDEN COORIDOR.

Improving Bryden will be difficult not only from a cost perspective, but also because of the 172 individual parcels along the Bryden Avenue Corridor (Exhibit 2). Right of way for roadway widening will be required on 151 parcels; potentially a multi-year effort. (Bryden Avenue Corridor Study, 80’ wide ROW Alternative). Faulty lot layout and development have hampered accessibility and created traffic issues, resulting in blighted conditions.

VII. BRYDEN AVENUE FINDING OF DETERIORATED CONDITIONS.

The sanitary and safety infrastructure along the Bryden Avenue Corridor is obsolete and inadequate for existing and/or future development. This appears to have directly caused stagnating or declining property values and impaired economic development. Conditions along the Bryden Avenue Corridor that pose a danger to life and property include traffic congestion, dangerous intersections, driveway incursions, lack of sidewalks and bicycle lanes, and water volumes inadequate for effective fire suppression. The deterioration on the Bryden Avenue Corridor has resulted in economic underdevelopment and impairment of growth in the area as well as a menace to the public health, safety and welfare of the Bryden Avenue Corridor. The combination of these factors and effects lead to a conclusion of blighted conditions along the Bryden Avenue Corridor.
June 12, 2018

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO met in a regular meeting Tuesday, June 12, 2018, at Lewiston City Hall. Chair Hulett called the meeting to order at 12:00 p.m.

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

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Jana Gomez, City Attorney; Shawn Stubbers, City Engineer; Joe Kaufman, Supervisory Project Engineer; Jennifer Douglass, URA Attorney; Neal Drury, IT

II. PUBLIC COMMENT
Douglas Mattoon, Valley Vision introduced the new Valley Vision CEO, Karl Dye to the Board.

Board members discussed the Agenda Changes from Idaho Statute that requires Item to be recognized as "Action Items".

III. INFORMATIONAL ITEMS
A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)
Eric Hasenoehrl, Keltic Engineering presented a video clip to the Board and informed them that all the underground utilities are now hidden. Forthcoming are curbs and gutters, sidewalks and they have been working through a few little issues. They are at 75% in dollar amount and 60% in time, with a September date for completion.

Board member Blakey brought up an issue of a deteriorated culvert that was brought up at the joint Lewiston City Council and Board of Nez Perce County Commissioners meeting and asked if it could be fixed.

Board members discussed how the deteriorated culvert affected the project and, while the culvert is outside the Revenue Allocation Area and not the URA's to solve or fund, discussed the city and county meeting to consider possible solutions.

B. Update, East Orchards Sewer (Stubbers)
City Engineer, Shawn Stubbers informed the Board that a new incentive option will be available to landowners in the East Orchards Sewer area. The city pays for the installation of the lateral and once the landowner connects, they reimburse the city. Board member Tippett asked for clarification on the incentive options. URA Attorney,
Jennifer Douglas clarified that the city funds the lateral and the owner refunds the city. City Attorney Jana Gomez, further clarified the four options:

1) Fully connect property, the project will pay $1,500 - $2,000 to install the lateral in the right of way and the homeowner puts forward money to hook up their actual property.
2) Project will pay $500 to connect to the trunk line, but requires the landowner to pay for the installation of the lateral (i.e. Total cost is $2,000, landowner pays $1,500) at a later date.
3) Don't put in the lateral.
4) The city uses its project dollars to pay for the lateral to be installed in the right of way. The landowner signs an agreements stating if they connect in the future, they will be required to reimburse the city for the lateral/connection costs.

Board member Cole-Hansen stated she was pleased to see this because it meets the city's goals, but she can see option 2 going away with the implementation of option 4.

Mr. Stubbers explained, if the Board approves the options, the next steps are to go to the remaining residents and provide them with the options and see what happens. Supervisory Project Engineer Joe Kaufman informed the Board that they would be starting construction on June 13th.

IV. ACTION ITEMS

A. Approval of Minutes 5/8/18
   Board members Hasenoehrl and Cole-Hansen moved and seconded, respectively, approval of the minutes. The motion carried 5-0-2 with Board members Tippett and Marsh abstaining.

B. Approval of Invoice #20, McCann Limited Partnership, $118,711.46 (total paid to date, including this invoice, $1,593,218.79)
   Board members Alford and Cole-Hansen moved and seconded, respectively, approval of the McCann Invoice #20. The motion carried 7-0.

C. Approval of Invoice, Douglass, $1,884
   Board members Marsh and Hasenoehrl moved and seconded, respectively, approval of the Invoice for Douglass law. The motion carried 7-0.

D. Approval of Invoice, Elam & Burke, $1,925
   Board members Hasenoehrl and Marsh moved and seconded, respectively, approval of the Elam & Burke Invoice. The motion carried 7-0.

E. Approval of Invoice #1 & #2, Mountain Waterworks $12,941.08
   Board member Alford and Blakey moved and seconded, respectively, approval of the Mountain Waterworks invoices. The motion carried 7-0.

F. Approval of Bryden Avenue Finding of Deteriorated Condition
   Board members Marsh and Tippett moved and seconded, respectively, approval of the Bryden Avenue Finding of Deteriorated Condition. The motion carried 6-0-1 with Board member Cole-Hansen abstaining.
V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
None.
B. Staff Comments
Ms. Von Tersch noted the draft budget would be presented at the next meeting.

Ms. Douglass informed the Board she was being considered for the airport attorney but does not think it will be a conflict.

VI. ADJOURN
There being no further business, Chair Hulett adjourn the meeting at approximately 1:24 p.m.

RESPECTFULLY SUBMITTED,

Tanya M. Brocke          Chair or Acting Chair
Recording Secretary          Urban Renewal Agency

Approved this 10th day of July, 2018
URBAN RENEWAL AGENCY BOARD
MEETING AGENDA
Tuesday, July 10, 2018 – 12:00 p.m.
City of Lewiston - City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

AS A MATTER OF GOVERNMENTAL TRANSPARENCY, THIS MEETING MAY BERecorded, Streamed Live and/or Accessed at a Later Time. Note That This May Include Video and Audio of All Persons Present in the Room.

I. CALL TO ORDER

II. PUBLIC COMMENT

III. INFORMATIONAL ITEMS
A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehrl)
B. Review Correspondence from Danielle Quade

IV. ACTION ITEMS
A. Consent Agenda
1. Approval of Minutes 06/12/18
2. Approval of Invoice #21, McCann Limited Partnership $122,022.25 (total paid to date, including this invoice $1,715,241.04)
3. Approval of Invoice, Douglass $1,116.00
4. Approval of Invoice, Elam and Burke, $1,047.50
5. Approval of Invoice, Hawley Troxell, $330
6. Approval of Invoice #1, Titan Technologies, $125,547.15
B. Approve $15,000 Funding Request for Mountain Water Works to Conduct High Level Lateral Study, EOS
C. Review Draft FY 19 Budget and Direct Staff to Publish for Hearing
D. Review Draft Urban Renewal Plan, RAA #6, Bryden Avenue and Direct Staff to Publish for Hearing

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
B. Staff Comments

VI. ADJOURN

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at 208-746-1318.
July 10, 2018

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO met in a regular meeting Tuesday, July 10, 2018, at Lewiston City Hall. Chair Hulett called the meeting to order at 12:00 p.m.

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

BOARD MEMBERS ABSENT: Bob Tippett

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Katie Hollingshead, Permit Representative; Shawn Stubbers, City Engineer; Jennifer Douglass, URA Attorney; Neal Drury, IT;

II. PUBLIC COMMENT
None.

III. INFORMATIONAL ITEMS
A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehr)
Eric Hasenoehr, Keltic Engineering presented a video clip to the Board and informed them that the project is at 82% completion and that the culvert is scheduled to be fixed on Friday, July 13, 2018. The project is expected to be complete in September or October.

Board member Blakey suggested some kind of celebration, like a fun run or ribbon cutting, once the project is completed. Board member Marsh concurred.

Mr. Hasenoehr thanked Chair Hulett for his assistance with the discussion on the culvert and funding. Chair Hulett also recognized Nez Perce County Commissioner Zemmer for his suggestion of splitting the cost. Mr. Hasenoehr also recognized City Engineer, Shawn Stubbers for his timely resolution of issues.

The video clip can be viewed online at: https://livestream.com/accounts/11220190/events/3725864/videos/177533210
B. Review Correspondence from Danielle Quade
URA Attorney, Jennifer Douglass explained that two questions were sent to Ms. Danielle Quade that were generated regarding changes to the EOS Plan. The questions were 1) Is the Lewiston Urban Renewal Agency and/or the City of Lewiston required to inform Banner Bank of the intended revisions to the scope of work? And 2) Are the revisions to the scope of work in any manner, a violation of the Note Purchase Agreement or related documents? Ms. Quade’s response to the questions were as follows:

1) Assuming such additional project scope is compliant with the Plan, no notice to Banner Bank would be required. Here again, the broad definition of “Project” means that any project that fits within the Plan is approved under the Note Purchase Agreement, thus to the extent the Lewiston Urban Renewal Agency is comfortable the revised scope of work fits within the Plan, notice would not be required.

2) Ms. Quade does not believe the use of project funds for public sewer infrastructure would require a change in the bond documents, since the project is defined broadly in the Note Purchase Agreement and the real test is whether the additional project scope is an “eligible capital expenditure project” as defined in the Urban Renewal Plan for East Orchards Urban Renewal Area. To the extent the Lewiston Urban Renewal Agency determines the additional project scope works under the Plan, it is included in the definition of “Project” in the Note Purchase Agreement.

Community Development Director, Laura Von Tersch informed the Board that staff felt confident the extension of the trunk line from 22nd and Power east, 22nd and Powers south complied with the project scope, since they looked at the larger project as a whole. Ms. Von Tersch noted that they are keeping with the larger plan and they are well within the definition of the project and staff recommends moving forward with the bid alternate.

IV. ACTION ITEMS
A. Consent Agenda
1. Approval of Minutes 6/12/18
2. Approval of Invoice #21, McCann Limited Partnership, $122,022.25 (total paid to date, including this invoice, $1,715,241.04)
3. Approval of Invoice, Douglass, $1,116.00
4. Approval of Invoice, Elam & Burke, $1,047.50
5. Approval of Invoice, Hawley Troxell, $330.00
6. Approval of Invoice #1, Titan Technologies, $125,547.15
Board members Alford and Blakey moved and seconded, respectively, approval of the consent agenda as a whole. The motion carried 6-0.

B. Approve $15,000 Funding Request for Mountain Water Works to Conduct High Level Lateral Study, EOS
Community Development Director, Laura Von Tersch explained that, since the bid and alternate costs were under budget, there were funds remaining and the bank is not interested in having the funds returned and the board cannot pay on the bond payment yet, there is a question on how to spend the funding.

City Engineer Shawn Stubbers explained the study would determine the best place to put the lines.

After discussion, Board members Blakey and Alford moved and seconded, respectively, approval of up to $15,000 for Mountain Water Works to conduct high level lateral study. The motion carried 6-0.

C. Review Draft FY 19 Budget and Direct Staff to Publish for Hearing
After review of the Draft FY19 Budget, Board members unanimously consented to direct staff to prepare a publication for a public hearing.

D. Review Draft Urban Renewal Plan, RAA #6, Bryden Avenue and Direct Staff to Publish for Public Hearing
Ms. Von Tersch reviewed the draft Urban Renewal Plan. After discussion, Board members Hasenoehrl and Alford moved and seconded, respectively, approval to direct staff to prepare a publication for a public hearing. The motion carried 5-0-1 with Board member Cole-Hansen abstaining.

V. UNFINISHED AND NEW BUSINESS
A. Board Member Comments
Board member Alford noted he would be out of town for the August 14th meeting but could attend by phone.

Board member Hasenoehrl informed the Board that she would be at the August 14th meeting but would have her great-niece with her.

Board member Blakey said that Mr. Jerry Northrup with COSD attended the City Council meeting, expressed displeasure of how the URA is doing the incentive
plan and presented a bunch of numbers. Mr. Blakey asked Ms. Von Tersch and Mr. Stubbers to watch the meeting and look at the numbers.

B. Staff Comments
City Engineer, Shawn Stubbers told the Board that he did a second touch with property owners regarding the East Orchards Sewer. 26 residents will decommission, with 6 paying for dry tap. Mr. Stubbers stated that 4 additional persons agreed to sign to pay the city back for later extension and they now have half of the existing septic along the line signed up for an incentive.

VI. ADJOURN
There being no further business, Chair Hulett adjourn the meeting at approximately 1:15 p.m.

RESPECTFULLY SUBMITTED,

Tanya M. Brocke
Recording Secretary

Chair or Acting Chair
Urban Renewal Agency

Approved this 14th day of August, 2018
LEGAL ADVERTISING INVOICE

Sold To: CITY OF LEWISTON
P O BOX 617
LEWISTON ID 83501

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

PUBLIC NOTICE

The Urban Renewal Agency of the City of Lewiston, Idaho will hold a public hearing 8/14/18 at 12:00 noon, 1134 "F" Street, City Hall, West Conference Room, to discuss and potentially adopt an Urban Renewal Project for FRAA:6, Bryden Avenue. This plan incorporates a revenue allocation area generally consisting of properties (a) Along the Bryden Avenue Corridor; (b) west of "Cham Grade"; (c) east of Fourth Street; (d) north of Airway Drive, (e) south of Linden Drive.

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 project being considered is widening, Bryden Avenue from 60' right of way to 80', right of way, including new road surface, striping, curbs, gutter, sidewalks, all underground utilities (water, sewer, storm, fiber, etc.) and other matters properly relating thereto.

Copies of the draft plan can be obtained or viewed online at: http://www.cityoflewiston.org/content/634/6555/default.aspx, at Community Development, 613 "D" Street, City Library (611 "D" Street) or 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 lrombach@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.

AFFIDAVIT OF PUBLICATION

Julie L. Winters, 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 newspaper 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 uninterupted for said period; that the 145656 PUBLIC N attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune, 1 time(s), Publication being on 07/29 for 1 consecutive day.

State of Idaho

S.S.

County of Nez Perce

On this 31st day of July in the year of our Lord 2018 before me, a Notary Public, personally appeared Julie L. Winters, 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 herein are true, and acknowledged to me that he executed the same.

Notary Public in and for the State of Idaho, residing at Lewiston, Commission Expires 9/1/2023
URBAN RENEWAL AGENCY BOARD
MEETING AGENDA
Tuesday, August 14, 2018 - 12:00 p.m.
City of Lewiston - City Hall Conference Room
1134 “F” Street, Lewiston, Idaho

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

I. CALL TO ORDER

II. PUBLIC COMMENT

III. INFORMATIONAL ITEMS
A. Video Clip of Nez Perce Drive Construction Progress (Hasenoehr)

IV. PUBLIC HEARINGS
A. Accepting Public Comment on the FY 18 Amended Agency Budget
B. Accepting Public Comment on the FY 19 Agency Budget
C. Accepting Public Comment on Urban Renewal Plan, Revenue Allocation Area #6, Bryden Avenue

V. ACTION ITEMS
A. Consent Agenda
   1. Approval of Minutes 07/10/18
   2. Approval of Invoice #22, McCann Limited Partnership $108,304.03 (total paid to date, including this invoice $1,823,545.07)
   3. Approval of Invoice, Douglass $492.00
   4. Approval of Invoice, Elam and Burke, $137.50
   5. Approval of Invoice, Hawley Troxell, $599.80
   6. Approval of Invoice #2, Titan Technologies, $146,232.74 (total paid to date, including this invoice $271,779.89)
   7. Approval of Invoice #3, Mountain Waterworks, $5,937.67
   8. Approval of Invoice, Lewiston Morning Tribune, $54.60
   9. Approval of Invoice, Director Services, $2,167.18
B. Adoption of FY 18 Amended Budget
C. Adoption of FY 19 Budget
D. Adoption of Resolution 2018-01 Approving Urban Renewal Plan, Revenue Allocation Area #6, Bryden Avenue
VI. UNFINISHED AND NEW BUSINESS
   A. Board Member Comments
   B. Staff Comments

VI. ADJOURN
RESOLUTION NO. 2018-1

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF LEWISTON APPROVING THE URBAN RENEWAL AGENCY'S PLAN FOR REVENUE ALLOCATION AREA #6, BRYDEN AVENUE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Urban Renewal Agency has considered in a public hearing held August 14, 2018, an Urban Renewal Plan for Revenue Allocation Area #6, Bryden Avenue, which is attached hereto;

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

1) The Urban Renewal Plan for Revenue Allocation Area #6, Bryden Avenue, shall be and is hereby approved, as attached hereto as Exhibit 1.
2) The Urban Renewal Agency upon approval of this Resolution hereby submits Revenue Allocation Area #6, Bryden Avenue, to the City pursuant to I.C. § 50-2008 for approval of the Plan.
3) This Resolution shall be in full force and effect upon its passage and approval.

DATED this 14th day of August 2018.

BOARD OF COMMISSIONERS:

By: Joe Hulett, Chairman

ATTEST:
Dan Marsh, Secretary
Memo

To: URBAN RENEWAL AGENCY
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: JULY 19, 2018
Re: COSD SEWER INFORMATION

Please find enclosed a brief report on the cost of replacing sewer lines along Bryden Avenue. Costs are broken into the three likely phases of road construction (4th-7th, 7th-10th and 10th to Thain). In 2018 dollars, the total cost is projected at $2,359,000. Page 14 of the Plan, Project Summary Estimated Costs has been updated.
To the Members of the Lewiston URA,

The Lewiston Orchards Sewer District (LOSD) contracted with Keller Associates to evaluate the Bryden Avenue sanitary sewer collection system in order to be able to respond to the Lewiston URA on any potential sewer line replacement needs. As a part of this evaluation, the LOSD also contracted with Dr. Pipeline to conduct CCTV inspections of a portion of the east-west pipelines located on Bryden Avenue at various locations between 4th Street and Thain Road. The condition of these locations would then be used to provide an overall recommendation for all sanitary sewer pipelines.

It was determined that each of the sewer mainlines was approximately 6 to 8-inches in diameter and consisted of concrete for pipe material. CCTV Inspections revealed that much of the pipelines had exposed aggregates. Other issues found included root growth and metal bar obstructions.

The LOSD’s current Master Plan, finalized in early 2017, has laid out a plan to replace all concrete pipelines in their system. Coupled with the above CCTV findings, this Bryden Avenue corridor would be a good candidate for complete sewer main replacement with PVC. Sewer mains should be replaced in-place of the existing pipelines to avoid any possible rock removal. Sewer services would need to be reconnected to this new main. In addition to the east-west mains, north-south lines running through the intersections should be replaced to the limits of construction as well.

We have broken down the cost estimate into three main areas to hopefully coincide with any possible phasing by the Lewiston URA for the roadway improvements. The three areas consist of 4th Street to 7th Street, 7th Street to 10th Street, and 10th Street to Thain Road. The attached cost estimates are calculated in 2018 dollars and would need to be corrected for inflation and changes in the construction market as this project moves forward.

Sincerely,
KELLER ASSOCIATES, INC.

[Signature]
Shelton Norton, PE
Clarkston Manager / Project Manager

Enclosures

cc: Urban Wessels, LOSD
Wastewater Capital Improvements Project
Bryden Avenue Pipelines

Project Identifier: 1d.1

Objective: Replace all sewage pipelines and manholes along Bryden Avenue, between 4th Street and 7th Street, in coordination with either the District's IRRP program or URA's Improvement project.

Potential Issues:
- Coordination between LOSD and URA for potential cost sharing
- Maintaining services during construction
- Estimate does not include surface restoration or repair and is contingent on improvements being completed at the same time as a roadway reconstruct.

<table>
<thead>
<tr>
<th>General Line Items</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Estimated Quantity</th>
<th>2018 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-Inch Pipes - Excavation, Backfill</td>
<td>LF</td>
<td>$ 50</td>
<td>4400</td>
<td>$ 220,000</td>
</tr>
<tr>
<td>8-Inch Concrete Pipe - Removal and Disposal</td>
<td>LF</td>
<td>$ 10</td>
<td>4400</td>
<td>$ 44000</td>
</tr>
<tr>
<td>Manholes - 48&quot;</td>
<td>EA</td>
<td>$ 4,000</td>
<td>17</td>
<td>68,000</td>
</tr>
<tr>
<td>Sewer Service Connection to Main</td>
<td>EA</td>
<td>$ 500</td>
<td>55</td>
<td>27,500</td>
</tr>
<tr>
<td>Sewer Service Line Repair</td>
<td>LF</td>
<td>$ 50</td>
<td>350</td>
<td>11,500</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td>$47,000</td>
</tr>
<tr>
<td>Mobilization - Percent of Item Cost</td>
<td>%</td>
<td>10%</td>
<td></td>
<td>$ 5,470</td>
</tr>
<tr>
<td>Contingency - % of construction costs</td>
<td>%</td>
<td>35%</td>
<td></td>
<td>$ 191,468</td>
</tr>
<tr>
<td><strong>Total Construction Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td>$ 298,228</td>
</tr>
<tr>
<td>Engineering and CMS - % of construction costs</td>
<td>%</td>
<td>25%</td>
<td></td>
<td>$ 74,557</td>
</tr>
<tr>
<td><strong>Total Project Cost (rounded)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$962,060</td>
</tr>
</tbody>
</table>

The cost estimate herein is based on our perception of current conditions at the project locations. This estimate reflects our opinion of probable costs at this time and is subject to change as the project design matures. Keller Association has no control over vendors of the cost of labor, materials, equipment, services provided by others, contractor's methods of determining prices, competitive bidding or market conditions, prices or bidding strategies. Keller Association cannot and does not warrant or guarantee that proposals, bids, or actual construction costs will not vary from the cost projection herein.
Wastewater Capital Improvements Project
Bryden Avenue Pipelines

Project Identifier: 1d.2

Objective: Replace all sewage pipelines and manholes along Bryden Avenue, between 7th Street & 10th Street, in coordination with either the District's IRRP program or URA's Improvement project.

Potential Issues:
- Coordination between LOSD and URA for potential cost sharing.
- Maintaining services during construction.
- Estimates do not include surface restoration or repair and is contingent on improvements being completed at the same time as a roadway reconstruction.

<table>
<thead>
<tr>
<th>General Take Items</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Estimated Quantity</th>
<th>2018 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-Inch Pipe - Excavation, Backfill</td>
<td>LF</td>
<td>$90</td>
<td>4200</td>
<td>$375,000</td>
</tr>
<tr>
<td>6-Inch Concrete Pipe - Removal and Disposal</td>
<td>LF</td>
<td>$10</td>
<td>4200</td>
<td>$42,000</td>
</tr>
<tr>
<td>Manholes - 48&quot;</td>
<td>EA</td>
<td>$4,000</td>
<td>17</td>
<td>$68,000</td>
</tr>
<tr>
<td>Sewer Service Connection to Main</td>
<td>EA</td>
<td>$500</td>
<td>70</td>
<td>$35,000</td>
</tr>
<tr>
<td>Sewer Service Line Repair</td>
<td>LF</td>
<td>$35</td>
<td>420</td>
<td>$14,700</td>
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<tr>
<td><strong>Subtotal</strong></td>
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<td></td>
<td></td>
<td>$437,700</td>
</tr>
<tr>
<td>Mobilization - Percent of Item Cost Sum</td>
<td>%</td>
<td>10%</td>
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<td>$33,770</td>
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<tr>
<td>Contingency - % of Construction Costs</td>
<td>%</td>
<td>35%</td>
<td></td>
<td>$188,185</td>
</tr>
<tr>
<td><strong>Total Construction Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td>$778,655</td>
</tr>
<tr>
<td>Engineering and CMS - % of construction costs</td>
<td>%</td>
<td>25%</td>
<td></td>
<td>$184,916</td>
</tr>
<tr>
<td><strong>Total Project Cost (rounded)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$975,000</td>
</tr>
</tbody>
</table>

The cost estimate here is based on our perception of current conditions at the project location. This estimate reflects our opinion of probable costs at this time and is subject to change as the project design matures. Keller Associates has no control over variations in the cost of labor, materials, equipment, services provided by others, contractor's methods of determining prices, competitive bidding or market conditions, practices or bidding strategies. Keller Associates cannot and does not warrant or guarantee that proposals, bids, or actual construction costs will not vary from the cost presented herein.
Wastewater Capital Improvements Project
Bryden Avenue Pipelines

Project Identifier: 1d.3

Objective: Replace all sewage pipelines and manholes along Bryden Avenue, between 10th Street & Thain Road, in coordination with either the District's IRRP program or URA's improvement project

Potential Issues:
- Coordination between LOSD and URA for potential cost sharing
- Maintaining services during construction
- Estimate does not include surface restoration or repair and is contingent on improvements being completed at the same time as a roadway reconstruct.

<table>
<thead>
<tr>
<th>General Line Items</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Estimated Quantity</th>
<th>2015 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-Inch Pipe - Excavation, Backfill</td>
<td>LF</td>
<td>$90</td>
<td>1800</td>
<td>$162,000</td>
</tr>
<tr>
<td>8-Inch Concrete Pipe - Removal and Disposal</td>
<td>LF</td>
<td>$10</td>
<td>1800</td>
<td>$16,000</td>
</tr>
<tr>
<td>Manholes - 4½''</td>
<td>EA</td>
<td>$4,000</td>
<td>7</td>
<td>$29,000</td>
</tr>
<tr>
<td>Sewer Service Connection to Main</td>
<td>EA</td>
<td>$600</td>
<td>12</td>
<td>$0,000</td>
</tr>
<tr>
<td>Sewer Service Line Repair</td>
<td>LF</td>
<td>$35</td>
<td>60</td>
<td>$2,100</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$216,700</td>
</tr>
<tr>
<td>Mobilization - Percent of Item Cost Sum</td>
<td>%</td>
<td>10%</td>
<td></td>
<td>$21,610</td>
</tr>
<tr>
<td>Contingency - % of construction costs</td>
<td>%</td>
<td>35%</td>
<td></td>
<td>$76,635</td>
</tr>
<tr>
<td>Total Construction Costs</td>
<td></td>
<td></td>
<td></td>
<td>$313,545</td>
</tr>
<tr>
<td>Engineering and CMS - % of construction costs</td>
<td>%</td>
<td>25%</td>
<td></td>
<td>$78,336</td>
</tr>
<tr>
<td>Total Project Cost (rounded)</td>
<td></td>
<td></td>
<td></td>
<td>$392,000</td>
</tr>
</tbody>
</table>

The cost estimate herein is based on our perception of current conditions at the project location. This estimate reflects our opinion of probable costs at this time and is subject to change as the project design matures. Keller Associates has no control over variances in the cost of labor, materials, equipment, services provided by others, contractor's methods of determining prices, competitive bidding or market conditions, practices or bidding strategies. Keller Associates cannot and does not warrant or guarantee that proposals, bids, or actual construction costs will not vary from the cost presented herein.
LEGAL NOTICES

The Planning and Zoning Commission of the City of Lewiston, Idaho, will hold a public meeting on July 12, 2013, at 7:00 p.m. in the second-floor conference room, to discuss an Urban Renewal Plan for a property at 3rd Avenue and its conformity with the City of Lewiston Comprehensive Plan. This plan incorporates a Revenue Allocation Area generally consisting of properties (a) along 3rd Avenue from a 50' right of way to a 50’ right of way, including new road surface, striping, curbs, gutter, sidewalks, all underground utilities (water, sewer, storm, fiber, etc.) and other matters properly relating thereto.

Copies of the draft plan can be obtained or viewed on-line at http://www.cityoflewiston.org/content/849/5555/default.aspx, at Community Development (210 3rd Street), the City Library (511 3rd Street) and from the City Clerk, City Hall, 3rd Avenue. Comments on the plan are welcome and may be submitted in writing to the P.O. Box 317, Lewiston, Idaho 83501 or to the Lewiston City Clerk. Any interested parties may also contact the City Clerk for more information.

Please note the content of this notice was accurate at the time of preparation. The draft plan may be continually revised until adoption by the City Council. Please check the website for the most current version.

SUMMONS BY PUBLICATION Case No. CV55-18-1033 IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF NES PERCE

CREDIT BUREAU OF LEWISTON CLARKSTON, INC.
A Washington Corporation

ATTORNEYS FOR PLAINTIFF

ATTORNEYS FOR DEFENDANTS

RIVI SATUR
Noo
AGENDA
SEPTEMBER 12, 2018
5:30 P.M.
LEWISTON PLANNING AND ZONING COMMISSION
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING,
SECOND FLOOR MEETING ROOM,
215 “D” STREET

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

COMMISSION MEMBERS: Chair, Richard Kremer; Vice Chair, Corey Sandstrom;
Joan Hunter; Kevin Kelly; Hannah Liedkie; Rick Tousley

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

I. CALL TO ORDER

II. 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.

III. APPROVAL OF AUGUST 22, 2018 MEETING MINUTES (ACTION ITEM)

IV. APPROVAL OF REASONED STATEMENT OF RELEVANT CRITERIA AND
STANDARDS (WRITTEN DECISION) FOR ZC18-000004, PROPOSED FORM AND
IMPACT BASED ZONE (ACTION ITEM)

V. CONSIDERATION OF PROPOSED BRYDEN AVENUE URBAN RENEWAL AREA PLAN
REGARDING CONFORMITY TO THE LEWISTON COMPREHENSIVE PLAN (ACTION
ITEM)– Pursuant to Idaho Code Sect. 50-2008(b), the Planning and Zoning Commission
shall review the proposed Urban Renewal Area Plan and make recommendation to City
Council as to its conformity with the Comprehensive Plan.

VI. PUBLIC HEARING, CONDITIONAL USE PERMIT APPLICATION, CU18-000006
(ACTION ITEM): An application by the Lewiston Orchards Irrigation District to establish a
water well and pump house as a public use on a 1.3 acre parcel of land in the Agricultural
Transitional, F-2, Zone on the west side of the 3700 block of 10th Street between Powers
Avenue and Ripon Avenue.

VII. CONSIDERATION OF REQUESTS FOR MODIFICATION OF SUBDIVISION CODE
REQUIREMENTS (ACTION ITEM) – A request by the Lewiston Orchards Irrigation District
to create a 1.3 acre (approximate) lot on the west side of the 3700 block of 10th Street
between Powers Avenue and Ripon Avenue without a subdivision plat and a related request
to not upgrade 10th Street to current city standards.
VIII. **FUTURE AGENDA ITEMS:**
   A. New Airport Chapter for the Comprehensive Plan.
   B. New Wireless Communications Facilities Ordinance
   C. Appropriate/Acceptable Sizes and Related Matters for Parks and Public Open
      Spaces in New Subdivisions.

IX. **STAFF-COMMISSION COMMUNICATIONS:**
   A. A query of Commissioners planning to attend the next meeting scheduled for
      September 26, 2018.
   B. Other

X. **ADJOURN**
Memo

To: PLANNING AND ZONING COMMISSION
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: SEPTEMBER 12, 2018
Re: BRYDEN AVENUE URBAN RENEWAL PLAN

Enclosed for your consideration is an Urban Renewal Plan for the Bryden Avenue Corridor, adopted by the Urban Renewal Agency 8/14/18. 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 Comprehensive Plan for the development of the municipality as a whole".

The Bryden Avenue Plan incorporates a Revenue Allocation Area generally consisting of properties (a) along Bryden Avenue, (b) west of Thain Grade, (c) east of Fourth Street, (d) north of Airway Drive, (e) south of Linden Drive.

The project being considered is widening Bryden Avenue from a 60' right of way to an 80' right of way, including four travel lanes, a center turn lane, new road surface, striping, curb, gutter, sidewalk, all underground utilities (water, sewer, storm, fiber, etc.) and matters relating properly thereto.

Comprehensive Plan Policies in support of this project includes:

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, LU 10.1 To the extent that the demand for commercial land can be accommodated, encourage the concentration of new and existing commercial uses in existing commercial areas . . . (such as) Bryden Avenue: at Thain, Southgate Shopping Center (and) at the Airport.

LU-10.7 Encourage the enhancement, revitalization and renewal of under-utilized commercial areas. Strategies may include the creation of small area commercial design guidelines, street and right of way design, and the creation of business improvement districts.

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

LU-17.2 Facilitate pedestrian and bike use in neighborhoods.

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

LU-18 Provide and maintain public services, utilities and associated infrastructure in a cost-effective manner, by encouraging compact and contiguous growth.

From the Bryden Avenue Special Planning Area, adopted in 2004:

Planning Area A Goals:
a. Reconstruction and widen of Bryden Avenue will occur towards the later part of the twenty-year planning horizon. Design of the reconstructed avenue is anticipated to include four travel lanes, a center turning lane and sidewalk on both sides.

The Lewiston Transportation Improvement Plan, adopted in December of 2017, lists Bryden Avenue Reconstruction as a top priority where funding has already been obligated for engineering design work from 4th to 7th.

Staff recommends that the Planning and Zoning Commission find that the Urban Renewal Plan for Bryden Avenue is in conformity with the Comprehensive Plan of the City of Lewiston.

The Planning and Zoning Commission Chairman will be asked to sign a simple attestation to that fact.
Memo

To: CITY MANAGER NYGAARD
From: COREY SANDSTROM, ACTING CHAIRMAN LEWISTON PLANNING AND ZONING COMMISSION
Date: SEPTEMBER 12, 2018
Re: URBAN RENEWAL PLAN, BRYDEN AVENUE

By this memo I am notifying the City of Lewiston that the Lewiston Planning and Zoning Commission has found Urban Renewal Plan and Revenue Allocation Area #6, Bryden Avenue, in conformance with the Comprehensive Plan on this date, in accordance with Idaho Statute 50-2008 (b).

Corey Sandstrom
September 12, 2018

THE LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Upstairs Conference Room at 215 “D” Street. Chair Kremer called the meeting to order at 5:30 p.m. and turned the meeting over to Vice Chair Sandstrom.

I. CALL TO ORDER
COMMISSIONERS PRESENT: Richard Kremer, Chair (phone); Corey Sandstrom, Vice Chair; Kevin Kelly; Hannah Liedkie (phone)

COMMISSIONERS EXCUSED: Joan Hunter; Rick Tousley

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Joel Plaskon, Planner - Local Initiatives; Kayla Herman, Assistant City Attorney; Tanya Brocke, Community Development Specialist; Neal Drury, IT; Mark Welgand, City Surveyor

II. CITIZENS COMMENTS
None.

III. APPROVAL OF AUGUST 22, 2018 MEETING MINUTES (ACTION ITEM)
Commissioners Kelly and Kremer moved and seconded, respectively, approval of the August 22, 2018 meeting minutes as presented. The motion carried 4-0.

IV. APPROVAL OF REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS (WRITTEN DECISION) FOR ZC18-000004, PROPOSED FORM AND IMPACT BASED ZONE (ACTION ITEM)
Commissioners Kremer and Kelly moved and seconded, respectively, approval of written decision for ZC18-000004. The motion carried 3-0-1 with Commissioner Liedkie abstaining.

V. CONSIDERATION OF PROPOSED BRYDEN AVENUE URBAN RENEWAL AREA PLAN REGARDING CONFORMITY TO THE LEWISTON COMPREHENSIVE PLAN (ACTION ITEM) - Pursuant to Idaho Code Section 50-2008(b), the Planning and Zoning Commission shall review the proposed Urban Renewal Area Plan and make recommendation to City Council as to its conformity with the Comprehensive Plan.
Community Development Director, Laura Von Tersch informed the Commission that the Urban Renewal Plan for the Bryden Avenue Corridor was adopted by the Urban Renewal Agency on August 14, 2018. The Bryden Avenue Plan incorporates a Revenue Allocation Area generally consisting of properties along Bryden Avenue, west of Thain Grade, east of Fourth Street, north of Airway Drive, and south of Linden Drive. The project being considered is widening Bryden Avenue from a 60' right of way to an 80' right of way, including four travel lanes, a center turn lane, new road surface, striping, curb, gutter, sidewalk, all underground utilities (water, sewer, storm, fiber, etc.) and matters relating properly thereto.
A memo was provided the Comprehensive Plan Policies in support of the project, which includes:

- A Vision for Lewiston, Fifth, we have superior transportation system, serving the needs of all segments of our community, from walkers to drivers, bicyclists and joggers;
- LU-10, LU-10.1 To the extent that the demand for commercial land can be accommodated, encourage the concentration of new and existing commercial uses in existing commercial areas... (such as) Bryden Avenue: at Thain, Southgate Shopping Center (and) at the Airport;
- LU-10.7 Encourage the enhancement, revitalization and renewal of under-utilized commercial areas. Strategies may include the creation of small area commercial design guidelines, street and right of way design, and the creation of business improvement districts;
- 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;
- LU-17.3 Create pedestrian connections to other uses within and between neighborhoods, where feasible;
- LU-18 Provide and maintain public services, utilities and associated infrastructure in a cost-effective manner, by encouraging compact and contiguous growth; and
- From the Bryden Avenue Special Planning Area, adopted in 2004, Planning Area A Goals, a. Reconstruction and widening of Bryden Avenue will occur towards the later part of the twenty-year planning horizon. Design of the reconstructed avenue is anticipated to include four travel lanes, a center turning land and sidewalk on both sides.

Ms. Von Tersch concluded her staff report with the recommendation that the Planning and Zoning Commission find that the Urban Renewal Plan for Bryden Avenue is in conformity with the Comprehensive Plan of the City of Lewiston and authorize Acting Chair Sandstrom to sign an attestation.

Commissioners Kelly and Lieckie moved and seconded, respectively, the finding that the Urban Renewal Plan for Bryden Avenue is in conformance of the Comprehensive Plan and authorizing Acting Chair Sandstrom to sign the attestation. The motion carried 4-0.

VI. PUBLIC HEARING, CONDITIONAL USE PERMIT APPLICATION, CUP18-000006
(ACTION ITEM) - An application by the Lewiston Orchards Irrigation District to establish a water well and pump house as a public use on a 1.3 acre parcel of land in the Agricultural Transitional, F-2, Zone on the west side of the 3700 block of 10th Street between Powers Avenue and Ripon Avenue.

Acting Chair Sandstrom provided the public hearing process, opened the public hearing and asked for the staff report.

City Planner, Joel Plaskon provided visuals of the subject property and then summarized the staff report. The subject property is undeveloped farm ground and is adjacent to farm ground to the north and west, a ravine to the south and undeveloped single family home lots and single
family homes to the east across 10th Street. A conditional use permit CU-05-13 was approved for Lewiston Orchards Irrigation District (LOID) well #5, which is approximately 1,100' to the west of the subject property.

Mr. Plaskon continued his summary with the analysis that the subject lot is yet to be approved by City Council, which needs to occur or the subject lot must be returned to the owner of the larger parcels from which it was sold, and instead, leased by LOID for the proposed well. The F-2 Zone has a five acre minimum lot size, while the proposed lot is only approximately 1.3 acres. However, it is believed that the five acre minimum lot size is intended as a buffer to decrease potential for conflict between agriculture and single family homes, and CUP18-000006 is for a public water well, so no such conflict could occur. Mr. Plaskon noted the Commission is authorized to allow a reduced minimum lot size as part of a conditional use permit, pursuant to Zoning Code Section 37-160(b).

No concern was expressed from the Public Works Department regarding the site distance to the north on 10th Street, when exiting the private access road to the subject property, is relatively poor but very little traffic will be generated from the proposed well. The proposal does not appear to be inconsistent with the intents of the applicable F-2 Zoning District, and it is consistent with the Comprehensive Plan. The proposal does not conflict with the adjoining agricultural production or appear to pose adverse conditions to neighboring single family residential uses to the east across 10th Street. Staff has not identified any inherently adverse impacts of note to surrounding land uses or to the adjoining drainageway.

Mr. Plaskon concluded his summary by informing the Commission that in addition to a reduction in the five acre minimum lot size of the F-2 Zone, the applicant requests a modification from the Subdivision Code requirement to obtain subdivision plat approval to create the subject lot and of the Subdivision Code requirement to upgrade 10th Street to current city standards. Subdivision Code Section 32-49 allows for modifications to the requirements of the Subdivision Code, subject to recommendation by the Planning and Zoning Commission and approval by City Council. The Community Development Department staff defers to the recommendation by the Public Works Department regarding those types of requests.

Acting Chair Sandstrom called the applicants forward.

Brad Marshall, J-U-B Engineers, thanked Mr. Plaskon for his help and stated they agree to everything in the staff report. Mr. Marshall informed the Commission that the well will be similar in nature to well #5, which was established in 2013 and he has been working with Mr. Barney Metz on the project.

Barney Metz, General Manager of Lewiston Orchards Irrigation District (LOID), informed the Commission that with the irrigation restrictions, lack of water and endangered species act, the system didn't always work. Mr. Metz noted that the water exchange will resolve those issues.
Commissioner Kelly asked if another well would be built in five years. Mr. Metz explained they receive funding from the Bureau of Reclamation and that it might be on the schedule, which is driven by the availability of funding.

There being no public comments, Acting Chair Sandstrom closed the public hearing and asked for staff recommendation.

Mr. Plaskon recommended approval of CUP18-000006, including a reduction from the five acre minimum lot size standard of the F-2 Zone to allow the proposed approximate 1.3 acre lot, subject to the condition that the subject lot be approved by City Council or that ownership of it be returned to the owner of the larger tax parcels from which it was sold and instead leased to LOID for purposes of the proposed well.

Commissioners Kremer and Liedkie moved and seconded, respectively, to approve CUP18-000006 with the conditions and directed staff to draft the reasoned statement of relevant criteria and standards. The motion carried 4-0.

VII. CONSIDERATION OF REQUESTS FOR MODIFICATION OF SUBDIVISION CODE REQUIREMENTS (ACTION ITEM) - A request by the Lewiston Orchards Irrigation District (LOID) to create a 1.3 acre (approximate) lot on the west side of the 3700 block of 10th Street between Powers Avenue and Ripon Avenue without a subdivision plat and a related request to not upgrade 10th Street to current city standards.

Mark Weigand, City Surveyor informed the Commission that the Lewiston Orchards Irrigation District (LOID) expressed the desire to construct a new well (#6) and an associated pump house on a parcel of land that they own located west of 10th Street between the extensions of Powers Ave and Ripon Ave. The subject property is unplatted and is currently non-conforming and undevelopable due to its substandard size for its zone and its status as an illegally split lot. LOID has three options for resolving the issue of the lot's nonconformance 1) return the parcel to the original owner, 2) complete the plating process for the parcel, or 3) receive approval of a modification to the plating process.

Mr. Weigand explained that LOID has requested they be granted a modification to the plating process contained in Lewiston City Code and that the City officially recognize the parcel as created by deed and legal description and filed for record as Instrument Number 859085 in the records of Nez Perce County. Mr. Weigand explained that the Public Works staff reviewed the matter and believes that strict adherence to the full requirements of the plating process, per the Lewiston Subdivision Code, are not appropriate or necessary in this circumstance. Further, the Public Works staff agrees that the application of Subdivision Code Section 32-49 may be more appropriate than implementing the full process and requirements of the Subdivision Code and feels that the intents and purposes of the Subdivision Code will still be fulfilled.

Mr. Weigand concluded with the recommendation that the Commission recommend to the Lewiston City Council a conditional approval of the applicant's request for a subdivision modification with the following conditions:
1. The applicant/owner will provide for the creation and filing of a record of survey of the parcel which conforms to the applicable State Codes, including but not limited to, Idaho Title 55 Chapter 19.

2. The applicant/owner agrees to utilize the parcel only for the purpose of “public utilities” until and unless such time that the proposed parcel’s designated development zone changes, and renders the created lot “conforming” to then-current zoning requirements.

3. The applicant/owner agrees to provide a fee-in-lieu-of for right-of-way improvements normally required as part of the subdivision process either by cash payment, or by mutually approved exchange of services.

Although this was not a public hearing, Acting Chair Sandstrom asked if there were any public comments but received none.

Commissioners Liedkie and Kelly moved and seconded, respectively, approval of the two modification requests with the conditions referenced in the memo dated August 23, 2018, from the City Surveyor and recommended approval to City Council. The motion carried 4-0.

VIII. FUTURE AGENDA ITEMS:
A. NEW AIRPORT CHAPTER FOR THE COMPREHENSIVE PLAN
B. NEW WIRELESS COMMUNICATIONS FACILITIES ORDINANCE
C. APPROPRIATE/ACCEPTABLE SIZES AND RELATED MATTERS FOR PARKS AND PUBLIC OPEN SPACES IN NEW SUBDIVISIONS (ON HOLD UNTIL EARLY SUMMER)

IX. STAFF-COMMISSION COMMUNICATIONS
A. A query of Commissioners planning to attend the next meeting scheduled for September 26, 2018.
   All Commissioners present indicated they would be at the September 26, 2018 meeting.
B. Other

X. ADJOURN
There being no further business, Commissioners Sandstrom and Kelly moved and seconded, respectively, to adjourn the meeting. The motion carried 4-0 and the meeting adjourned at approximately 6:35 p.m.

RESPECTFULLY SUBMITTED,

Tanya M. Brocke
Recording Secretary

Chair or Acting Chair
Planning & Zoning Commission

Approved this 26th day of September, 2018
Memo

To: TAXING ENTITIES
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT DIRECTOR
Date: OCTOBER 25, 2018
Re: URBAN RENEWAL PLAN, BRYDEN AVENUE

The City Council of the City of Lewiston, Idaho, will hold a public hearing November 26, 2018 at 6:00 p.m., 411 “D” Street, Library second floor, to consider adoption of the Bryden Avenue Urban Renewal Plan and proposed Revenue Allocation Area #6. The Revenue Allocation Area is generally located (a) along the Bryden Avenue corridor, (b) west of Thain Grade, (c) east of Fourth Street, (d) north of Bryden Drive and (e) south of Linden Avenue.

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 #6 to the City Council. Attached is a copy of the public hearing notice to be published October 25, 2018 and the plan.
TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING
INVOICE

Date: 10/25/2018
Account No. 935580
Description 147833 PUBLIC N

Sold To: URBAN RENEWAL AGENCY
P.O. BOX 617
LEWISTON ID 83501

PO# Tanya M. Brocke

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

Alaina M Clugey, 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 147833 PUBLIC N
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Tribune.

Publication being on 10/25, or once a Day
for 1 consecutive Day,
the first publication thereof being on the 10/25/2018
and the last publication thereof being on the 10/25/2018
and said 147833 PUBLIC N 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.

Alaina M Clugey

State of Idaho
S.S.
County of Nez Perce

On this 13th day of Oct, in the year of our Lord 2018, before me, a Notary Public, personally
appeared Alaina M Clugey 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.

Cheri Whitby
Notary Public in and for the State of Idaho,
residing at Lewiston, there
Commission Expires 11/1/21
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: URBAN RENEWAL AREA REVENUE ALLOCATION AREA #6 BRYDEN AVENUE: Accepting testimony on approval of an Urban Renewal Plan and Urban Renewal Projects and approval of the Urban Renewal Plan for Revenue Allocation Area #6 Bryden Avenue. (Laura Von Tersch)

V. CONSENT AGENDA

A. CITY COUNCIL MEETING MINUTES: 10/08/18 Regular – Action Item

B. BOARD/COMMISSION MEETING MINUTES: 09/19/18 Parks and Recreation Advisory Commission; 09/18/18 Youth Advisory Commission - Action Item

VI. ACTIVE AGENDA

A. EMERGENCY AND NON-EMERGENCY AMBULANCE SERVICE: Considering approval of the Certificate of Compliance for the Lewiston Fire Department to provide emergency and non-emergency ambulance service. Action Item (Travis Myklebust)

B. ORDINANCE 4732: Considering approving an Urban Renewal Plan and Urban Renewal Projects; approving the Urban Renewal Plan for Revenue Allocation Area #6 Bryden Avenue. Action Item (Laura Von Tersch)

D. **ORDINANCE 4726:** Considering implementing the City Council's decision in ZC18-000004, declaring that certain real property be removed from the Light Industrial (M-1) Zone, General Commercial (C-4) Zone, and Central Commercial (C-5) Zone and included in the Form and Impact Based (FIB) Zone. Action Item (Joel Plaskon)

E. **ORDINANCE 4710:** Considering repealing and replacing Chapter 6 of the Lewiston City Code regarding alcohol beverages, amending Section 31-47(d) regarding alcohol and temporary right-of-way uses. Action Item (Joel Plaskon/Kayla Hermann)

F. **ORDINANCE 4733:** Considering amending various sections in Chapter 26 of the Lewiston City Code regarding hours of park operation, use of park property, and conduct in parks; enacting a new Chapter 26, Article V, titled "Reserving Park Space and Alcohol in Parks". Action Item (Tim Barker)

G. **RESOLUTION 2018-66:** Considering accepting a Perpetual and Non-Exclusive Public Purpose Easement from Abs-ID-O LLC (Albertsons Companies) to the City of Lewiston. Action Item (Mark Weigand)

H. **RESOLUTION 2018-68:** Considering accepting a Perpetual Public Purpose Easement from Opportunities Unlimited, Inc., for the purposes of a bus stop and bus shelter. Action Item (Mark Weigand)

I. **WATER MASTER PLAN:** Considering approving a Water Master Plan Consultant Agreement between the City of Lewiston and Mountain Waterworks for Phase I, Amendment 2. Action Item (Shawn Stubbers)

J. **RESOLUTION 2018-69:** Considering approving a State/Local Agreement for Project No. A013(440) between the City and the Idaho Transportation Department. Action Item (Chris Davies)

K. **ALCOHOL LICENSE:** Action Item (Dee Maertress)
   - Imua Hawaiian Style Restaurant, Lewiston Idaho - Retail Wine by the Drink
   - Shari’s – 2122 Nez Perce Grade, Lewiston Idaho – Retail Wine by the Bottle, Retail Wine by the Glass and Retail Beer on Premise

L. **VOUCHERS PAYABLE:** Considering approval of the Vouchers Payables dated 10/19/18 through 11/01/18 in the amount of $822,145.05 and 11/02/18 through 11/15/18 in the amount of $1,399,428.21. Action Item

VII. **UNFINISHED AND NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**
C. ADVISORY BOARD AND COMMISSION APPOINTMENTS - ACTION ITEM
   - Appointment – Robert Brown – Urban Forestry Cemetery Commission
   - Appointment – Don Beck – Urban Renewal Agency Board

D. AGENDA TOPICS - ACTION ITEM

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. 6206.
AMENDED 11/30/2018
LEWISTON CITY COUNCIL
REGULAR MEETING/WORK SESSION AGENDA
DECEMBER 3, 2018 – 3:00 PM
City Hall, Main Conference Room, 1134 F Street, Lewiston, Idaho 83501

I. CALL TO ORDER

II. 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.

IV. WORK SESSION ITEMS

A. LEWISTON DOWNTOWN MASTER PLAN: UPDATE BY BEAUTIFUL DOWNTOWN LEWISTON (Kramer)

B. OVERVIEW OF THE WATER SYSTEM MASTER PLAN: (Stubbers) - Power Point Presentation - Master Plan can be viewed at cityoflewiston.org/pwprojects

C. DEQ LOAN LETTER OF INTEREST FOR WATER AND WASTEWATER: (Stubbers) - Power Point Presentation

D. SNOW REMOVAL: UPDATE ON PLAN/PROCESS FOR WINTER STORM EVENTS - (Bingman/Barker) - Power Point Presentation

E. CITY COUNCIL AGENDAS: (Nygaard)

F. PARADES AND PUBLIC ASSEMBLIES: OVERVIEW (Davies)

V. ACTIVE AGENDA

A. ORDINANCE 4732: Considering approving an Urban Renewal Plan and Urban Renewal Projects; approving the Urban Renewal Plan for Revenue Allocation Area #6 Bryden Avenue. Action Item (Laura Von Tersch)
B. **AIRPORT MANAGEMENT/ASSISTANCE:** Discussing the need for assistance to the Airport from the City of Lewiston and Nez Perce County. Action Item (Mike Collins/Alan Nygaard)

VI. **UNFINISHED AND NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS**

B. **CITY MANAGER COMMENTS**

C. **REPORTS FROM CITY COMMISSIONS OR OTHER AGENCIES**

D. **PROPOSED WORK SESSION TOPICS**

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

VIII. **ADJOURNMENT**

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EXHIBIT B

Legal Description
COMMENCING at the Section Corner common to Sections 7, 8, 17 and 18 of Township 35 North, Range 5 West, Boise Meridian, in the City of Lewiston, County of Nez Perce and State of Idaho, said corner also being the centerline intersection of Warner Avenue and 6th Street; thence southerly along the centerline of 6th Street to the point of intersection with the centerline of Linden Avenue, said point also being the POINT OF BEGINNING;

thence easterly along the centerline of Linden Avenue to the point of intersection with the centerline of 7th Street;

thence southerly along the centerline of 7th Street to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 705092 of said County records;

thence easterly along said extension and north line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 599047 of said County records;

thence northerly along said west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 371810 of said County records;

thence northerly along said west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel;

thence southerly along the east parcel line to an angle point in said parcel line;

thence easterly along said parcel line and the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 782916 of said County records to a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 713529 of said County records;

thence northerly along said west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel;

thence southerly along the east parcel line to an angle point in said parcel line;
thence easterly along said parcel line and the north lines of the parcels conveyed by the Deeds recorded under Instrument No. 755781, 404923, 703953 and 668003 of said County records to an angle point in said parcel conveyed by the Warranty Deed recorded under Instrument No. 668003;

thence northerly along said parcel line to an angle point in said parcel line;

thence easterly along the north line of said parcel and the easterly extension thereof to the point of intersection with the centerline of 8th Street;

thence southerly along the centerline of 8th Street to the point of intersection with the centerline of Linden Drive;

thence easterly along the centerline of Linden Drive to the point of intersection with the centerline of 8th Street A;

thence northerly along the centerline of 8th Street A to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 512567 of said County records;

thence easterly along said extension and the north parcel line to the northeast corner of said parcel;

thence southerly along the east line of said parcel to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 677607 of said County records;

thence easterly along the north line of said parcel and the easterly extension thereof (crossing Bryden Court) to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 433576 of said County records;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 819899 of said County records;

thence northerly along said west line to the northwest corner of said parcel;

thence easterly along the north parcel line and easterly extension thereof (crossing 8th Street E) to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 318404 of said County records;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 689956 of said County records;

thence northerly along said west line to the northwest corner of said parcel;

thence easterly along the north line to the northeast corner of said parcel;
thence southerly along the east line of said parcel to the northwest corner of Lot 3 of the Dietz Addition as recorded under Instrument No. 587102 of said County records;

thence easterly along the north line of said lot and easterly extension thereof to the point of intersection with the centerline of 9th Street;

thence southerly along the centerline of 9th Street to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 760509 of said County records;

thence easterly along said extension and north line to the northeast corner of said parcel;

thence southerly along the east parcel line to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 841978 of said County records;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 639485 of said County records;

thence northerly along the west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 776862 of said County records;

thence northerly along said west line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel;

thence southerly along the east parcel line to the northwest corner of Lot 3 of the Kelley Addition as recorded under Instrument No. 588503 of said County records;

thence easterly along the north lot line to the northeast corner of said lot;

thence southerly along the east lot line to the northwest corner of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 820841 of said County records;

thence easterly along the north parcel line and the north line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 826366 of said County records to a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 841683 of said County records;

thence northerly along said west line to an angle point in said parcel line;

thence easterly along said parcel line to an angle point in said parcel line;

thence northerly along the west line of said parcel line and the northerly extension thereof to the point of intersection with the centerline of Linden Avenue;
thence easterly along the centerline of Linden Avenue to the point of intersection with the centerline of 10th Street;

thence southerly along the centerline of 10th Street to the point of intersection with the easterly extension of the north line of the parcel conveyed by the Deed recorded under Instrument No. 744832 of said County records;

thence westerly along said parcel line to the northwest corner of said parcel;

thence southerly along the west parcel line to the southwest corner of said parcel;

thence easterly along the south parcel line of said parcel, and the easterly extension thereof to the point of intersection with the east right-of-way line of 10th Street, and the west line of Lot 2, Block 1 of the Village Centre Cinemas Second Addition recorded under Instrument No. 830288 of said County records;

thence northerly along the said east right-of-way line, and the west parcel line, to the northwest corner of said lot

thence easterly along the north line of said lot to the northeast lot corner, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 572783 of said County records;

thence northerly along said west parcel line of and the northerly extension thereof to the point of intersection with the centerline of Linden Avenue;

thence easterly along the centerline of Linden Avenue to the point of intersection with the northerly extension of said east parcel line;

thence southerly along said northerly extension and east parcel line to an angle point in said parcel line;

thence southeasterly along said parcel line to an angle point in said parcel line;

thence northeasterly along said parcel line and northeasterly extension thereof to the point of intersection with the centerline of Thain Road;

thence southeasterly along the centerline of Thain Road to the point of intersection with the northeasterly extension of the parcel line conveyed by the Warranty Deed recorded under Instrument No. 572783 of said County records;

thence southwesterly along said northeasterly extension and parcel line to an angle point in said parcel line;

thence southerly along said parcel line to an angle point in said parcel line;

thence southeasterly along said parcel line to an angle point in said parcel line;
thence northeasterly along said parcel line and the northeasterly extension thereof to the point of intersection with the centerline of Thain Road;

thence southeasterly along the centerline of Thain Road to the point of intersection with the centerline of 11th Street;

thence continuing southeasterly along the centerline of Thain Road to the intersection of the northeasterly extension of the southeast line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 799344 of said County records;

thence southwesterly along said northeasterly extension and southeast parcel line to an angle point in said parcel line;

thence westerly along the south parcel line and the westerly extension thereof to the point intersection with the centerline of 11th Street;

thence northerly along the centerline of 11th Street to the point of intersection with the easterly extension of the south line of Parcel 1 as conveyed by the Warranty Deed recorded under Instrument No. 843260 of said County records;

thence westerly along said easterly extension and parcel line to the southwest corner of said parcel;

thence northerly along said west parcel line to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 659588 of said County records;

thence westerly along the south line of said parcel and the south lines of Parcels D and C of the parcels conveyed by the Quit Claim Deed recorded under Instrument No. 826304 of said County records to the southwest corner of Parcel C, said corner also being a point on the east line of Parcel B of said Quit Claim Deed;

thence southerly along the east line of Parcel B to the southeast corner of said parcel;

thence westerly along the south line of Parcel B to the southwest corner of said parcel;

thence northerly along the west line of Parcel B to the southeast corner of Parcel O of said Quit Claim Deed;

thence westerly along the south line of Parcel O to the southwest corner of said parcel;

thence northerly along the west line of Parcel O to the southeast corner of Parcel F of said Quit Claim Deed;

thence westerly along the south lines of Parcels F and E to the southwest corner of Parcel E of said Quit Claim Deed;

thence northerly along the west line of Parcel E to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 193-79 of said County records;
thence westerly along the south line of said parcel and the south line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 831671 of said County records and the westerly extension thereof, to the point of intersection with the centerline of 10th Street;

thence southerly along the centerline of 10th Street to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Personal Representatives Deed recorded under Instrument No. 782845 of said County records;

thence westerly along said easterly extension and the south parcel line to the southwest corner of said parcel;

thence northerly along the west parcel line to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 839857 of said County records;

thence westerly along the south parcel line to the southwest corner of said parcel, said corner also being the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 845188 of said County records;

thence westerly along the south parcel line to an angle point in said parcel;

thence southerly along the south parcel line to an angle point in said parcel;

thence westerly along the south parcel line to an angle point in said parcel;

thence northerly along the south parcel line to an angle point in said parcel;

thence westerly along the south parcel line to an angle point in said parcel;

thence westerly along the south parcel line to a point on the east line of Lot 2, Block 1, of the Tullamore Addition as recorded under Instrument No. 742007 of said County records;

thence southerly along the east line of said Lot 2 and the southerly extension thereof to the point of intersection with the centerline of Airway Avenue;

thence westerly along the centerline of Airway Avenue to the point of intersection with the southerly extension of the lot line common to Lots 2 and 5, Block 1 of the Tullamore Addition;

thence northerly along said southerly extension and the lot line common said Lots 2 and 5 to an angle point in said lots;

thence northwesterly along said common lot line to an angle point in said lots;

thence westerly along said common lot line and the common lot lines between Lot 2 and Lots 4 and 3, Block 1 of the Tullamore Addition to the southwest corner of said Lot 2;
thence northerly along the west line of said Lot 2 to the southeast corner of a parcel conveyed by the Quit Claim Deed recorded under Instrument No. 610465 of said County records;

thence westerly along the south line of said parcel and westerly extension thereof to the point of intersection with the centerline of 9th Street;

thence northerly along the centerline of 9th Street to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 710114 of said County records;

thence westerly along said easterly extension and the south line of said parcel to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 841481 of said County records;

thence westerly along the south line of said parcel to the southwest corner of said parcel, said corner also being a point on the east right-of-way line of 8th Street F;

thence westerly to the centerline intersection of 8th Street F and Bryden Drive;

thence westerly along the centerline of Bryden Drive to a point on the east line of a parcel conveyed by the Quit Claim Deed recorded under Instrument No. 636942 of said County records;

thence southerly along the east parcel line to the southeast corner of said parcel;

thence westerly along the south parcel line to the southwest corner of said parcel;

thence northerly along the west parcel line to the southeast corner of a parcel conveyed by the Warranty Deed recorded under Instrument No. 782471 of said County records;

thence westerly along the south line of said parcel and the westerly extension thereof to the point of intersection with the centerline of 8th Street;

thence northerly along the centerline of 8th Street to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 554815 of said County records;

thence westerly along said easterly extension and south parcel line to the southwest corner of said parcel;

thence northerly along the west line of said parcel to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 755150 of said County records;

thence westerly along the south line of said parcel and the south line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 723514 of said County records to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 844562 of said County records;
thence southerly along the east parcel line to an angle point in said parcel line;

thence westerly along said parcel line to an angle point in said parcel line;

thence southerly along said parcel line and the southerly extension thereof to the point of intersection with the centerline of Airway Avenue;

thence westerly along the centerline of Airway Avenue to the point of intersection with the southerly extension of the west line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 844562;

thence northerly along said southerly extension and west line of said parcel to the southeast corner of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 803195 of said County records;

thence westerly along the south line of said parcel and the south line of Parcel 1 as conveyed by the Warranty Deed recorded under Instrument No. 830881 of said County records to the southwest corner of said Parcel 1, said corner also being a point on the east line of Parcel 2 of said Warranty Deed recorded under Instrument No. 830881;

thence southerly along the east line of said Parcel 2 to the southeast corner of said Parcel 2;

thence westerly along the south line of said Parcel 2 to the southeast corner of the parcel conveyed by the Warranty Deed recorded in Book 208, Page 459 of said County records;

thence westerly along the south line of said parcel to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 723686 of said County records;

thence southerly along said east parcel line to the southeast corner of said parcel;

thence westerly along the south line of said parcel and the westerly extension thereof to the point of intersection with the centerline of 7th Street;

thence northerly along the centerline of 7th Street to the point of intersection with the centerline of Bryden Drive;

thence westerly along the centerline of Bryden Drive to the point of intersection with the centerline of 6th Street C;

thence westerly along the westerly extension of the centerline of Bryden Drive to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 567270 of said County records;

thence southerly along the east parcel line to the southeast corner of said parcel;

thence westerly along the south parcel line to the southwest corner of said parcel;
thence northerly along the west parcel line to the point of intersection with the centerline of Bryden Drive;

thence westerly along the centerline of Bryden Drive to the point of intersection with the centerline of 6th Street;

thence westerly to a point on the west right-of-way line of 6th Street, said point also being the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 807959 of said County records;

thence westerly along the south parcel line to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 779292 of said County records;

thence southerly along the east parcel line to the southeast corner of said parcel;

thence westerly along the south line of said parcel and the south line and westerly extension thereof of the parcel conveyed by the Warranty Deed recorded under Instrument No. 439306 of said County records to the point of intersection with the centerline of 5th Street E;

thence northerly along the centerline of 5th Street E to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 426504 of said County records;

thence westerly along said easterly extension and south parcel line to the southwest corner of said parcel, said corner also being a point on the east end of the Bryden Drive right-of-way;

thence southerly along said east end of the right-of-way to the point of intersection with the centerline of Bryden Drive;

thence westerly along the centerline of Bryden Drive to the point of intersection with the centerline of 5th Street;

thence continuing westerly along the centerline of Bryden Drive to the point of intersection with the southerly extension of the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 632117 of said County records, said point also being on the east line of the airport street named 4th Street D;

thence northerly along the west line of said parcel and the west lines of the parcels conveyed by the Warranty Deeds recorded under Instrument No. 838899 and 769509 to a point on the south right-of-way line of Bryden Avenue;

thence northerly along the northern extension of the west line of the parcel conveyed by the Warranty Deeds recorded under Instrument No. 769509 to the point of intersection with the centerline of Bryden Avenue;
thence westerly along the centerline of Bryden Avenue to the point of intersection with the centerline of 4th Street;

thence northerly along the centerline of 4th Street to the point of intersection with the centerline of Linden Avenue;

thence easterly along the centerline of Linden Avenue to the point of intersection with the centerline of 5th Street;

thence northerly along the centerline of 5th Street to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 845916 of said County records;

thence easterly along said westerly extension and north parcel line to a point on the west line of the western parcel conveyed by the Quit Claim Deed recorded under Instrument No. 640314 of said County records;

thence northerly along the west line of said parcel line to the northwest corner of said parcel;

thence easterly along the north lines of the western and eastern parcels conveyed by said Quit Claim Deed and the easterly extension thereof to the point of intersection with the centerline of 5th Street B;

thence southerly along the centerline of 5th Street B to the point of intersection with the centerline of Linden Drive;

thence easterly along the centerline of Linden Drive to a point on the west line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 708820 of said County records;

thence northerly along the west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line and the easterly extension thereof to the point of intersection with the centerline of 5th Street G;

thence southerly along the centerline of 5th Street G to the point of intersection with the centerline of Linden Drive;

thence easterly along the centerline of Linden Drive to the point of intersection with the centerline of 6th Street;

thence northerly along the centerline of 6th Street to the point of intersection with the centerline of Linden Avenue and the POINT OF BEGINNING.
BRYDEN AVENUE REVENUE ALLOCATION AREA BOUNDARY 2018

The purpose of this Revenue Allocation Area legal description is to provide the Idaho State Tax Commission with a metes and bounds description meeting their requirements. This is not a surveyed boundary and the bearings and distances shown in this legal description are derived from resource quality GIS information. This description is intended to be used only by the Idaho State Tax Commission GIS Department for the purpose of establishing a tax boundary. The basis of bearings for this description is S 01° 01' 52" W between the northwest and southwest section corners of Section 17, Township 35 North, Range 5 West, Boise Meridian, and is referenced to the Idaho coordinate system of 1983, West Zone.

A revenue allocation area lying in Sections 16, 17 and 18, Township 35 North, Range 5 West, Boise Meridian, in the City of Lewiston, County of Nez Perce, State of Idaho and being more particularly described as follows:

COMMENCING at the northwest corner of Section 17, Township 35 North, Range 5 West, Boise Meridian, marked by a County brass cap at the centerline intersection of Warner Avenue and 6th Street, having the NAD83 Idaho State Plane, West Zone, US Foot coordinates of N: 1,722,115.22 and E: 2,308,703.64;
Thence S01°05'05"W along the centerline of 6th Street a distance of 656.39 feet to the point of intersection with the centerline of Linden Avenue, said point being marked with a 2 inch aluminum monument and being the TRUE POINT OF BEGINNING;
Thence S88°17'38"E a distance of 1344.23 feet;
Thence S01°06'35"W a distance of 327.34 feet;
Thence S88°18'42"E a distance of 156.68 feet;
Thence N01°06'29"E a distance of 110.67 feet;
Thence S88°19'32"E a distance of 178.72 feet;
Thence N01°07'56"E a distance of 55.37 feet;
Thence S88°17'51"E a distance of 167.77 feet;  
Thence S01°06'38"W a distance of 166.05 feet;  
Thence S88°18'42"E a distance of 167.98 feet;  
Thence N01°06'28"E a distance of 175.68 feet;  
Thence S88°16'06"E a distance of 70.01 feet;  
Thence S01°06'03"W a distance of 175.65 feet;  
Thence S88°18'54"E a distance of 422.33 feet;  
Thence N01°05'00"E a distance of 46.29 feet;  
Thence S88°20'22"E a distance of 158.74 feet;  
Thence S01°00'51"W a distance of 39.01 feet;  
Thence S88°17'39"E a distance of 182.87 feet;  
Thence N01°00'56"E a distance of 65.15 feet;  
Thence S88°15'44"E a distance of 153.21 feet;  
Thence S01°00'45"W a distance of 26.04 feet;  
Thence S88°15'23"E a distance of 336.26 feet;  
Thence N01°00'22"E a distance of 21.00 feet;  
Thence S88°15'47"E a distance of 336.19 feet;  
Thence N01°00'05"E a distance of 109.66 feet;  
Thence S88°17'57"E a distance of 144.54 feet;  
Thence S01°04'56"W a distance of 149.99 feet;  
Thence S88°14'25"E a distance of 191.84 feet;  
Thence S01°00'05"W a distance of 24.62 feet;  
Thence S88°21'38"E a distance of 335.90 feet;  
Thence S01°00'48"W a distance of 4.99 feet;  
Thence S88°19'24"E a distance of 103.03 feet;  
Thence N01°01'04"E a distance of 129.95 feet;  
Thence S88°19'51"E a distance of 101.12 feet;  
Thence N01°00'39"E a distance of 34.98 feet;  
Thence S88°19'38"E a distance of 132.03 feet;  
Thence S01°00'30"W a distance of 119.97 feet;
Thence S88°18'46"E a distance of 105.18 feet;  
Thence S01°00'34"W a distance of 35.01 feet;  
Thence S88°18'01"E a distance of 66.05 feet;  
Thence S89°36'01"E a distance of 66.06 feet;  
Thence N00°59'13"E a distance of 98.51 feet;  
Thence S88°17'23"E a distance of 99.08 feet;  
Thence N00°56'04"E a distance of 220.10 feet;  
Thence S88°21'16"E a distance of 314.99 feet;  
Thence S00°26'12"W a distance of 209.69 feet;  
Thence N89°36'40"W a distance of 40.00 feet;  
Thence N88°04'58"W a distance of 120.60 feet;  
Thence S00°23'03"W a distance of 100.17 feet;  
Thence S88°09'39"E a distance of 120.50 feet;  
Thence S89°36'40"E a distance of 80.09 feet;  
Thence N00°27'06"E a distance of 113.30 feet;  
Thence S89°32'54"E a distance of 361.19 feet;  
Thence N01°16'31"E a distance of 187.27 feet;  
Thence S88°15'30"E a distance of 121.58 feet;  
Thence S01°02'21"W a distance of 123.38 feet;  
Thence S43°32'25"E a distance of 61.65 feet;  
Thence N46°14'06"E a distance of 189.40 feet;  
Thence S43°40'33"E a distance of 11.96 feet;  
Thence S46°14'53"W a distance of 98.38 feet;  
Thence S01°07'25"W a distance of 72.99 feet;  
Thence S67°24'36"E a distance of 64.94 feet;  
Thence N74°31'41"E a distance of 39.89 feet;  
Thence N46°14'06"E a distance of 88.52 feet;  
Thence S43°40'33"E a distance of 763.29 feet;  
Thence S43°40'35"E a distance of 444.18 feet;  
Thence S44°55'05"W a distance of 134.80 feet;
Thence S88°28'25"W a distance of 99.87 feet;
Thence S89°42'57"W a distance of 120.01 feet;
Thence N01°07'52"E a distance of 83.18 feet;
Thence N88°16'36"W a distance of 329.37 feet;
Thence N01°07'55"E a distance of 13.99 feet;
Thence N88°18'57"W a distance of 329.37 feet;
Thence S01°07'28"W a distance of 164.89 feet;
Thence N88°19'49"W a distance of 131.34 feet;
Thence N01°21'48"E a distance of 7.85 feet;
Thence N88°16'00"W a distance of 131.67 feet;
Thence N01°21'38"E a distance of 40.34 feet;
Thence N88°19'48"W a distance of 145.71 feet;
Thence N01°18'57"E a distance of 65.47 feet;
Thence N88°10'58"W a distance of 261.56 feet;
Thence S00°23'46"W a distance of 12.21 feet;
Thence N88°17'09"W a distance of 325.37 feet;
Thence N00°59'25"E a distance of 21.24 feet;
Thence N88°17'48"W a distance of 303.23 feet;
Thence S00°59'31"W a distance of 123.09 feet;
Thence N88°17'37"W a distance of 150.41 feet;
Thence N00°59'01"E a distance of 53.04 feet;
Thence N88°17'33"W a distance of 117.02 feet;
Thence N00°59'44"E a distance of 112.07 feet;
Thence N88°18'58"W a distance of 102.01 feet;
Thence S00°57'54"W a distance of 330.08 feet;
Thence N88°17'29"W a distance of 21.05 feet;
Thence N01°01'28"E a distance of 94.72 feet;
Thence N43°45'45"W a distance of 28.54 feet;
Thence N88°10'58"W a distance of 209.19 feet;
Thence N01°00'12"E a distance of 149.90 feet;
Thence N88°15'33"W a distance of 85.84 feet;
Thence N01°01'10"E a distance of 65.00 feet;
Thence N88°17'42"W a distance of 336.14 feet;
Thence N88°17'37"W a distance of 672.56 feet;
Thence S00°51'43"W a distance of 70.11 feet;
Thence N88°17'26"W a distance of 108.95 feet;
Thence N01°00'32"E a distance of 52.03 feet;
Thence N88°17'26"W a distance of 227.27 feet;
Thence N01°00'42"E a distance of 3.13 feet;
Thence N88°17'26"W a distance of 316.50 feet;
Thence N01°06'05"E a distance of 14.97 feet;
Thence N88°17'35"W a distance of 131.92 feet;
Thence S01°06'07"W a distance of 105.04 feet;
Thence N88°17'11"W a distance of 107.63 feet;
Thence S01°08'04"W a distance of 225.18 feet;
Thence N88°17'08"W a distance of 96.01 feet;
Thence N01°08'08"E a distance of 330.20 feet;
Thence N88°17'36"W a distance of 167.85 feet;
Thence S01°06'29"W a distance of 45.00 feet;
Thence N88°17'34"W a distance of 167.80 feet;
Thence S01°06'57"W a distance of 25.50 feet;
Thence N88°17'42"W a distance of 335.87 feet;
Thence N01°07'01"E a distance of 70.51 feet;
Thence N88°18'15"W a distance of 814.41 feet;
Thence S01°41'45"W a distance of 20.00 feet;
Thence N88°18'05"W a distance of 160.20 feet;
Thence N01°05'03"E a distance of 19.99 feet;
Thence N88°18'15"W a distance of 368.90 feet;
Thence N88°17'26"W a distance of 222.84 feet;
Thence S01°05'07"W a distance of 9.98 feet;
Thence N88°17'21"W a distance of 248.50 feet;
Thence N00°48'33"E a distance of 15.00 feet;
Thence N88°17'31"W a distance of 170.05 feet;
Thence S00°48'39"W a distance of 5.02 feet;
Thence N88°17'40"W a distance of 659.77 feet;
Thence N88°18'02"W a distance of 660.02 feet;
Thence N00°48'44"E a distance of 330.02 feet;
Thence N88°17'41"W a distance of 660.03 feet;
Thence N00°49'17"E a distance of 329.00 feet;
Thence S88°17'39"E a distance of 1319.99 feet;
Thence N00°48'37"E a distance of 31.43 feet;
Thence S88°19'44"E a distance of 146.04 feet;
Thence N00°48'29"E a distance of 20.97 feet;
Thence S88°19'34"E a distance of 183.73 feet;
Thence S00°49'40"W a distance of 52.57 feet;
Thence S88°17'39"E a distance of 659.84 feet;
Thence N00°49'00"E a distance of 83.29 feet;
Thence S88°23'27"E a distance of 108.91 feet;
Thence S01°03'34"W a distance of 75.49 feet;
Thence S88°17'39"E a distance of 206.16 feet;
Thence N01°05'04"E a distance of 322.97 feet to the POINT OF BEGINNING.
EXHIBIT C

Boundary Map of
Revenue Allocation Area #6
CITY OF LEWISTON
SUMMARY OF ORDINANCE NO. 4732

ORDINANCE NO. 4732: 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 #6 BRYDEN AVENUE"; 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 #6 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.

Revenue allocation area #6 consists of approximately 140 acres of land generally located south of Linden Avenue, west of Thain Road, north of Bryden Drive, and east of 4th Street and 4th Street D, more particularly described in the legal description. Revenue allocation area #6 is irregularly shaped, and some of the approximate corners of revenue allocation area #6 are as follows: 402 Linden Drive, Lewiston, Idaho; 3322 7th Street, Lewiston, Idaho; 332 Thain Road, Lewiston, Idaho; 404 Thain Road, Lewiston, Idaho; 721 Airway Avenue, Lewiston, Idaho; and 3409 4th Street D, Lewiston, Idaho.

As required by Idaho Code § 50-901A, the following excerpts from Ordinance No. 4732 are required to be published in full:

... 

SECTION 3: As part of the Bryden Avenue Plan, revenue allocation area #6 is hereby created, the legal description for which is attached hereto and incorporated herein as Exhibit B.

SECTION 4: The Bryden Avenue Plan establishes a base assessment roll as of January 1, 2018, as it may be adjusted, in revenue allocation area #6.

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 #6 is located, the Nez Perce County Commissioners shall, with respect to the taxable property located in revenue allocation area #6, 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 Bryden Avenue 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.

...

Ordinance No. 4732 is effective upon passage and publication.

CITY OF LEWISTON

By: Michael G. Collins
Mayor

Attest: Kari Ravencroft
City Clerk

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

I, JANA B. GÓMEZ, City Attorney, reviewed the foregoing Summary of Ordinance No. 4732. The summary is true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A.

Dated this 4th day of December 2018.

Jana B. Gómez
City Attorney
REVENUE ALLOCATION AREA — BRYDEN AVENUE

5/8/2018, Revised 9/26/18 NK/BS/DH/MW

COMMENCING at the Section Corner common to Sections 7, 8, 17 and 18 of Township 35 North, Range 5 West, Boise Meridian, in the City of Lewiston, County of Nez Perce and State of Idaho, said corner also being the centerline intersection of Warner Avenue and 6th Street; thence southerly along the centerline of 6th Street to the point of intersection with the centerline of Linden Avenue, said point also being the POINT OF BEGINNING;

thence easterly along the centerline of Linden Avenue to the point of intersection with the centerline of 7th Street;

thence southerly along the centerline of 7th Street to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 705092 of said County records;

thence easterly along said extension and north line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 599047 of said County records;

thence northerly along said west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 371810 of said County records;

thence northerly along said west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel;

thence southerly along the east parcel line to an angle point in said parcel line;

thence easterly along said parcel line and the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 782916 of said County records to a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 713529 of said County records;

thence northerly along said west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel;

thence southerly along the east parcel line to an angle point in said parcel line;

thence easterly along said parcel line and the north lines of the parcels conveyed by the Deeds recorded under Instrument No. 755781, 404923, 703953 and 668003 of said County records to an angle point in said parcel conveyed by the Warranty Deed recorded under Instrument No. 668003;

thence northerly along said parcel line to an angle point in said parcel line;

thence easterly along the north line of said parcel and the easterly extension thereof to the point of intersection with the centerline of 8th Street;
thence southerly along the centerline of 8th Street to the point of intersection with the centerline of Linden Drive;

thence easterly along the centerline of Linden Drive to the point of intersection with the centerline of 8th Street A;

thence northerly along the centerline of 8th Street A to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 512567 of said County records;

thence easterly along said extension and the north parcel line to the northeast corner of said parcel;

thence southerly along the east line of said parcel to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 677607 of said County records;

thence easterly along the north line of said parcel and the easterly extension thereof (crossing Bryden Court) to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 433576 of said County records;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 819899 of said County records;

thence northerly along said west line to the northwest corner of said parcel;

thence easterly along the north parcel line and easterly extension thereof (crossing 8th Street E) to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 318404 of said County records;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 689956 of said County records;

thence northerly along said west line to the northwest corner of said parcel;

thence easterly along the north line to the northeast corner of said parcel;

thence southerly along the east line of said parcel to the northwest corner of Lot 3 of the Dietz Addition as recorded under Instrument No. 587102 of said County records;

thence easterly along the north line of said lot and easterly extension thereof to the point of intersection with the centerline of 9th Street;

thence southerly along the centerline of 9th Street to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 760509 of said County records;

thence easterly along said extension and north line to the northeast corner of said parcel;

thence southerly along the east parcel line to the northwest corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 841978 of said County records;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 639485 of said County records;

Page 4 of 14
thence northerly along the west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel, said corner also being a point on the west line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 776862 of said County records;

thence northerly along said west line to the northwest corner of said parcel;

thence easterly along the north parcel line to the northeast corner of said parcel;

thence southerly along the east parcel line to the northwest corner of Lot 3 of the Kelley Addition as recorded under Instrument No. 588503 of said County records;

thence easterly along the north lot line to the northeast corner of said lot;

thence southerly along the east lot line to the northwest corner of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 820841 of said County records;

thence easterly along the north parcel line and the north line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 826366 of said County records to a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 841683 of said County records;

thence northerly along said west line to an angle point in said parcel line;

thence easterly along said parcel line to an angle point in said parcel line;

thence northerly along the west line of said parcel line and the northerly extension thereof to the point of intersection with the centerline of Linden Avenue;

thence easterly along the centerline of Linden Avenue to the point of intersection with the centerline of 10th Street;

thence southerly along the centerline of 10th Street to the point of intersection with the easterly extension of the north line of the parcel conveyed by the Deed recorded under Instrument No. 744832 of said County records;

thence westerly along said parcel line to the northwest corner of said parcel;

thence southerly along the west parcel line to the southwest corner of said parcel;

thence easterly along the south parcel line of said parcel, and the easterly extension thereof to the point of intersection with the east right-of-way line of 10th Street, and the west line of Lot 2, Block 1 of the Village Centre Cinemas Second Addition recorded under Instrument No. 830288 of said County records;

thence northerly along the said east right-of-way line, and the west parcel line, to the northwest corner of said lot

thence easterly along the north line of said lot to the northeast lot corner, said corner also being a point on the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 572783 of said County records;

thence northerly along said west parcel line of and the northerly extension thereof to the point of intersection with the centerline of Linden Avenue;

thence easterly along the centerline of Linden Avenue to the point of intersection with the northerly extension of said east parcel line;

Page 5 of 14
thence southerly along said northerly extension and east parcel line to an angle point in said parcel line;
thence southeasterly along said parcel line to an angle point in said parcel line;
thence northeasterly along said parcel line and northeasterly extension thereof to the point of intersection with the centerline of Thain Road;
thence southeasterly along the centerline of Thain Road to the point of intersection with the northeasterly extension of the parcel line conveyed by the Warranty Deed recorded under Instrument No. 572783 of said County records;
thence southwesterly along said northeasterly extension and parcel line to an angle point in said parcel line;
thence southerly along said parcel line to an angle point in said parcel line;
thence southeasterly along said parcel line to an angle point in said parcel line;
thence northeasterly along said parcel line and the northeasterly extension thereof to the point of intersection with the centerline of Thain Road;
thence southeasterly along the centerline of Thain Road to the point of intersection with the centerline of 11th Street;
thence continuing southeasterly along the centerline of Thain Road to the intersection of the northeasterly extension of the southeast line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 799344 of said County records;
thence southwesterly along said northeasterly extension and southeast parcel line to an angle point in said parcel line;
thence westerly along the south parcel line and the westerly extension thereof to the point intersection with the centerline of 11th Street;
thence northerly along the centerline of 11th Street to the point of intersection with the easterly extension of the south line of Parcel 1 as conveyed by the Warranty Deed recorded under Instrument No. 843260 of said County records;
thence westerly along said easterly extension and parcel line to the southwest corner of said parcel;
thence northerly along said west parcel line to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 659588 of said County records;
thence westerly along the south line of said parcel and the south lines of Parcels D and C of the parcels conveyed by the Quit Claim Deed recorded under Instrument No. 826304 of said County records to the southwest corner of Parcel C, said corner also being a point on the east line of Parcel B of said Quit Claim Deed;
thence southerly along the east line of Parcel B to the southeast corner of said parcel;
thence westerly along the south line of Parcel B to the southwest corner of said parcel;
thence northerly along the west line of Parcel B to the southeast corner of Parcel O of said Quit Claim Deed;
thence westerly along the south line of Parcel O to the southwest corner of said parcel;
thence northerly along the west line of Parcel O to the southeast corner of Parcel F of said Quit Claim Deed;

thence westerly along the south lines of Parcels F and E to the southwest corner of Parcel E of said Quit Claim Deed;

thence northerly along the west line of Parcel E to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 193-79 of said County records;

thence westerly along the south line of said parcel and the south line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 831671 of said County records and the westerly extension thereof, to the point of intersection with the centerline of 10th Street;

thence southerly along the centerline of 10th Street to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Personal Representatives Deed recorded under Instrument No. 782845 of said County records;

thence westerly along said easterly extension and the south parcel line to the southwest corner of said parcel;

thence northerly along the west parcel line to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 839857 of said County records;

thence westerly along the south parcel line to the southwest corner of said parcel, said corner also being the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 845188 of said County records;

thence westerly along the south parcel line to an angle point in said parcel;

thence southerly along the south parcel line to an angle point in said parcel;

thence westerly along the south parcel line to an angle point in said parcel;

thence northerly along the south parcel line to an angle point in said parcel;

thence westerly along the south parcel line to an angle point in said parcel;

thence northerly along the south parcel line to an angle point in said parcel;

thence westerly along the south parcel line to a point on the east line of Lot 2, Block 1, of the Tullamore Addition as recorded under Instrument No. 742007 of said County records;

thence southerly along the east line of said Lot 2 and the southerly extension thereof to the point of intersection with the centerline of Airway Avenue;

thence westerly along the centerline of Airway Avenue to the point of intersection with the southerly extension of the lot line common to Lots 2 and 5, Block 1 of the Tullamore Addition;

thence northerly along said southerly extension and the lot line common said Lots 2 and 5 to an angle point in said lots;

thence northwesterly along said common lot line to an angle point in said lots;

thence westerly along said common lot line and the common lot lines between Lot 2 and Lots 4 and 3, Block 1 of the Tullamore Addition to the southwest corner of said Lot 2;
thence northerly along the west line of said Lot 2 to the southeast corner of a parcel conveyed by the Quit Claim Deed recorded under Instrument No. 610465 of said County records;

thence westerly along the south line of said parcel and westerly extension thereof to the point of intersection with the centerline of 9th Street;

thence northerly along the centerline of 9th Street to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 710114 of said County records;

thence westerly along said easterly extension and the south line of said parcel to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 841481 of said County records;

thence westerly along the south line of said parcel to the southwest corner of said parcel, said corner also being a point on the east right-of-way line of 8th Street F;

thence westerly to the centerline intersection of 8th Street F and Bryden Drive;

thence westerly along the centerline of Bryden Drive to a point on the east line of a parcel conveyed by the Quit Claim Deed recorded under Instrument No. 636942 of said County records;

thence southerly along the east parcel line to the southeast corner of said parcel;

thence westerly along the south parcel line to the southwest corner of said parcel;

thence northerly along the west parcel line to the southeast corner of a parcel conveyed by the Warranty Deed recorded under Instrument No. 782471 of said County records;

thence westerly along the south line of said parcel and the westerly extension thereof to the point of intersection with the centerline of 8th Street;

thence northerly along the centerline of 8th Street to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 554815 of said County records;

thence westerly along said easterly extension and south parcel line to the southwest corner of said parcel;

thence northerly along the west line of said parcel to the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 755150 of said County records;

thence westerly along the south line of said parcel and the south line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 723514 of said County records to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 844562 of said County records;

thence southerly along the east parcel line to an angle point in said parcel line;

thence westerly along said parcel line to an angle point in said parcel line;

thence southerly along said parcel line and the southerly extension thereof to the point of intersection with the centerline of Airway Avenue;
thence westerly along the centerline of Airway Avenue to the point of intersection with the southerly extension of the west line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 844562;

thence northerly along said southerly extension and west line of said parcel to the southeast corner of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 803195 of said County records;

thence westerly along the south line of said parcel and the south line of Parcel 1 as conveyed by the Warranty Deed recorded under Instrument No. 830881 of said County records to the southwest corner of said Parcel 1, said corner also being a point on the east line of Parcel 2 of said Warranty Deed recorded under Instrument No. 830881;

thence southerly along the east line of said Parcel 2 to the southeast corner of said Parcel 2;

thence westerly along the south line of said Parcel 2 to the southeast corner of the parcel conveyed by the Warranty Deed recorded in Book 208, Page 459 of said County records;

thence westerly along the south line of said parcel to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 723686 of said County records;

thence southerly along said east parcel line to the southeast corner of said parcel;

thence westerly along the south line of said parcel and the westerly extension thereof to the point of intersection with the centerline of 7th Street;

thence northerly along the centerline of 7th Street to the point of intersection with the centerline of Bryden Drive;

thence westerly along the centerline of Bryden Drive to the point of intersection with the centerline of 6th Street C;

thence westerly along the westerly extension of the centerline of Bryden Drive to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 567270 of said County records;

thence southerly along the east parcel line to the southeast corner of said parcel;

thence westerly along the south parcel line to the southwest corner of said parcel;

thence northerly along the west parcel line to the point of intersection with the centerline of Bryden Drive;

thence westerly along the centerline of Bryden Drive to the point of intersection with the centerline of 6th Street;

thence westerly to a point on the west right-of-way line of 6th Street, said point also being the southeast corner of the parcel conveyed by the Warranty Deed recorded under Instrument No. 807959 of said County records;

thence westerly along the south parcel line to a point on the east line of the parcel conveyed by the Quit Claim Deed recorded under Instrument No. 779292 of said County records;

thence southerly along the east parcel line to the southeast corner of said parcel;
thence westerly along the south line of said parcel and the south line and westerly extension thereof of the parcel conveyed by the Warranty Deed recorded under Instrument No. 439306 of said County records to the point of intersection with the centerline of 5th Street E;

thence northerly along the centerline of 5th Street E to the point of intersection with the easterly extension of the south line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 426504 of said County records;

thence westerly along said easterly extension and south parcel line to the southwest corner of said parcel, said corner also being a point on the east end of the Bryden Drive right-of-way;

thence southerly along said east end of the right-of-way to the point of intersection with the centerline of Bryden Drive;

thence westerly along the centerline of Bryden Drive to the point of intersection with the centerline of 5th Street;

thence continuing westerly along the centerline of Bryden Drive to the point of intersection with the southerly extension of the west line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 632117 of said County records, said point also being on the east line of the airport street named 4th Street D;

thence northerly along the west line of said parcel and the west lines of the parcels conveyed by the Warranty Deeds recorded under Instrument No. 838899 and 769509 to a point on the south right-of-way line of Bryden Avenue;

thence northerly along the northern extension of the west line of the parcel conveyed by the Warranty Deeds recorded under Instrument No. 769509 to the point of intersection with the centerline of Bryden Avenue;

thence westerly along the centerline of Bryden Avenue to the point of intersection with the centerline of 4th Street;

thence northerly along the centerline of 4th Street to the point of intersection with the centerline of Linden Avenue;

thence easterly along the centerline of Linden Avenue to the point of intersection with the centerline of 5th Street;

thence northerly along the centerline of 5th Street to the point of intersection with the westerly extension of the north line of the parcel conveyed by the Warranty Deed recorded under Instrument No. 845916 of said County records;

thence easterly along said westerly extension and north parcel line to a point on the west line of the western parcel conveyed by the Quit Claim Deed recorded under Instrument No. 640314 of said County records;

thence northerly along the west line of said parcel line to the northwest corner of said parcel;

thence easterly along the north lines of the western and eastern parcels conveyed by said Quit Claim Deed and the easterly extension thereof to the point of intersection with the centerline of 5th Street B;

thence southerly along the centerline of 5th Street B to the point of intersection with the centerline of Linden Drive;

Page 10 of 14
thence easterly along the centerline of Linden Drive to a point on the west line of the parcel conveyed by
the Quit Claim Deed recorded under Instrument No. 708820 of said County records;

thence northerly along the west parcel line to the northwest corner of said parcel;

thence easterly along the north parcel line and the easterly extension thereof to the point of intersection
with the centerline of 5th Street G;

thence southerly along the centerline of 5th Street G to the point of intersection with the centerline of
Linden Drive;

thence easterly along the centerline of Linden Drive to the point of intersection with the centerline of 6th
Street;

thence northerly along the centerline of 6th Street to the point of intersection with the centerline of
Linden Avenue and the POINT OF BEGINNING.

BRYDEN AVENUE REVENUE ALLOCATION AREA BOUNDARY 2018

The purpose of this Revenue Allocation Area legal description is to provide the Idaho State Tax
Commission with a metes and bounds description meeting their requirements. This is not a surveyed
boundary and the bearings and distances shown in this legal description are derived from resource
quality GIS information. This description is intended to be used only by the Idaho State Tax Commission
GIS Department for the purpose of establishing a tax boundary. The basis of bearings for this description
is S 01° 01' 52" W between the northwest and southwest section corners of Section 17, Township 35
North, Range 5 West, Boise Meridian, and is referenced to the Idaho coordinate system of 1983, West
Zone.

A revenue allocation area lying in Sections 16, 17 and 18, Township 35 North, Range 5 West, Boise
Meridian, in the City of Lewiston, County of Nez Perce, State of Idaho and being more particularly
described as follows:

COMMENCING at the northwest corner of Section 17, Township 35 North, Range 5 West, Boise Meridian,
marked by a County brass cap at the centerline intersection of Warner Avenue and 6th Street, having the
NAD83 Idaho State Plane, West Zone, US Foot coordinates of N: 1,722,115.22 and E: 2,308,703.64;
Thence S01°05'05"W along the centerline of 6th Street a distance of 656.39 feet to the point of
intersection with the centerline of Linden Avenue, said point being marked with a 2 inch aluminum
monument and being the TRUE POINT OF BEGINNING;
Thence S88°17'38"E a distance of 1344.23 feet;
Thence S01°06'35"W a distance of 327.34 feet;
Thence S88°18'42"E a distance of 156.68 feet;
Thence N01°06'29"E a distance of 110.67 feet;
Thence S88°19'32"E a distance of 178.72 feet;
Thence N01°07'56"E a distance of 55.37 feet;
Thence S88°17'51"E a distance of 167.77 feet;
Thence S01°06'38"W a distance of 166.05 feet;
Thence S88°18'42"E a distance of 167.98 feet;
Thence N01°06'28"E a distance of 175.68 feet;
Thence S88°16'06"E a distance of 70.01 feet;
Thence S01°06'03"W a distance of 175.65 feet;
Thence S88°18'54"E a distance of 422.33 feet;
Thence N01°05'00"E a distance of 46.29 feet;
Thence S88°20'22"E a distance of 158.74 feet;
Thence S01°00'51"W a distance of 39.01 feet;
Thence S88°17'39"E a distance of 182.87 feet;
Thence N01°00'56"E a distance of 65.15 feet;
Thence S88°15'44"E a distance of 153.21 feet;
Thence S01°00'45"W a distance of 26.04 feet;
Thence S88°15'23"E a distance of 336.26 feet;
Thence N01°00'22"E a distance of 21.00 feet;
Thence S88°15'47"E a distance of 336.19 feet;
Thence N01°00'05"E a distance of 109.66 feet;
Thence S88°17'57"E a distance of 144.54 feet;
Thence S01°04'56"W a distance of 149.99 feet;
Thence S88°14'25"E a distance of 191.84 feet;
Thence S01°00'05"W a distance of 24.62 feet;
Thence S88°21'38"E a distance of 335.90 feet;
Thence S01°00'48"W a distance of 4.99 feet;
Thence S88°19'24"E a distance of 103.03 feet;
Thence N01°01'04"E a distance of 129.95 feet;
Thence S88°19'51"E a distance of 101.12 feet;
Thence N01°00'39"E a distance of 34.98 feet;
Thence S88°19'38"E a distance of 132.03 feet;
Thence S01°00'30"W a distance of 119.97 feet;
Thence S88°18'46"E a distance of 105.18 feet;
Thence S01°00'34"W a distance of 35.01 feet;
Thence S88°18'01"E a distance of 66.05 feet;
Thence S89°36'01"E a distance of 66.06 feet;
Thence N00°59'13"E a distance of 98.51 feet;
Thence S88°17'23"E a distance of 99.08 feet;
Thence N00°56'04"E a distance of 220.10 feet;
Thence S88°21'16"E a distance of 314.99 feet;
Thence S00°26'12"W a distance of 209.69 feet;
Thence S89°36'40"W a distance of 40.00 feet;
Thence N88°03'58"W a distance of 120.60 feet;
Thence S00°23'03"W a distance of 100.17 feet;
Thence S88°09'39"E a distance of 120.50 feet;
Thence S89°36'40"E a distance of 80.09 feet;
Thence N00°27'06"E a distance of 113.30 feet;
Thence S89°32'54"E a distance of 361.19 feet;
Thence N01°16'31"E a distance of 187.27 feet;
Thence S88°15'30"E a distance of 121.58 feet;
Thence S01°02'21"W a distance of 123.38 feet;
Thence S43°32'25"E a distance of 61.65 feet;
Thence N46°14'06"E a distance of 189.40 feet;
Thence S43°40'33"E a distance of 11.96 feet;
Thence S46°14'53"W a distance of 98.38 feet;
Thence S01°07'25"W a distance of 72.99 feet;
Thence S67°24'36"E a distance of 64.94 feet;
Thence N74°31'41"E a distance of 39.89 feet;
Thence N46°14'06"E a distance of 88.52 feet;
Thence S43°40'33"E a distance of 763.29 feet;
Thence S43°40'35"E a distance of 444.18 feet;
Thence S44°55'05"W a distance of 134.80 feet;
Thence S88°28'25"W a distance of 99.87 feet;
Thence S89°42'57"W a distance of 120.01 feet;
Thence N01°07'52"E a distance of 83.18 feet;
Thence N88°16'36"W a distance of 329.37 feet;
Thence N01°07'55"E a distance of 13.99 feet;
Thence N88°18'57"W a distance of 329.37 feet;
Thence S01°07'28"W a distance of 164.89 feet;
Thence N88°19'49"W a distance of 131.34 feet;
Thence N01°21'48"E a distance of 7.85 feet;
Thence N88°16'00"W a distance of 131.67 feet;
Thence N01°21'38"E a distance of 40.34 feet;
Thence N88°19'48"W a distance of 145.71 feet;
Thence N01°18'57"E a distance of 65.47 feet;
Thence N88°10'58"W a distance of 261.56 feet;
Thence S00°23'46"W a distance of 12.21 feet;
Thence N88°17'09"W a distance of 325.37 feet;
Thence N00°59'25"E a distance of 21.24 feet;
Thence N88°17'48"W a distance of 303.23 feet;
Thence S00°59'31"W a distance of 123.09 feet;
Thence N88°17'37"W a distance of 150.41 feet;
Thence N00°59'01"E a distance of 53.04 feet;
Thence N88°17'33"W a distance of 117.02 feet;
Thence N00°59'44"E a distance of 112.07 feet;
Thence N88°18'58"W a distance of 102.01 feet;
Thence S00°57'54"W a distance of 330.08 feet;
Thence N88°17'29"W a distance of 21.05 feet;
Thence N01°01'28"E a distance of 94.72 feet;
Thence N43°45'45"W a distance of 28.54 feet;
Thence N88°10'58"W a distance of 209.19 feet;
Thence N01°00'12"E a distance of 149.90 feet;
Thence N88°15'33"W a distance of 85.84 feet;
Thence N01°01'10"E a distance of 65.00 feet;
Thence N88°17'42"W a distance of 336.14 feet;
Thence N88°17'37"W a distance of 672.56 feet;
Thence S00°51'43"W a distance of 70.11 feet;
Thence N88°17'26"W a distance of 108.95 feet;
Thence N01°00'32"E a distance of 52.03 feet;
Thence N88°17'26"W a distance of 227.27 feet;
Thence N01°00'42"E a distance of 3.13 feet;
Thence N88°17'26"W a distance of 316.50 feet;
Thence N01°06'05"E a distance of 14.97 feet;
Thence N88°17'35"W a distance of 131.92 feet;
Thence S01°06'07"W a distance of 105.04 feet;
Thence N88°17'11"W a distance of 107.63 feet;
Thence S01°08'04"W a distance of 225.18 feet;
Thence N88°17'08"W a distance of 96.01 feet;
Thence N01°08'08"E a distance of 330.20 feet;
Thence N88°17'36"W a distance of 167.85 feet;
Thence S01°06'29"W a distance of 45.00 feet;
Thence N88°17'34"W a distance of 167.80 feet;
Thence S01°06'57"W a distance of 25.50 feet;
Thence N88°17'42"W a distance of 335.87 feet;
Thence N01°07'01"E a distance of 70.51 feet;
Thence N88°18'15"W a distance of 814.41 feet;
Thence S01°41'45"W a distance of 20.00 feet;
Thence N88°18'05"W a distance of 160.20 feet;
Thence N01°05'08"E a distance of 19.99 feet;
Thence N88°18'15"W a distance of 368.90 feet;
Thence N88°17'26"W a distance of 222.84 feet;
Thence S01°05'07"W a distance of 9.98 feet;
Thence N88°17'21"W a distance of 248.50 feet;
Thence N00°48'33"E a distance of 15.00 feet;
Thence N88°17'31"W a distance of 170.05 feet;
Thence S00°48'39"W a distance of 5.02 feet;
Thence N88°17'40"W a distance of 659.77 feet;
Thence N88°18'02"W a distance of 660.02 feet;
Thence N00°48'44"E a distance of 330.02 feet;
Thence N88°17'41"W a distance of 660.03 feet;
Thence N00°49'17"E a distance of 329.00 feet;
Thence S88°17'39"E a distance of 1319.99 feet;
Thence N00°48'37"E a distance of 31.43 feet;
Thence S88°19'44"E a distance of 146.04 feet;
Thence N00°48'29"E a distance of 20.97 feet;
Thence S88°19'34"E a distance of 183.73 feet;
Thence S00°49'40"W a distance of 52.57 feet;
Thence S88°17'39"E a distance of 659.84 feet;
Thence N00°49'00"E a distance of 83.29 feet;
Thence S88°23'27"E a distance of 108.91 feet;
Thence S01°03'34"W a distance of 75.49 feet;
Thence S88°17'39"E a distance of 206.16 feet;
Thence N01°05'04"E a distance of 322.97 feet to the POINT OF BEGINNING.