

Moscow City Council



Regular Meeting ~Agenda~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, August 3, 2020

7:00 PM

**Council Chambers
206 E. Third St.**

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. This meeting is open to the public, but is subject to social distancing protocols as recommended in Governor Little's Stay Healthy Guidelines, so the number of attendees at any one time may be limited, and masks will be required of attendees. If you do not have a mask, a disposable mask will be provided. We appreciate and encourage public participation. For regular agenda items, an opportunity for public comment is sometimes provided after the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so during the public comment item on the agenda. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Pursuant to the Governor's Proclamation relating to the conduct of public meetings during the COVID-19 crisis, the meeting will be broadcast. Citizens wishing to comment on business on the agenda are encouraged to communicate with the Mayor and City Council by phone or email (council@ci.moscow.id.us) in order to respect social distancing protocol. Please note that Moscow City Council meetings are televised, videotaped and/or recorded. Thank you for your interest in City government.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council July 20, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

B. Lot Line Adjustment at 204 First Street and 108 N Washington Street - Aimee Hennrich

The applicants, Donald Barker and Derek Trenholm, are requesting a lot line adjustment between two lots addressed as 204 First Street and 108 N Washington Street. The applicants are proposing to shift the common lot line which separates the two properties 1.3 feet to the north following a survey that was conducted that concluded that the garage on 204 First Street was overhanging the property line by 1.3 feet. The existing lot at 204 First Street would be increased by 81.25 square feet, resulting in a total lot size of 4,081.25 square feet

and the lot at 108 N Washington Street would be reduced by 81.25 square feet, resulting in a total lot size of 3,418.75 square feet. There is currently a law office and a detached garage on 204 First Street and a single-family home and a detached garage on 108 N Washington Street. The subject properties are located within the Multiple Family Residential Zoning District (R-4), which requires a minimum lot size of 5,000 square feet and lot width of 50 feet. Both lots are currently legally non-conforming and will remain as such, however, the garage will no longer be encroaching upon the common property line.

ACTION: Approve the lot line adjustment request with no conditions.

C. Resolution Preauthorizing the Acceptance of an Airport Aid Grant from the U.S. Department of Transportation Federal Aviation Administration Airport Improvement Program - Gary J. Riedner / Tony Bean

Tony Bean, Executive Director of the Pullman-Moscow Regional Airport (PMRA) has prepared a grant application to the U.S. Department of Transportation Federal Aviation Administration Airport Improvement Program for the purpose of Terminal Design and Construction. The amount of the grant is up to \$21,000,000 with a local match of \$1,855,899.00 from Airport resources. To facilitate the FAA grant, it is appropriate to pre-authorize its acceptance. The attached resolution has been prepared for that purpose. The resolution also authorizes the execution of related assurances and certifications.

ACTION: Adopt the attached resolution preauthorizing the acceptance of grant offer AIP 3-53-0057-051 from the FAA Airport Improvement Program.

REGULAR AGENDA

- 2. Staff Recognition Report - Gary J. Riedner**
- 3. Mayors Appointments (ACTION ITEM)**
- 4. Public Comment and Mayor's Response Period (limit 15 minutes)**
- 5. Citizen Commission Report - Human Rights Commission - James Fry / Ken Faunce**
- 6. Public Hearing: City of Moscow's FY2021 Annual Budget and Foregone (ACTION ITEM) - Gary J. Riedner**

Staff will present the proposed City of Moscow FY2021 balanced budget in the amount of \$96,133,513 considered by the City Council at their workshop held July 21, 2020. Increase in property taxes from FY2020 include the following: new construction (\$59,796), and scheduled payment of the voter-approved general obligation bond (\$52,112). Included for City Council consideration is the FY2021 Annual Appropriation Ordinance, a resolution to accrue forgone property tax levying authority and the L-2 property tax certification in the aggregate amount of \$7,276,525.

PROPOSED ACTIONS: Conduct the public hearing upon the FY2021 City of Moscow Annual Appropriation Ordinance and upon consideration of testimony presented:

A. Approve the ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take other such other action deemed appropriate.

B. Approve the resolution to accrue forgone property tax levying authority pursuant to Idaho Code §63-802(1)(f); or take other such other action deemed appropriate.

C. Authorize the Mayor's execution of the L-2 property tax certification in the aggregate amount of \$7,276,525; or take other such action deemed appropriate.

7. Public Hearing: Proposed FY2021 Fee Resolution (ACTION ITEM) - Gary J. Riedner

Any fee increase being proposed by more than 5% or any new fees require a public hearing pursuant to Idaho Code 63-1311A. Additionally, pursuant to Idaho Code 63-1311, the City's fees collected shall be reasonably related to the actual cost of the service provided. Staff will discuss proposed fee increases for the FY2021 budget year, which support the FY2021 budget proposal. The fee increases are due to the additional costs associated with the delivery of services including administration, operations and maintenance.

PROPOSED ACTIONS: Conduct the public hearing and after considering testimony, approve the attached FY2021 Fee Resolution with or without changes; or take such other action deemed appropriate.

8. Resolution to Extend Amended Public Health Emergency Order 20-03 (ACTION ITEM) - Gary J. Riedner

On July 6, 2020, the City Council approved Resolution 2020-12, accepting and extending Mayor Lambert's Amended Public Health Emergency Order 20-03, requiring face coverings (masks) when in a public setting and the 6-foot physical distancing cannot be maintained and maintain a 6-foot social/physical distancing from non-household members when in public settings, within the City of Moscow. The Resolution 2020-12 expires at 11:59 p.m. on August 4, 2020. The attached Resolution extends Emergency Order 20-03 until October 6, 2020, and includes a definition of face coverings.

PROPOSED ACTIONS: Adopt the Resolution extending Amended Public Health Emergency Order 20-03 until October 6, 2020, and adopting a definition of face covering, or take such other action deemed appropriate.

9. Live Entertainment in Sidewalk Cafes & Community Events Downtown (ACTION ITEM) - Gary J. Riedner

Moscow City Code Title 9, Chapter 12 regulates use of the public right-of-way (ROW) in the Central Business District Zone for sidewalk cafes. Due to the recent adverse economic impacts of the COVID-19 pandemic and the mandate of social distancing for businesses, particularly eating and drinking establishments, on June 1, 2020 the Moscow City Council adopted Resolution 2020-11, which suspended certain of the sidewalk cafe regulations, allowing for temporary expansion of use of the ROW. Staff developed a program for permitting the temporary expansions of sidewalk cafes and many downtown businesses have participated in this program, and the City continues to field applications. The City has had several requests for allowing live entertainment in the expanded sidewalk cafes, particularly live music. With the appropriate noise ordinance waiver review by the Police Department, music has been allowed in

the ROW, although MCC 9.12 does not identify live entertainment and Resolution 2020-11 does not provide authorization for live entertainment. The Community Events Department has also received requests for live entertainment in the ROW downtown. Staff is seeking Council direction relating to temporary suspension of live entertainment in downtown, as the City's own live entertainment programs have been suspended in order to reduce the risk of exposing patrons to COVID-19. Examples of these suspended programs include Entertainment in the Park concerts, Farmers Market entertainment, Art Walk, Vandal Town Block Party, etc. Staff presented to Administrative Committee on Monday, July 27, and the Committee consensus was to not support amending Resolution 2020-11 to include live music.

PROPOSED ACTIONS: Provide staff direction regarding the use of expanded sidewalk cafes, and suspension of permitting live entertainment in public ROW downtown.

REPORTS

City Council

Mayor

Staff

ADJOURN

NOTICE: Moscow City Council and committee meetings are televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

Moscow City Council



Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday, July 20, 2020

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Bill Lambert, Art Bettge, Sandra Kelly, Maureen Laflin (via video, Brandy Sullivan, Gina Taruscio, Anne Zabala (via video)

STAFF: Gary J. Riedner, Mia Bautista (via video), Bill Belknap, Bob Buvel, Megan Cherry, Amanda Argona, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Bettge led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council July 6, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes as presented.

B. Disbursement Report June 2020 - Sarah Banks

Accounts Payable Report for the month ending June 2020.

ACTION: Approve the Disbursements Report for the month of June 2020.

C. Lot Line Adjustment - 2218 and 2306 Third Street - Aimee Hennrich

The applicant, Rafik Itani, is requesting a lot line adjustment between two properties located at 2218 and 2306 Third Street. The proposed lot line adjustment would reduce the lot addressed as 2306 Third Street from 8,015 sf to 7,328 sf and expand the lot addressed 2218 Third Street from 7328 sf to 8015 sf. The applicant is requesting the lot line adjustment in order to fulfill a purchase and sale agreement which requires lot 5 to have a width of 70ft. The subject properties are located within the Moderate Density, Single-Family Residential Zoning District (R-2). Within the R-2 Zoning District, lots with single-family dwellings require a minimum area of 7,000 sf and a minimum lot width of 60 feet. The proposed lot line adjustment meets both of these standards.

ACTION: Approve the lot line adjustment with no conditions.

D. Lot Line Adjustment - 2355 E Sixth Street and 509 Nadi Court - Aimee Hennrich

The applicant, Robert Stephens, is requesting a lot line adjustment between two lots addressed as 2355 Sixth Street and 509 Nadi Court. The applicant is proposing to expand the existing lot addressed as 509 Nadi Court by 250 square feet, resulting in a total lot size of 13,405 square feet. 2355 E Sixth Street would be reduced by 250 square feet, resulting in a total lot size of 19,446 square feet. The purpose of the proposed lot line adjustment is to accommodate existing developed landscaping. There is currently one accessory structure on 509 Nadi Court and a single-family home on 2355 Sixth Street. The subject properties are located within the Moderate Density Zoning District (R-2), which requires a minimum lot size of 7,000 square feet and lot width of 60 feet. As a result of the lot line adjustment, both lots would meet the minimum lot size and width requirements of the R-2 Zone and the existing structure will meet all setback requirements.

ACTION: Approve the lot line adjustment request with no conditions.

E. EDA Funding Request - Sixth Street Bridge Replacement Project - Alisa Anderson / Bill Belknap

During the Paradise Creek Flood event in April of 2019, the Sixth Street culvert structure near Mountain View Road sustained significant erosion damage that undermined the roadway shoulders reducing the roadway width and significantly damaging the guardrail system. After the flood damage, City Streets staff performed temporary repairs to the roadway surface and placed concrete barriers to compensate for the damaged guardrail system while the City assessed the best options to address the roadway and culvert deficiencies. The width of the culvert crossing is inadequate to accommodate pedestrian sidewalks or bicycle facilities, and the culvert structure includes a collection of three separate culverts of varying size. These culverts do not have adequate conveyance ability to prevent flood waters from over topping the roadway, and they also collect significant debris during flooding events which complicates flood response actions and increases roadway and property damage risk in the surrounding area.

Staff is currently seeking approval to prepare and submit a FY2019 Economic Development Administration (EDA) Disaster Supplemental grant application under the Economic Adjustment Assistance Program. Subject to the availability of funds, this investment assistance helps communities devise and implement long-term economic recovery strategies through construction projects such as this bridge replacement project. The program is designed to address economic challenges in areas where a Presidential declaration of a major disaster was issued as a result of natural disasters, such as flooding which occurred in the calendar year of 2019.

The estimated total project cost is \$1,200,000 including \$151,000 for design and \$1,049,000 for construction. Additional costs may include an environmental assessment to meet EDA requirements. This grant opportunity is revolving and open as long as funds are available. The match requirement for this project is 20%. The next review of grant applications is September 1, 2020, and we have been advised by the Idaho EDA Representative to have a request submitted in Grants.gov no later than July 20, 2020, in order to be included in the next review cycle.

ACTION: Approve submission of a Disaster Supplement grant application to the Economic Development Administration for the Sixth Street Bridge replacement not to exceed \$1,300,000 with a required match of 20% or \$260,000.

Bettge moved and Taruscio seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Public Comment and Mayor's Response Period (limit 15 minutes)

Victoria Seever (Moscow) was excited to see the new public art sculpture and thanked the Arts Department and City for the support of the arts.

3. Third Quarter Financial Report April 1, 2020 to June 30, 2020 for FY2020 (ACTION ITEM) - Sarah Banks

Staff will present the financial report for the third quarter of Fiscal Year 2020 (April 1, 2020 to June 30, 2020).

PROPOSED ACTIONS: Approve the FY2020 Third Quarter Report, or provide staff further direction.

Banks noted third quarter expenses should be close to 75%. However, expenses are only at 42.85% mainly due to hold back request relative to COVID. Capital projects are underway so typically low at this time. Taruscio moved Laflin seconded to approve the third quarter financial report. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

4. Updated Options/Recommendations for Remaining 2020 Pool Season (ACTION ITEM) - Dwight Curtis

It continues to be the Parks and Recreation Director's recommendation not to open the Hamilton-Lowe Aquatics Center (HLAC) for the 2020 season due to the high risks associated with COVID-19. The close-quartered nature of the facility makes social/physical distancing and masking problematic at best for a general opening. Should the City Council still desire to see some version of a pool season, staff recommends a limited opening of the HLAC specifically for fitness (or lap) swimming. By using the deep pool exclusively for fitness swimming, we can better monitor the number of patrons at any given time, along with appropriate distancing and masking. With the current spike in COVID-19 cases, this still represents some risk, but less so. This item was reviewed by the Public Works-Finance Committee on July 13, 2020 and recommended for further discussion by the full City Council.

PROPOSED ACTIONS: Accept staff's recommendation to close the Hamilton-Lowe Aquatics Center for the 2020 season; or in the alternative, recommend accepting staff's recommendation to open the deep pool for fitness (lap) swimming, using the general guidelines addressed in the memo from the Parks and Recreation Director; or provide staff further direction

Curtis explained staff recommendation is still to cancel the 2020 pool season due to the uncertainty in ensuring safety. However, staff put together an alternative opening which could begin on July 22, 2020. The alternative would be for the deep pool only and would close on September 4, 2020. The purpose is for lap swimming only and is scheduled for one-hour blocks. The schedule could be adjusted depending on time depends. Locker rooms and concessions would be closed and the two family restrooms would stay open. Staff would include 2 lifeguards, 2 ticket booth/cleaning staff and one manager. Anticipated patrons is unknown. If a swimmer is accompanied, a chair would be provided and would be required to wear a mask.

Riedner read a letter from Tom Lamar in support of the lap pool opening.

Bettge moved to accept staff's recommendation to open the deep pool for fitness (lap) swimming, using

the general guidelines addressed in the memo from the Parks and Recreation Director. Seconded by Taruscio. Roll Call Vote: Ayes: Five (5). Nays: One (Kelly). Abstentions: None. Motion carried.

REPORTS

City Council

Farmers Market Commission – Zabala said approximately 1000 patrons attended the Farmers Market and less than fifty people were wearing masks; one vendor said they were 10% less in revenues; craft and prepared vendors hoping to be participating before students arrive in town.

Moscow Arts Commission – Zabala reported vinyl wrap boxes and the Homecoming public art piece have been installed; status of 1% arts should be at \$36,000 by end of fiscal year.

Moscow Urban Renewal Agency – Bettge said the project at 6th and Jackson is proceeding, with construction in the Spring of 2021.

SMART Transit – Bettge reported the Board is still trying to establish a third route; Dial-a-ride is up and running; sanitation on the buses is going well.

Building Code Advisory Committee – Bettge said the Committee is reviewing the international building codes for adoption.

1912 Center Facility Committee - Kelly reported the ceiling work is complete; HVAC still in progress; seem to be on schedule.

Moscow Pathways Commission - Kelly said September is bike month and the annual bike ride is tentative for now and will consider to be reviewed.

Planning & Zoning Commission – Kelly said most of what the Commission has reviewed has come before Council; 5G discussions continue.

Clearwater Economic Development Council – Kelly said they have youth doing forest service projects; the group also received a grant to

Moscow Tree Commission – Sullivan said the arbor day celebration has been postponed but the Commission is discussing an alternative in the fall so they can still plant a tree in honor of Arbor Day; overview of classes through P&R.

Other events and meetings were reported on.

Mayor

Mayor said city commissions have begun meeting, some via zoom; some of the commissions have vacancies and need volunteers; the Airport Board met and the \$18.3 million from CARES Act will help with the terminal project; Moscow businesses are open and working hand in hand with the City to promote social distancing and wearing masks; FY2021 budget workshop is scheduled for tomorrow with the public hearing scheduled for August 3rd.

Staff

Riedner said the letter of intent to Division of Finance Management for public safety salaries and should know on the 24th what the numbers look like.

ADJOURN

The meeting adjourned at 7:39 p.m.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

CITY COUNCIL STAFF REPORT

DATE: Monday, August 3, 2020



RESPONSIBLE STAFF

Aimee Hennrich

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Lot Line Adjustment at 204 First Street and 108 N Washington Street - Aimee Hennrich

DESCRIPTION

The applicants, Donald Barker and Derek Trenholm, are requesting a lot line adjustment between two lots addressed as 204 First Street and 108 N Washington Street. The applicants are proposing to shift the common lot line which separates the two properties 1.3 feet to the north following a survey that was conducted that concluded that the garage on 204 First Street was overhanging the property line by 1.3 feet. The existing lot at 204 First Street would be increased by 81.25 square feet, resulting in a total lot size of 4,081.25 square feet and the lot at 108 N Washington Street would be reduced by 81.25 square feet, resulting in a total lot size of 3,418.75 square feet. There is currently a law office and a detached garage on 204 First Street and a single-family home and a detached garage on 108 N Washington Street. The subject properties are located within the Multiple Family Residential Zoning District (R-4), which requires a minimum lot size of 5,000 square feet and lot width of 50 feet. Both lots are currently legally non-conforming and will remain as such, however, the garage will no longer be encroaching upon the common property line.

STAFF RECOMMENDATION

Approve the lot line adjustment with no conditions.

PROPOSED ACTIONS

ACTION: Approve the lot line adjustment request with no conditions.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Application Materials

SUSAN R. WILSON**ATTORNEY AT LAW, PLLC**

208 S. Main St., Ste 2, Moscow, ID 83843

Ph: 208-882-8060 ~ Fx: (866) 221-9397 ~ sw2@moscow.com

July 13, 2020

City of Moscow
 Honorable Mayor and Councilmembers
 Moscow, Idaho 83843

RE: Request for Approval of Lot Line Adjustment – 204 First Street, Moscow

Dear Mayor and Councilmembers,

I represent Donald R. Barker, the owner of the property commonly known as 204 First Street, Moscow, ID 83843, and legally described as Parcel 1 on the attached Exhibit A. Derek C. Trenholm owns the adjacent property at 108 N. Washington Street, Moscow, ID 83843, and legally described as Parcel 2 on the attached Exhibit A.

Mr. Barker's garage, which has been there for many decades, and fence currently encroach onto Mr. Trenholm's property by 1.3 feet according to a survey completed by Rimrock Consulting (see attached). Mr. Barker and Mr. Trenholm have entered into an agreement wherein Mr. Trenholm has agreed to convey to Mr. Barker a strip of property 1.3 feet wide along his southern property line in order to align the common property line with the back of the garage and the fence that now encroaches onto Mr. Trenholm's property. That portion being conveyed is legally described as Parcel 3 on the attached Exhibit A.

In consideration of this request for a lot line adjustment, please consider the following:

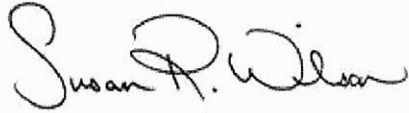
1. Lot Size, Width and Depth:
 BEFORE ADJUSTMENT: Barker: Lot size is 4,000 +/- square feet, approximately 62.5 feet of First Street frontage and 64 feet deep. See attached. Trenholm: 3,500 +/- square feet, approximately 56 feet of Washington frontage and 62.5 feet deep.
 AFTER ADJUSTMENT: Barker: Lot size is 4081.25 +/- square feet, approximately 62.5 feet of First Street frontage and 65.3 feet deep. See attached. Trenholm: 3,418.75 +/- square feet, approximately 54.7 feet of Washington frontage and 62.5 feet deep.
2. Public Street Frontage and Lot Access: Barker: First Street and Trenholm: Washington Street
3. Location of Utilities and City Services: Existing unchanged
4. Required Street Improvements: Not applicable (already improved)
5. Park Land Dedication: Not applicable
6. Off-Street Parking: Not applicable to lot division but addressed in Rezone
7. Right-of-way dedication and/or Easement Issues: None
8. Building Setbacks: See attached survey.

Also enclosed please find the following:

- A. A scaled site plan with dimensions, property lines, adjacent streets and North arrow and scale.
- B. A check for the Community Development Application Fee and Engineering Review Fee.

Because my client is looking to sell his property, my client asks that this application be reviewed and put on the City's agenda as soon as possible. If you have any further questions or concerns, please contact me at 208-882-8060.

Respectfully,

A handwritten signature in black ink that reads "Susan R. Wilson". The signature is written in a cursive, flowing style.

Susan R. Wilson
Attorney at Law

582911

T 39 N, R 5 W, S 8

RECORD OF SURVEY

Survey of the West Half of Lot 4 and the West Half of the North 16 feet of Lot 5, Block 2, Frye's Addition to the City of Moscow Section 8, T39N, R5W, Boise Meridian, Latah County, Idaho



ORIGINAL SCALE: 1" = 50 FEET
CA20 FILE: Trenholm, Dirk ROD.dwg

LEGEND

- Set 5/8" X 30" long rebar w/ aluminum cap LS 10162
- Found Property Corner as Described
- Calculated Position - Nothing Found or Set
- ✕ Found Section or 1/4 Section Corner
- (M) Measured
- (R) Record Per Plat of Frye's Addition to the City of Moscow
- Subject Property Boundary Line
- Section Line
- City Street Centerline
- City Street Right of Way Line
- Fenceline

BASIS OF BEARINGS

The Basis of Bearings for this survey is the Idaho Coordinate System, West Zone, NAD 83, as shown between the found southwest corner and the west 1/4 corner of Section 8, said bearing being N 00°21'05" E.

SURVEY REFERENCES

1. Plat of Frye's Addition to the City of Moscow, Block 2, Page 5 of Book 1, 1882.
2. Record of Survey, Instrument Number: 299843, PL5 969.
3. Warranty Deed, Instrument Number 564464.
4. Warranty Deed, Instrument Number 336724.
5. Warranty Deed, Instrument Number 417451.

SURVEYOR NOTES

1. The purpose of this survey was to locate and mark the property corners of this parcel of land shown in Warranty Deed Instrument Number 564464.
2. The southeast corner falls inside the adjacent land owners shed by 1.3 feet south and 1.4 feet east of the building corner.

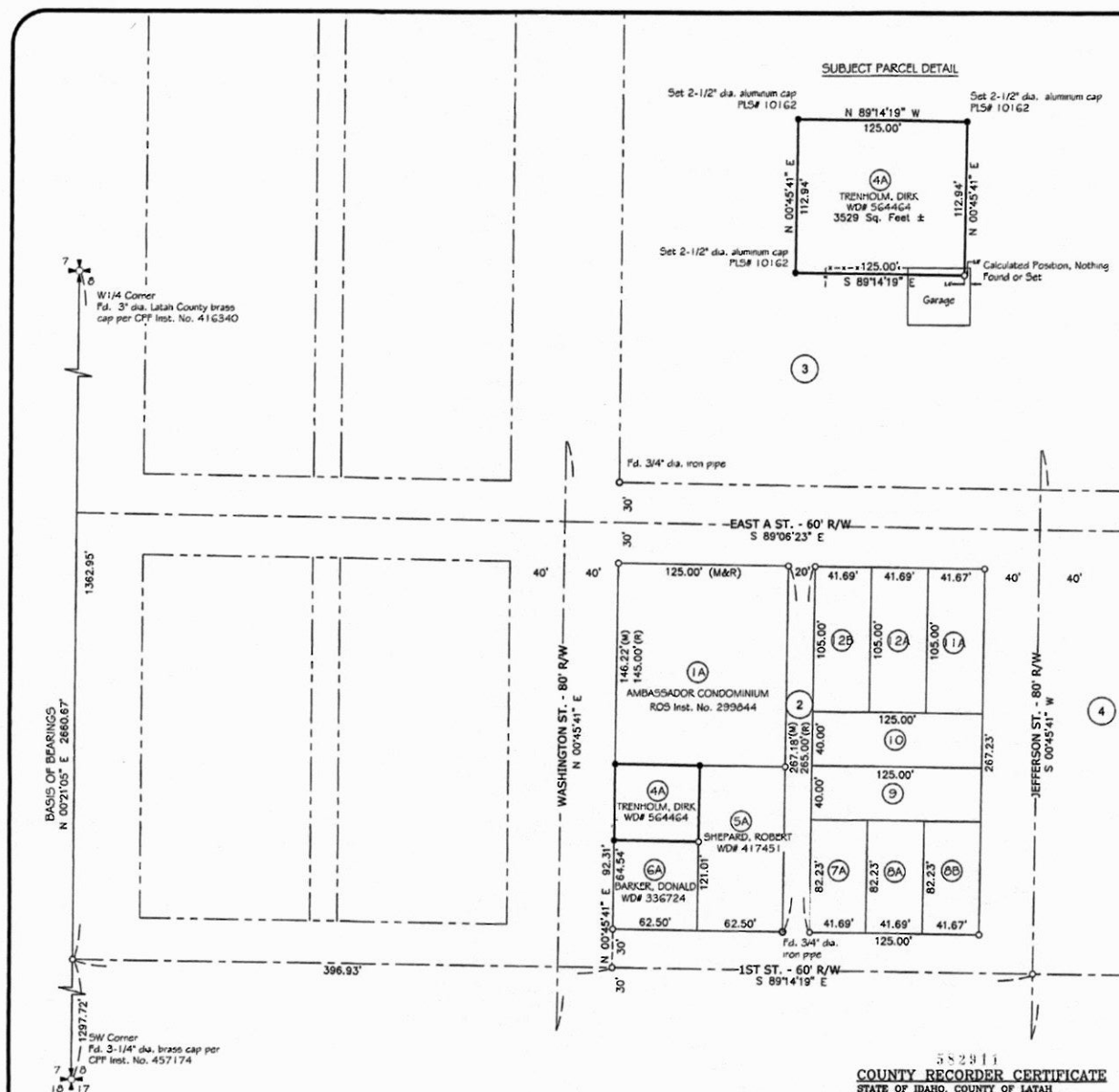
SURVEYOR CERTIFICATION

This map correctly represents a survey made by me or under my direction in compliance with the Survey Recording Act and at the request of Dirk Trenholm in December, 2016.

John L. Dunn - Idaho Professional Land Surveyor



SUBJECT PARCEL DETAIL



COUNTY RECORDER CERTIFICATE

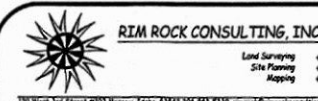
STATE OF IDAHO, COUNTY OF LATAH
RECORDED AT THE REQUEST OF John L. Dunn
AT 2:22 PM THIS 16 DAY OF Dec 2016

RECORDER HENRIANNE K. WESTBERG

DEPUTY C. Smith Fee \$ 5.00

FILED IN THIS OFFICE

DATE	STATE	COUNTY	PROJECT	DRAWN BY
DECEMBER 2016	ID	LATAH	TRENHOLM, DIRK	DPJ



SHEET
1
OF
1

700 West 5th Street, Suite 202 Moscow, Idaho 83843 208-883-2537 www.rimrockconsulting.com

Revision Rc'd 7-15-20

Exhibit ADonald R. Barker's Parcel

Parcel 1:

The South 24 feet of the West Half (W1/2) of Lot Five (5) and the West Half (W1/2) of Lot Six (6) in Block Two (2) of Frye's Addition to the City of Moscow, as shown by the recorded plat thereof.

Derek C. Trenholm's Parcel

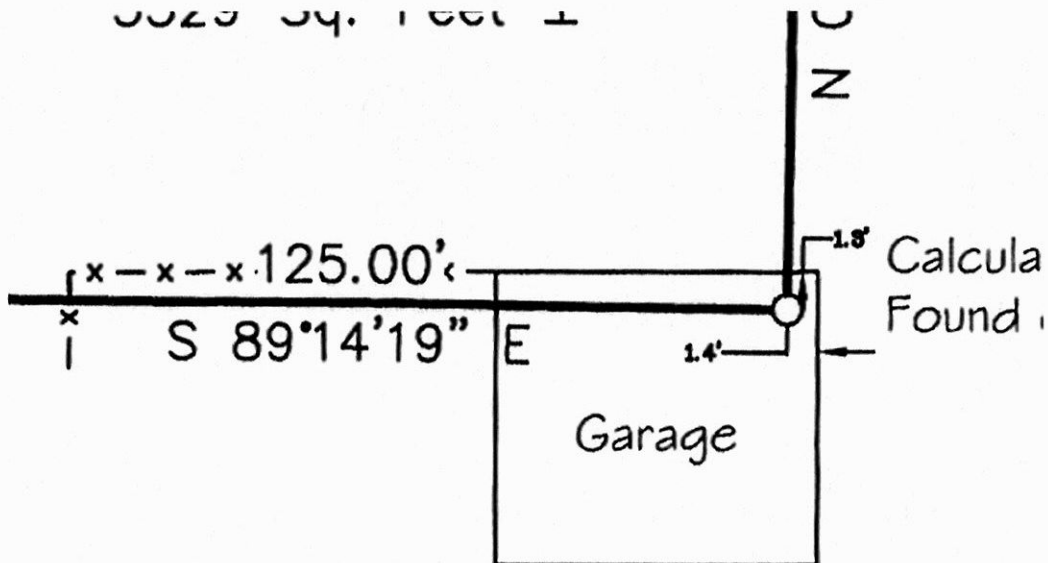
Parcel 2:

The West half of Lot 4 and the West half of the North 16 feet of Lot 5, Block 2, Frye's Addition to the City of Moscow, as shown by the recorded plat thereof.

Derek C. Trenholm to Donald R. Barker:

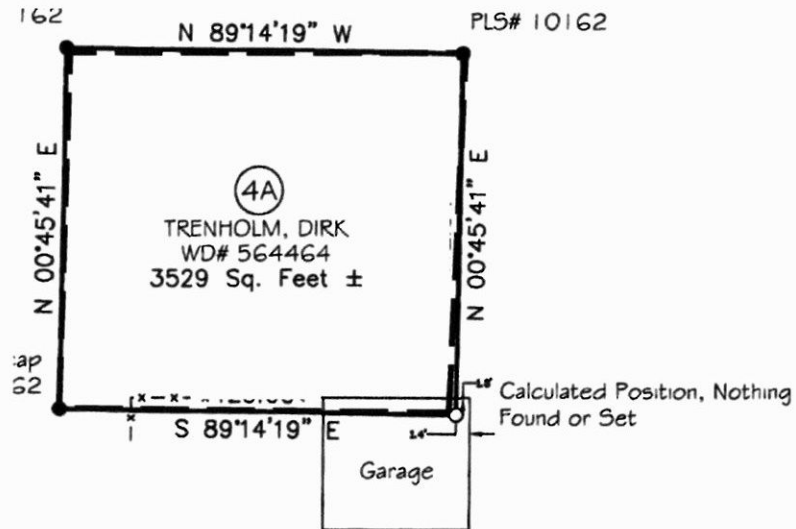
Parcel 3:

The South 1.3 feet of the West half of Lot 4 and the West half of the North 16 feet of Lot 5, Block 2, Frye's Addition to the City of Moscow, as shown by the recorded plat thereof.

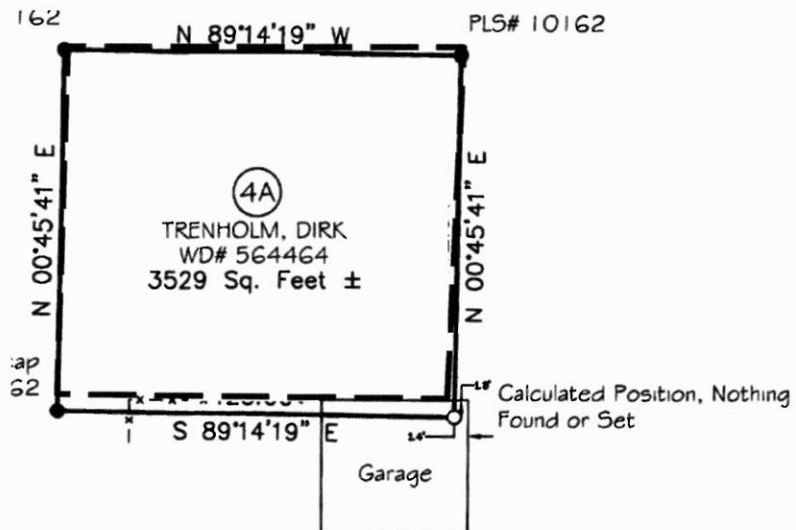
Enlarged portion of the Survey of Encroachment:

NOTE: The Record of Survey that was recorded erroneously labeled the depth and width of Mr. Trenholm's parcel as 112.5 feet by 125.00 feet. An amended survey has been requested.

Current Lot Lines:



After Lot Line Adjustment:



CONSENT TO LOT LINE ADJUSTMENT

I, Donald R. Barker, the owner of the property at 204 First Street, Moscow, and the applicant hereby consent to the Lot Line Adjustment to increase my lot by 1.3 feet to the North as further set forth in the application.

BARKER:


DONALD R. BARKER

CONSENT TO LOT LINE ADJUSTMENT

I, Derek C. Trenholm, the owner of the property at 108 N. Washington St., Moscow, hereby consent to the Lot Line Adjustment to reduce my lot size by the southern 1.3 feet as further set forth in the application.

TRENHOLM:


DEREK C. TRENHOLM

COMMITTEE STAFF REPORT

DATE: Monday, August 3, 2020



RESPONSIBLE STAFF

Gary Riedner, City Supervisor

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Resolution Preauthorizing the Acceptance of an Airport Aid Grant from the U.S. Department of Transportation Federal Aviation Administration Airport Improvement Program - Gary J. Riedner / Tony Bean

DESCRIPTION

Tony Bean, Executive Director of the Pullman-Moscow Regional Airport (PMRA) has prepared a grant application to the U.S. Department of Transportation Federal Aviation Administration Airport Improvement Program for the purpose of Terminal Design and Construction. The amount of the grant is up to \$21,000,000 with a local match of \$1,855,899.00 from Airport resources. To facilitate the FAA grant, it is appropriate to preauthorize its acceptance.

The attached resolution has been prepared for that purpose. The resolution also authorizes the execution of related assurances and certifications.

STAFF RECOMMENDATION

Adopt the attached resolution preauthorizing the acceptance of grant offer AIP 3-53-0057-051 from the FAA Airport Improvement Program.

PROPOSED ACTIONS

ACTION: Adopt the attached resolution preauthorizing the acceptance of grant offer AIP 3-53-0057-051 from the FAA Airport Improvement Program.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Resolution Preauthorizing Acceptance of FAA Grant_FINAL

RESOLUTION NO. 2020 –

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PREAUTHORIZING THE ACCEPTANCE OF U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANT MONIES FOR THE PULLMAN-MOSCOW REGIONAL AIRPORT PROJECTS SUPPORTING TERMINAL DESIGN AND CONSTRUCTION; AND PROVIDING THIS RESOLUTION SHALL BE IN EFFECT UPON ITS PASSAGE AND APPROVAL.

WHEREAS, Pullman-Moscow Regional Airport will be offered U.S. Department of Transportation Federal Aviation Administration Grant monies up to a maximum of twenty-one million dollars (\$21,000,000) to be used for projects supporting Terminal Design and Construction; and

WHEREAS, information about said grant monies and project elements is before the City Council of the City of Moscow, attached hereto as Exhibit ‘A’; and

WHEREAS, the turnaround time between receipt and return of executed grant authorization documents will be very limited; and

WHEREAS, this Council believes it to be in the best interest of the City of Moscow to preauthorize the acceptance of said grant monies;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor and the City Attorney be authorized and they are hereby preauthorized and directed to accept the U.S. Department of Transportation Federal Aviation Administration Grant monies.

IT IS FURTHER RESOLVED that the Mayor and Finance Director are each hereby preauthorized and directed to take such further action as may be appropriate in order to effect the purpose of this Resolution.

PASSED BY THE CITY COUNCIL AND APPROVED by the Mayor of the City of Moscow, Idaho, this ____ day of _____, 2020.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

EXHIBIT A

[View Burden Statement](#)

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424			
* 1. Type of Submission: ☐ Preapplication ☒ Application ☐ Changed/Corrected Application		* 2. Type of Application: ☒ New ☐ Continuation ☐ Revision	
		* If Revision, select appropriate letter(s): * Other (Specify): 	
* 3. Date Received: 07/23/2020		4. Applicant Identifier: 	
5a. Federal Entity Identifier: AIP 3-53-0051-57-2020		5b. Federal Award Identifier: 	
State Use Only:			
6. Date Received by State:		7. State Application Identifier:	
8. APPLICANT INFORMATION:			
* a. Legal Name: Cities of Pullman, WA and Moscow, ID c/o PMRA			
* b. Employer/Taxpayer Identification Number (EIN/TIN): 91-6001269		* c. Organizational DUNS: 0972521670000	
d. Address:			
* Street1: 3200 Airport Complex N		Street2:	
* City: Pullman			
County/Parish: Whitman			
* State: WA: Washington			
Province:			
* Country: USA: UNITED STATES			
* Zip / Postal Code: 99163-8974			
e. Organizational Unit:			
Department Name: PMRA Airport Board		Division Name: Administrative	
f. Name and contact information of person to be contacted on matters involving this application:			
Prefix: Mr.	* First Name: Anthony		
Middle Name: Wayne			
* Last Name: Bean			
Suffix:			
Title: Executive Director			
Organizational Affiliation: 			
* Telephone Number: 509-338-3223		Fax Number: 509-334-5217	
* Email: tony.bean@pullman-wa.gov			

RESOLUTION NO. 2020 –

AUTHORIZING ACCEPTANCE OF U.S. DEPARTMENT OF TRANSPORTATION FAA AIRPORT IMPROVEMENT PROGRAM GRANT MONIES PULLMAN-MOSCOW REGIONAL AIRPORT PROJECTS SUPPORTING TERMINAL DESIGN AND CONSTRUCTION

PAGE 2 OF 5

RESOLUTION NO. 2020 –

AUTHORIZING ACCEPTANCE OF U.S. DEPARTMENT OF TRANSPORTATION FAA AIRPORT IMPROVEMENT PROGRAM GRANT MONIES PULLMAN-
MOSCOW REGIONAL AIRPORT PROJECTS SUPPORTING TERMINAL DESIGN AND CONSTRUCTION

PAGE 3 OF 5

Application for Federal Assistance SF-424		
* 9. Type of Applicant 1: Select Applicant Type: C: City or Township Government		
Type of Applicant 2: Select Applicant Type: 		
Type of Applicant 3: Select Applicant Type: 		
* Other (specify): 		
* 10. Name of Federal Agency: Federal Aviation Administration, Northwest Mountain Region		
11. Catalog of Federal Domestic Assistance Number: 20.106		
CFDA Title: Airport Improvement Program		
* 12. Funding Opportunity Number: 		
* Title: 		
13. Competition Identification Number: 		
Title: 		
14. Areas Affected by Project (Cities, Counties, States, etc.): Cities of Pullman, WA & Moscow, ID Add Attachment Delete Attachment View Attachment		
* 15. Descriptive Title of Applicant's Project: Terminal Design and Construction		
Attach supporting documents as specified in agency instructions. View Attachments		

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant 5th	* b. Program/Project 5th
Attach an additional list of Program/Project Congressional Districts if needed.	
	Add Attachment Delete Attachment View Attachment
17. Proposed Project:	
* a. Start Date: 05/01/2020	* b. End Date: 12/31/2023
18. Estimated Funding (\$):	
* a. Federal	21,000,000.00
* b. Applicant	1,855,899.00
* c. State	0.00
* d. Local	0.00
* e. Other	
* f. Program Income	
* g. TOTAL	22,855,899.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process? ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on . ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review. ☒ c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.) ☐ Yes ☒ No If "Yes", provide explanation and attach Add Attachment Delete Attachment View Attachment	
21. "By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001) ☒ ** I AGREE ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: Mr.	* First Name: Anthony
Middle Name: Wayne	
* Last Name: Bean	
Suffix:	
* Title: Executive Director	
* Telephone Number: 509-338-3223	Fax Number: 509-334-5217
* Email: tony.bean@pullman-wa.gov	
* Signature of Authorized Representative:	* Date Signed:

CITY COUNCIL STAFF REPORT

DATE: Monday, August 3, 2020



RESPONSIBLE STAFF

Gary Riedner, City Supervisor

REVIEWED BY

ADDITIONAL PRESENTER(S)

Sarah Banks, Finance Director

OTHER RESOURCES

AGENDA ITEM TITLE

Public Hearing: City of Moscow's FY2021 Annual Budget and Foregone (ACTION ITEM) - Gary J. Riedner

DESCRIPTION

Staff will present the proposed City of Moscow FY2021 balanced budget in the amount of \$96,133,513 considered by the City Council at their workshop held July 21, 2020. Increase in property taxes from FY2020 include the following: new construction (\$59,796), and scheduled payment of the voter-approved general obligation bond (\$52,112). Included for City Council consideration is the FY2021 Annual Appropriation Ordinance, a resolution to accrue forgone property tax levying authority and the L-2 property tax certification in the aggregate amount of \$7,276,525.

STAFF RECOMMENDATION

PROPOSED ACTIONS: Conduct the public hearing upon the FY2021 City of Moscow Annual Appropriation Ordinance and upon consideration of testimony presented:

- A. Approve the ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.
- B. Approve the resolution to accrue forgone property tax levying authority pursuant to Idaho Code §63-802(1)(f).
- C. Authorize the Mayor's execution of the L-2 property tax certification in the aggregate amount of \$7,276,525.

PROPOSED ACTIONS

PROPOSED ACTIONS: Conduct the public hearing upon the FY2021 City of Moscow Annual Appropriation Ordinance and upon consideration of testimony presented:

- A. Approve the ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take other such other action deemed appropriate.
- B. Approve the resolution to accrue forgone property tax levying authority pursuant to Idaho Code §63-802(1)(f); or take other such other action deemed appropriate.
- C. Authorize the Mayor's execution of the L-2 property tax certification in the aggregate amount of \$7,276,525; or take other such action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Appropriations Ordinance FY2021_FinalDraft
2. Forgone Accrual_Final Draft
3. L2 worksheet FY2021

ORDINANCE NO. 2020 – ____

AN ORDINANCE ENTITLED “ANNUAL APPROPRIATION ORDINANCE” APPROPRIATING NINETY-SIX MILLION ONE HUNDRED THIRTY-THREE THOUSAND FIVE HUNDRED THIRTEEN DOLLARS (\$96,133,513) FOR THE PURPOSE OF DEFRAYING ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF MOSCOW, LATAH COUNTY, STATE OF IDAHO, FOR THE 2021 FISCAL YEAR BEGINNING THE FIRST DAY OF OCTOBER, 2020, AND ENDING THE THIRTIETH DAY OF SEPTEMBER, 2021, AND ALLOTING RESOURCES BY FUND FOR SAID APPROPRIATION FOR THE OBJECTS AND PURPOSES SET FORTH IN THIS ORDINANCE; LEVYING AD VALOREM TAXES IN THE AMOUNT OF SEVEN MILLION THREE HUNDRED SIXTY-SIX THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS (\$7,366,666) FOR THE 2021 FISCAL YEAR; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MOSCOW, IDAHO AS FOLLOWS:

SECTION 1: There is hereby appropriated out of any monies in the treasury of the City of Moscow, Idaho, not otherwise appropriated, and out of any revenue which the City of Moscow may acquire between the 1st day of October, 2020, and the 30th day of September, 2021, the sum of ninety-six million one hundred thirty-three thousand five hundred thirteen dollars (\$96,133,513) for the purpose of defraying all necessary expenses and liabilities of such corporation for the fiscal year beginning the 1st day of October, 2020 and ending the 30th day of September, 2021.

SECTION 2: The following sums are hereby appropriated and allocated for the purpose of defraying expenses and liabilities for the following objects and purposes:

	Adopted Budget
General Fund	
General Government	\$7,526,790
Public Safety	<u>\$9,415,804</u>
Total General Fund	<u>\$16,942,594</u>
Street Fund	\$2,956,724
Transit Center	\$29,626
Recreation & Culture Fund	
Parks & Recreation Fund	\$2,914,590
Art Fund	\$216,012
Community Events	<u>\$201,278</u>
Total Recreation & Culture Fund	<u>\$3,331,880</u>

MSDCP	\$ 148,282
1912 Center Fund	\$ 106,100
Hamilton Trust Fund	\$ 227,700
Enterprise Funds	
Water Fund	\$ 6,912,676
Sewer Fund	\$ 9,296,006
Sanitation Fund	\$ 6,377,084
Total Enterprise Funds	<u>\$ 22,585,766</u>
Fleet Management Fund	\$2,829,415
Information Systems Fund	\$ 1,690,912
Capital Construction Funds	
Water Capital Projects Fund	\$12,219,947
Sewer Capital Projects Fund	\$14,548,202
Sanitation Capital Projects Fund	\$6,662,522
Capital Projects Fund	\$10,750,618
LID Construction Fund	\$29,166
Total Capital Construction Funds	<u>\$44,210,455</u>
Debt Service Funds	
General Obligation	\$1,047,400
Special Assessment Fund	\$26,659
Total Debt Service Funds	<u>\$1,074,059</u>
GRAND TOTAL	<u>\$96,133,513</u>

SECTION 3: That the City of Moscow hereby certifies a tax levy in an amount not to exceed \$7,276,525 on the taxable market value of all taxable property within the corporate limits of the City of Moscow, Latah County, Idaho, to provide revenue for the following purposes:

<u>Activity</u>	<u>Taxable Amount Certified</u>
General Fund	\$6,230,125
<u>General Obligation Bond Fund</u>	<u>\$1,046,400</u>
Total	<u>\$7,276,525</u>

SECTION 4: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions.

SECTION 5: That the City Clerk of the City of Moscow is hereby directed to file a certified copy of this Ordinance with the County Commissioners of Latah County, Idaho, and the Secretary of State in accordance with Idaho Code Sections 50-1003 and 50-1007.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED by the Council and APPROVED by the Mayor this _____ day of August, 2020.

Bill Lambert, Mayor

ATTEST

Laurie M. Hopkins, City Clerk

RESOLUTION NO. 2020 –

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, RESERVING THE FORGONE AMOUNT FOR FISCAL YEAR 2021 FOR POTENTIAL USE IN SUBSEQUENT YEARS AS DESCRIBED IN IDAHO CODE §63-802, et al., AND BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Idaho Code §50-235 empowers the city council of each city to levy taxes for general revenue purposes; and,

WHEREAS, Idaho Code §50-1002 requires the city council of each city in the State of Idaho to pass a budget, referred to as an annual appropriation ordinance; and,

WHEREAS, Idaho Code §63-802 sets limitations on all taxing district budget requests on the amount of property tax revenues that can be used to fund programs and services; and,

WHEREAS, Idaho Code §63-802(1)(a) allows each taxing entity to increase property tax budget amounts by a maximum of 3%, plus an amount calculated based on the value of both new construction and annexation added during the previous calendar year, plus an amount for forgone taxes; and,

WHEREAS, Idaho Code §63-802(1)(f) requires that the City adopt an annual resolution to reserve additional forgone amount in order to utilize that amount in subsequent years; and,

WHEREAS, the City has met the notice and hearing requirements in Idaho Code §63-802(1)(f) to reserve the current year's increase in the forgone amount; and,

WHEREAS, the City intends to reserve one hundred eighty-seven thousand and eight hundred fourteen dollars (\$187,814) of its current year's increase in allowable forgone amount.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow that one hundred eighty-seven thousand and eight hundred fourteen dollars (\$187,814) of the current year's allowable increase in its forgone amount is reserved and included in the City's total forgone balance for potential use in subsequent years.

PASSED AND APPROVED by the Mayor and City Council of the City of Moscow, Idaho, this _____ day of _____, 2020.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

2020 Dollar Certification of Budget Request to Board of County Commissioners L-2

(the L-2 worksheet and applicable "Voter Approved Fund Tracker" and budget publication must be attached)

District or Taxing Unit's Name:

City of Moscow

Fund	Total Approved Budget*	Cash Forward Balance	Other revenue <u>NOT</u> shown in Column 5	Property Tax Replacement From Line 16 of L-2 Worksheet	Balance to be levied Col. 2 minus (Cols. 3+4+ 5)
1	2	3	4	5	6
General Fund	16,942,594	228,864	10,393,464	90,141	6,230,125
GO Bond & Interest	1,046,400				1,046,400
All Other Funds: Non Tax	79,190,919	35,543,367	43,647,552		-
Column Total:	97,179,913	35,772,231	54,041,016	90,141	7,276,525

I, the undersigned, attest that a public hearing was held and a resolution was adopted to:

RESERVE the current year's forgone amount \$187,814,

RECOVER existing forgone amount of \$ _____. (must match line 18 of the L-2 worksheet)

I have attached the adopted and signed resolution indicating the amount of forgone to be reserved or recovered.

I certify that the amounts shown above accurately reflect the budget being certified in accordance with the provisions of I.C. §63-803.

To the best of my knowledge, this district has established and adopted this budget in accordance with all provisions of Idaho Law.

Signature of District Representative

Title

Date

Please print above: Contact Name and Mailing Address

Email Address:

Phone Number: ()

Fax Number: ()

* = Do not include revenue allocated to urban renewal agencies.

EFO00078_05-20-2020

2020 L-2 Worksheet (must be attached to the L-2 form)

District Name: City of Moscow

Computation of allowable 3% budget increase:

*Enter the amount from the "Highest Non-Exempt P-Tax Budget + P-Tax Replacement" column from the "Maximum Budget and Forgone Amount Worksheet."	(1)	6,260,470
Multiply line 1 by 3%.	(2)	
Enter the total amount you received for Solar Farm Tax from the immediate prior year.	(3)	

New Construction & Annexation allowable budget increases calculation:

Enter the 2019 non-exempt levy rate from the "Maximum Budget and Forgone Worksheet".	(4)	0.004502150		
Enter the 2020 value of district's new construction roll from each applicable county below:				
County Name	Value			
Latah County	(A)	13,281,647		
	(B)			
	(C)			
	(D)			
Total of New Construction Roll Value:	(5)	13,281,647		
New Construction Roll allowable budget increase (multiply line 5 by line 4).			(6)	59,796
Enter the 2020 value of district's annexation value from the applicable county below:				
Enter the 2020 value of annexation from property assessed by the county.	(7)			
Annexation allowable budget increase (multiply line 7 by line 4).			(8)	-
Total Non-Exempt Allowable Budget (before P-tax Replacement and P-tax Substitute Funds deductions):				
Add lines 1+2+3+6+8			(9)	6,320,266

Property Tax Replacement:

Enter yearly amount of the agricultural equipment replacement money.	(10)	376		
Enter yearly amount of the personal property replacement money.	(11)	89,765		

Information below is reported in indicated columns of the "Recovered/Recaptured Property Tax and Refund List":

Enter the Solar Farm Tax reported in column 1.	(12)			
Enter the recovered Homeowner's Exemption property tax reported in column 2.	(13)			
Enter the total amount reported in column 3.	(14)			
Enter the total amount reported in column 4.	(15)			
Enter the total of lines 10 thru 15: (Col. 5 of L-2 must equal this amount).			(16)	90,141

Forgone Amount Section: Please complete this section even if you don't plan on using your forgone amount.

Enter the total forgone amount reported on the "Maximum Budget and Forgone Amount Worksheet."	(17)	124,296		
Enter the forgone amount to be recovered in your budget. This amount can't exceed what is reported on the attached resolution.			(18)	

Maximum Allowable Non-exempt Property Tax, Including Forgone Amount, That Can Be Levied:

Maximum non-exempt property tax budget including forgone amount. Line 9 minus 16 plus 18.			(19)	6,230,125
---	--	--	-------------	-----------

* = The reported amount excludes the I.C.§ 63-1305C refund.

EFO00078_05-20-2020

Voter Approved Fund Tracker
Attach to L-2 Form If Applicable

District Name: City of Moscow

Fund	Date of Election (If current year attach copy of Ballot)	1st Calendar Year Levied	Term of Initiative	Annual Amount Authorized by Voters
------	--	-----------------------------	-----------------------	--

Override Funds Available to All Districts

2 Yr Override I.C. §63-802				
Permanent Override I.C. §63-802				

Plant Facilities Funds for Library, and Community College districts

Plant Facilities (Maximum of 10 yrs)				
If voters approved an increase in the annual amount but did not change the term enter the amount of increase here:				

District Bond Initiative (Voter Approved Bonds)

Date of Election (If current year attach copy of Ballot)	1st Calendar Year Levied	Term of Initiative	Amount Authorized by Voters	Prior Year P-Tax \$	Current Year P-Tax \$	% Change (+/- 20% Explanation Required)	"Yes" = Explanation Required
May 21, 2019	2020	10 years	\$9,640,000	\$ 994,288	\$ 1,046,400	5%	
Current Year's Total Bond Fund (Reported on L-2 Col. 6):					\$ 1,046,400		

Explanation (If Required):

CITY COUNCIL STAFF REPORT

DATE: Monday, August 3, 2020



RESPONSIBLE STAFF

Gary Riedner, City Supervisor

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Public Hearing: Proposed FY2021 Fee Resolution (ACTION ITEM) - Gary J. Riedner

DESCRIPTION

Any fee increase being proposed by more than 5% or any new fees require a public hearing pursuant to Idaho Code 63-1311A. Additionally, pursuant to Idaho Code 63-1311, the City's fees collected shall be reasonably related to the actual cost of the service provided. Staff will discuss proposed fee increases for the FY2021 budget year, which support the FY2021 budget proposal. The fee increases are due to the additional costs associated with the delivery of services including administration, operations and maintenance.

Fees proposed to be adjusted include the following: Reductions in some Land Use and Development Fees; Adjusted Building Permit Fees for Mobile Homes; New Commercial Sewer Rates due to reclassifications; Increase in Water Rates according to the 2020 Rate Study; Increases in some recreation program fees; Increases in some Community Events fees.

STAFF RECOMMENDATION

Conduct the public hearing and after considering testimony, approve the attached FY2021 Fee Resolution.

PROPOSED ACTIONS

PROPOSED ACTIONS: Conduct the public hearing and after considering testimony, approve the attached FY2021 Fee Resolution with or without changes; or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Resolution 2020- FY2021 Fee Resolution DRAFT_final

RESOLUTION NO. 2020 –

A RESOLUTION OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF IDAHO, ADOPTING A SCHEDULE OF REVISED FEES FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY CITY CODE; AND PROVIDING FOR THE EFFECTIVE DATE OF ALL FEES.

WHEREAS, Pursuant to Idaho Code Sections 63-1311 and 63-1311A regarding City fees for services and fee increases; and

WHEREAS, City Council deems it advisable to adopt existing fees set by earlier ordinances and resolutions in one general fee resolution; and

WHEREAS, Council has determined that the revised fees included in this Resolution are appropriate and are reasonably related to the purpose for which such fees are charged.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow as follows:

1. That the fees set forth in Exhibit “A” attached hereto and made a part hereof, be in force and effect in all matters relating to fees from and after the 1st day of October 2020.
2. That this Resolution replaces Resolution 2019-21.
3. That any Resolution or provision thereof which is inconsistent with this Resolution is hereby repealed.

ADOPTED by the Council and APPROVED by the Mayor this ____ day of August, 2020.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

**CITY OF MOSCOW
FEE SCHEDULE**

RESOLUTION NO. 2020 – ____

EXHIBIT “A”

EFFECTIVE 10-01-2020

SUBJECT	FEE
LAND USE AND DEVELOPMENT FEES	
A. Conditional and Special Use Permits	500.00
B. Variance	500.00
C. Zoning or Comprehensive Plan Amendments	895.00
D. Annexation Request (includes Comprehensive Plan and Zoning Review)	990.00
E. Planned Unit Developments and Design Reviews	
1. Preliminary or Major Amendment	565.00
2. Final PUD: Community Development Department <u>2. Engineering Department</u>	-275.00 <u>275.00 425.00</u> plus 27.00 per lot
3. Minor Amendment or Design Review (where required)	220.00
F. Subdivision Plat	
1. Preliminary Plat	895.00
2. Final plat: Community Development Department <u>2. Engineering Department</u>	-205.00 <u>275.00 425.00</u> plus 27.00 per lot
G. Lot Division Request: Community Development Department <u>G. Engineering Department</u>	-230.00 <u>130.00 325.00</u> plus 15.50 per lot
H. Lot Line Adjustment Request: Community Development Department <u>H. Engineering Department</u>	-90.00 <u>-130.00 200.00</u> plus 15.50 per lot
I. Multi Family or Commercial Site Plan Review or Parking Lot Development or Modification Review: Community Development Department (applicable only when there is no related building permit) <u>I. Engineering Department (two [2] submittals)</u>	-115.00 <u>-85.00</u> plus 5.50 per parking space
J. Fence Permit (fences over six feet in height may require a structural building permit)	29.50
K. Accessory Structure Permit (One-story detached residential accessory building used as tool and storage sheds with a floor area less than 200 sq. ft. and where no building permit is required)	29.50
L. Floodplain Development Permit	72.50

M.	Sign Permits (Additional electrical permit required for electrical signs)	
1.	Permanent Signs	72.50
2.	Portable Signs	29.50
3.	Temporary Signs	16.00
N.	Mobile Home Park Fees	
1.	Plan Review of Mobile Home Parks	535.00
2.	Final Plan Review of Mobile Home Parks	250.00
3.	Construction Permits (to be issued by the Administrative Authority upon approval of all final plans by the City Council to start construction)	500.00 plus per lot fee of 6.50
O.	Recreational Vehicle Parks	
1.	Preliminary Plan Review Fee	440.00
2.	Final Plan Review Fee	250.00
P.	Telecommunications Zoning Review	250.00
Q.	Appeals (For an appeal of any decision of City board and/or commission, Zoning Administrator determination, or Building Official Determination)	250.00
GRADING PERMIT FEES		
A.	Grading Plan Review Fees	
1.	50 cubic yards or less	No Fee
2.	51 to 100 cubic yards	29.40
3.	101 to 1,000 cubic yards	43.00
4.	1,001 to 10,000 cubic yards	58.00
5.	10,001 to 100,000 cubic yards	58.00 for 1 st 10,000 cubic yards plus 29.00 for each additional 10,000 cubic yards or fraction thereof
6.	100,001 cubic yards to 200,000 cubic yards	320.00 for 1 st 100,000 cubic yards plus 16.25 for each additional 10,000 cubic yards or fraction thereof
7.	200,001 cubic yards or more	483.50 for 1 st 200,000 cubic yards plus 8.65 for each additional 10,000 cubic yards or fraction thereof
B.	Grading Permit Fees	
1.	Permit Issuance Fee	26.50
2.	50 cubic yards or less	29.50
3.	51 to 100 cubic yards	43.00

4. 101 to 1,000 cubic yards	43.00 for 1 st 100 cubic yards plus 20.50 for each additional 100 cubic yards or fraction thereof
5. 1,001 to 10,000 cubic yards	228 for 1 st 1,000 cubic yards plus 17.25 for each additional 1,000 cubic yards or fraction thereof
6. 10,001 to 100,000 cubic yards	383.00 for 1 st 10,000 cubic yards plus 78.25 for each additional 10,000 cubic yards or fraction thereof
7. 100,001 cubic yards or more	1,088.00 for 1 st 100,000 cubic yards plus 43.00 for each additional 10,000 cubic yards or fraction thereof
BUILDING PERMIT FEES	
A. Permit Issuance Fee (charged with all permits except flat fee and commercial and institutional permits)	27.50
B. Plan Review Fee (Only for projects over \$10,000 in valuation, excluding commercial windows, doors and roofs.)	65% of Building Permit Fee (40% of Building Permit Fee for Duplicate Plans)
C. Plan Review Deposit (credited toward plan review fee)	500.00
D. Building Permit Fees Valuation based on the ICC Building Valuations as published in the February issue of the Building Safety Journal with the following additions: Decks \$13.00 sq ft, Porches \$19.00 sq ft, Pole Buildings \$20.00 sq ft, Unfinished Basement \$43.00 Foundation Permits for Modular Homes Crawl Space \$21.40, Unfinished Basement \$43.00 and Finished Basement \$107.08.	
<u>Total Valuation</u>	<u>Valuation Fee</u>
\$1.00 to \$500.00	27.50
\$501.00 to \$2,000	27.00 for first 500.00 plus 3.50 for each additional 100 or fraction thereof to and including 2,000
\$2,001 to \$25,000	79.50 for the first 2,000 plus 14.50 for each additional 1,000 or fraction thereof, to and including 25,000
\$25,000 to \$50,000	413.00 for first 25,000 plus 10.50 for each additional 1,000 or fraction thereof, to and including 50,000
\$50,001 to \$100,000	675.50 for the first 50,000 plus 7.50 for each additional 1,000 or fraction thereof to and including 100,000
\$100,000 and up	1050.50 for first 100,000 plus 6.00 for each additional 1,000 or fraction thereof.
E. Other inspections and flat fee permits:	
1. Inspections outside normal business hours (per hour; minimum charge – 2 hrs.)	66.50

2. Re-inspection fee	66.50
3. Inspection for which no fee is specifically indicated (per hour; minimum charge - one-half hour)	66.50
4. Special Inspection (when required by the Building Official)	66.50
5. Additional plan review required by changes, additions or revisions to approved plans (per hour; minimum charge – one-half hour)	66.50
6. Structure Moving permit	66.50
7. Inspection of building to be moved	Same as Certificate of Compliance inspection
8. No Permit – Failure to obtain a permit before commencing work	Fee equal to the building permit fee
9. Certificate of Compliance Inspection	
a. Building Ins. (structural & zoning)	66.50
b. Commercial Roofing	66.50
c. Foundation only	66.50
d. Existing wood stove	66.50
e. Electrical	66.50
f. Plumbing	66.50
g. Heating (mechanical)	66.50
10. Demolition Permit	
a. Simple Demolition (non-structural alterations)	57.50
b. Complex Demolition (structural or complete building demolition)	245.00
11. Re-roofing permits for residential structures up to four units (commercial re-roofs require full building permit).	60.00
12. Residing permit (residential up to four units, commercial requires full building permit)	60.00
13. Residential Window & Exterior and Fire Door Installations (residential up to four units, commercial projects require full building permit)	60.00
14. Installation Permits for Mobile/Manufactured Homes and Prefabricated Storage Buildings 300 square feet or less with Manufacturer's Structural Plans (for installations not involving permanent foundations. Additional fees may apply for foundation permits.)	60.00
15. Certificate of Occupancy – Existing Commercial Buildings (includes life safety inspections)	66.50
<u>16. Installation Permit for Mobile / Manufactured Homes when that installation includes electrical and plumbing. No additional electrical or plumbing permits required.</u>	<u>170.00</u>

Plumbing Permit Fees	
A. Permit issuance fee (charged with all permits except flat fee and commercial and institutional permits)	27.50
B. Plumbing residential permit – per dwelling unit (single family and two family only)	19.50 plus 10.00 per plumbing fixture
C. Plumbing appliance installation (water heaters and boilers)	19.50
D. Commercial (includes multi-family dwellings, fraternities and sororities) Fee based on contract price:	
1. 0 - \$2,000 Contract Price	30.00 plus 4% contract price up to 2,000
2. \$2,000 - \$10,000 Contract Price	110.00 plus 3% of contract price over 2,000
3. \$10,000 - \$100,000 Contract Price	350.00 plus 2% of contract price over 10,000
4. Over \$100,000 Contract Price	2,150 + 1% of contract price over 100,000
E. Additional fees: in addition to aforementioned permit fee and residential or commercial/industrial fees, the following charges will be made:	
1. Each lawn sprinkler system backflow device	13.00
2. Vacuum breakers or backflow	13.00
3. For each gray water system	63.00
4. Prefabricated homes, manufactured home	-52.00
5.4. Fire sprinkler inspection and plan review	120.00 plus 2.00 per sprinkler head
Electrical Permit Fees	
A. Permit issuance fee (charged with all permits except flat fee and commercial and institutional permits)	27.50
B. Temporary service	19.50
C. New Residential Electrical Permit - per dwelling unit (single family and two family only)	
1. New Dwelling unit electrical service and wiring	0.115 per sq. ft.
2. Electric Furnaces and unit space heaters (per appliance)	5.50
D. Alterations and Others	
1. Electrical Service Change Out	63.00
2. Extension or addition of up to six (6) circuits	40.00
3. Extension or addition of more than six (6) circuits	62.00
4. Electric Furnaces, Heat Pump, Air Conditioners, Unit Space Heaters and Ventilation Fans (per appliance)	7.50
5. Domestic Water Pumps	30.00

6. Mobile Homes in a mobile home park	73.00
E. Commercial (includes multi-family dwellings, fraternities and sororities, and distribution wiring and pedestals for mobile parks). Fee based on contract price:	
1. \$0 – \$2,000 contract price	30.00 plus 4% of contract price up to 2,000
2. \$2,000 - \$10,000 contract price	110.00 plus 3% of contract price over 2,000
3. \$10,000 - \$100,000 contract price	350.00 plus 2% of contract price over 10,000
4. Over \$100,000 contract price	2,150 plus 1% of contract price over 100,000
Gas/Mechanical Permit Fees	
A. Gas/Mechanical Permits	
1. Permit Issuance Fee (charged with all permits except flat fee and commercial permits)	27.50
2. Residential install of gas fueled furnace, water heater, boiler, fireplace, unit or space heater, per appliance by the BTU as follows:	
a. 0 – 180 thousand BTU	33.00
b. 181 thousand BTU and above	41.00
3. Gas Piping – Fixture or appliance outlets (per outlet)	9.00
4. Wood/Pellet Stoves	19.50
5. Air handlers, for each air-handling unit, including ducts attached thereto	17.25
6. Commercial (includes multi-family dwellings, fraternities and sororities) Fee based on contract price:	
a. \$0 - \$2,000 Contract Price	30.00 plus 4% of contract price up to 2,000
b. \$2,000 - \$10,000 Contract Price	110.00 plus 3% of contract price over 2,001
c. \$10,000 - \$100,000 Contract Price	350.00 plus 2% of contract price over 10,000
d. Over \$100,000 Contract Price	2,150 plus 1% of contract price over 100,000
7. Installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.	11.00
8. Repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, or similar system, including installation of controls regulated by this Code.	22.50

9. For each ventilation fan connected to a single duct	11.00
ENGINEERING SERVICES	
A. Engineering public improvement plan review (2 submittals)	125.00 plus 36.50 per plan sheet
B. Engineering extended plan review (3rd submittal and beyond) for: Multi-Family and Commercial Site Plan Reviews Parking Lot Development or Modification Reviews Public Improvements Plan Reviews Other Miscellaneous Plan Reviews	57.75/hr
C. Engineering grading plan review including erosion control agreement	130.00 each
D. Grading Permit Security Deposit	3% of estimated total cost of grading and excavation
E. Engineering telecommunication review – on City facilities only	1,785.00 each
F. Engineering review of revisions or modification to existing telecommunications facilities on City facility	210.00
G. Engineering development agreements including legal review	262.50
H. Engineering monumentation agreements including legal review	125.00
I. Engineering inspection (subdivision, PUD, commercial, and multi-family residential)	1.25% of public improvements construction cost as verified by City
J. Engineering “as-constructed” plan preparation	262.50 plus 36.75 per plan sheet
K. Engineering easement document review/preparation	73.50
L. Highway right-of-way use permits and parade permits through Idaho Transportation Department	105.00 each
M. Right of Way encroachment agreements – administrative	72.00 each
N. Right of Way encroachment agreements – council action	130.00 each
O. Engineering variance – Council Action	130.00
P. Right-of-Way Vacation Request (Includes publication and registered mailings)	660.00
Q. Address Change Fee	27.00
R. No Permit – Non-Compliance Review Fee (one-hour minimum)	63.00/hr
Engineering Publications and Printing	
A. Maps	
1. 8 ½ x 11 City Limit	1.00
2. 11 x 17 City Limit	1.00
3. 22 x 30 City Limit	1.50
4. 22 x 30 Zoning Map	1.50
5. Address, City Limit, Area of City Impact, Comprehensive Plan, Zone, L.I.D., Plat, Street Numbers, Water, Storm, Sanitary, Road, Street and other miscellaneous maps	5.00

6. Digital Contours (per Tile)	125.00
B. Printing and Copies	
1. Copier	
a. 8 ½ x 11	0.10
b. 8 ½ x 14	0.25
c. 11 x 17	0.50
d. 18 x 24	1.00
e. 24 x 36	2.00
f. 24" Roll	1.00 /ft
g. 36" Roll	1.25 /ft
2. Digital Copies	
a. Standard Drawings	5.00/page
b. Construction Drawings	1.00/page
3. Plotter	
a. Prints	
i. 8 ½ x 11	2.00
ii. 11 x 17	2.50
iii. 18 x 24	3.00
iv. 24 x 36	5.00
v. 24" Roll	2.00 /ft
vi. 30" Roll	2.50 /ft
vii. 36" Roll	3.00 /ft
viii. 36" Color	4.00 /ft
ix. 42" Roll	4.50/ft
x. 42" Color	5.00/ft
xi. Plot Set up Fee (per additional layer)	5.00
b. Orthophotos	
i. 8 ½ x 11	3.00
ii. 11 x 17	4.00
iii. 18 x 24	5.00
iv. 24 x 36	10.00
v. 24" Roll	5.00 / ft
vi. 30" Roll	6.00 /ft
vii. 36" Roll	7.50 /ft

viii. 42" Color	9.00/ft
ix. Plot Set up Fee (per additional layer)	5.00
C. Documents	
1. Comprehensive Water System Plan (Free on Website)	35.00
2. Comprehensive Sewer System Plan (Free on Website)	35.00
3. Multimodal Transportation Plan (Free on Website)	35.00
4. Standard Drawings/Construction Specifications (Hard Copy) for single page cost see printing and copies.	5.00 / 5.00
5. Standard Drawings/Construction Specifications (Digital) For single page cost see digital copies.	50.00 / 25.00
Sewer Permit Fees and Charges	
A. Permit Fee	40.00
B. No Permit – Noncompliance Review Fee (one-hour minimum)	60.00/hr
C. Sewer Tapping Fee (The customer will provide the excavation required to expose the main, pump out ground water, shore or slope hole as needed, provide traffic control as needed, fill/compact, and make temporary street patch as needed.)	190.00
D. SE Moscow Water and Sewer District Tapping Fee Surcharge (Properties Outside City Limits)	5.00
E. General Facilities Charge	
1. Single family	2,410.00 + 29.00/PFU over 20*
2. Apartment [per unit]	1,775.00 + 29.00/PFU over 15*
3. Trailer	2,410.00 + 29.00/PFU over 20*
4. Commercial	2,410 + 29.00/PFU over 15*
<i>*Equivalent fixture units as established by the adopted Uniform Plumbing Code</i>	
F. Orchard Avenue Sewer Connection Surcharge – only for addresses above 1400 and streets north of Ponderosa	1,400.00
G. Sewer Service inspections	75.00
H. Inspection of Public Sewer Main Construction	60.00/hr
I. SE Moscow Water and Sewer District Inspection Fee Surcharge (Properties Outside City Limits)	5.00
J. Sewer Service Disconnection	45.00
K. Commercial Portable Waste Discharge at the Wastewater Treatment Plant	
1. Load up to 300 gallons	21.06
2. Each subsequent gallon	0.28

Monthly Sewer Service Rates	
A. Residential Service	
1. Single family and duplexes or other multiple units served by separate meters.	52.35
2. Trailer homes (per unit) defined as multiple units served by a common meter (like a mobile home park)	38.48
3. Hotels & motels (per unit)	-20.90
4.3. Multi-family dwellings including duplexes (per unit) defined as multiple units served by a common water meter.	38.48
5. Rooming & fraternal housing plus \$2.87 per 100 cubic feet metered water	-344.45
6. Recreational Vehicle Parks (per unit)	-23.04
B. Public Use Building	
1. Churches (plus \$3.26 per 100 cubic feet metered water.)	-71.92
2. Schools (plus \$4.96 per 100 cubic feet metered water.)	-217.10
C.B. Commercial Users	
1. Bars and taverns (plus \$3.26 per 100 cubic feet metered water.)	-71.92
2. Restaurants (plus \$6.96 per 100 cubic feet metered water.)	-309.92
3. Other Commercial (plus \$3.26 per 100 cubic feet metered water.)	-71.92
1. <u>Commercial – Low</u> <u>For commercial users with combined Biochemical Oxygen Demand / Total Suspended Solids (BOD/TSS) of 0-200 mg/L</u>	<u>71.92</u> <u>plus 5.43 per 100 cubic feet metered water</u>
2. <u>Commercial – Medium</u> <u>For commercial users with combined BOD/TSS of 201-400 mg/L</u>	<u>71.92</u> <u>plus 7.51 per 100 cubic feet metered water</u>
3. <u>Commercial – High</u> <u>For Commercial Users with combined BOD/TSS of 201-400 mg/L</u>	<u>71.92</u> <u>plus 9.21 per 100 cubic feet metered water</u>
<i>* These strength-based categories are based on user type contribution of combined Biochemical Oxygen Demand/Total Suspended Solids (BOD/TSS). Users are placed in the applicable category using California State Water Resource Board standards that correspond with the activities undertaken in each establishment based on their response to a City of Moscow Commercial User Survey.</i>	
4. Small Commercial Office with Irrigation Limited to Commercial – Low Users users with exterior irrigation and an average monthly winter water use of less than 700 cubic feet per month. Base Rate (71.92) plus use rate for 200 cubic feet (6.78)	<u>71.92-78.70</u> <u>plus use rate for 200 cubic feet (10.86)</u>
<i>* For the purpose of determining the monthly sewer rates based on the volume of metered water, metered water will be averaged periodically using meter readings of winter water use period so the irrigation period may be excluded.</i>	

D.C. Mixed Use Service— Defined as different sewer customers listed in this section of the fee resolution that are served by a single water meter. <u>For existing mixed-use customers, a weighted model will be used to estimate the contribution based on metered water use. The estimated contribution of each customer served by the meter will be charged as a percentage of the total monthly use at the associated non-residential rate. Future mixed-use accounts will be assessed at the highest contribution rate for all metered water consumption. Because the financial impact of multifamily begins to negatively affect the financial equity found in the mixed use classification with apartments in excess of 10 apartments, it is necessary to have two rates for mixed use customers.</u>	71.92
1. Those commercial buildings with mixed sewer use in excess of 10 or more apartments; the sewer rate shall be calculated based upon the first unit of \$116.40 and each additional unit (dwelling unit or commercial unit) will be \$22.44 per unit plus a consumption charge of \$2.18 per 100 cubic feet of water without consideration of winter or summer usage.	
2. Those commercial buildings with mixed sewer use fewer than 10 apartments; the sewer rate shall be calculated based upon the first unit of \$116.40 and each additional unit (dwelling unit or commercial unit) will be \$22.44 per unit plus a consumption charge of \$2.88 per 100 cubic feet of water without consideration of winter or summer usage.	
E.D. University of Idaho (Annual Charge)	1,213,336.80
F.E. SE Moscow Water and Sewer District Sewer Service Surcharge (outside City limits)	3.00
Water Permit Fees and Charges	
A. Permit Fee	40.00
B. No Permit – Noncompliance Review Fee (one hour minimum)	60.00/hr
C. Water Service Inspection	75.00
D. Installation of service and meters (No existing service line to property line)	
1. 5/8" meter	3,260.00
2. 1" meter	3,330.00
3. 1 1/2" meter	4,170.00
4. 2" meter	4,480.00
5. Other meters	At Cost
E. Installation of service and meters (Existing service line to property line).	
1. 5/8" meter	1417.95
2. 1" meter	1490.40
3. 1 1/2" meter	2525.40

4. 2" meter	2991.15
5. Other meters	At Cost
F. Other fees	
1. Tap	
a. Fire line or other (3" and larger diameter); customer provides the street cut, excavation to expose the main, water removal, traffic control, backfill, temporary (cold mix) street patch, tapping sleeve, gate valve and valve box. Includes up to 45 s.f. not mix patch by City. Additional patch at \$2.65 per s.f.	1,130.00 min
b. Fire line or other (2" or smaller); Customer provides a corporation elbow and curb stop rather than sleeve and gate valve provided by customer in 'a' above. Customer is to provide all other work as outlined in 'a' above.	700.00 min
2. Relocation of meters – Limited to same property	
a. No new tap of main	
i. 5/8" to 1"	290.00
ii. 1 1/2" to 2"	325.00
b. New tap of main	
i. No street cut	
a) 5/8" meter	2,530.00
b) 1" meter	2,545.00
c) 1 1/2" meter	2,575.00
d) 2" meter	2,600.00
ii. Street cut	
a) 5/8" meter	3,550.00
b) 1" meter	3,570.00
c) 1 1/2" meter	3,600.00
d) 2" meter	3,630.00
3. Meter Box Adjustments	
a. Vertical Adjustment ($\pm 12"$)	120.00
b. Horizontal Adjustment	at cost
4. Resetter Installation	
a. 5/8" meter	95.00
b. 1" meter	190.00
5. Water Service Disconnection (Abandonment)	
a. With Street Cut	760.00
b. Without Street Cut	520.00
6. Turn on - turn off after regular working hours	64.00

7. Labor and materials to repair damage to water distribution system.	at cost
8. Labor and materials to repair meter boxes damaged by neglect or careless operation of motor vehicles.	at cost
G. General Facilities Charge	
1. 5/8 x 3/4" meter (20 gal/min; meter equiv—1.0)	2,561.63
2. 1" meter (50 gal/min; meter equiv—2.5)	6,406.65
3. 1 1/2" meter (100 gal/min; meter equiv—5.0)	12,808.13
4. 2" meter (160 gal/min; meter equiv—8.0)	20,439.00
5. Larger than 2"	by special contract with City
H. Orchard Avenue Water Connection Surcharge – only for addresses above 1400 and streets north of Ponderosa	1400.00
I. Disinfection	
1. First test	455.00
2. Second test (pigging of line may be required)	490.00
3. Third or more test (pigging of line may be required)	595.00
J. Bacterial Testing [at the discretion of the City]	
1. Samples (per each)	20.00
2. Saturday Samples (per each)	145.00
3. After hours and Saturday Sampling Labor	64.00
K. Pressure testing fees	
1. Tests performed by City	
i. First Test	800.00
ii. Second Test	1,000.00
iii. Third or more test	1,200.00 each test
2. Test performed by contractor	145.00 each test
Water Service Rates	
A. Standard Monthly Rates	
1. Fixed charge	
a. Single family residential/Duplex/Tri-plex per meter (Definition is a single meter servicing each dwelling unit)	<u>36.10</u> 34.38
b. Multi-family (definition is a meter servicing more than one dwelling unit.) based on meter size	
➤ 5/8 Inch	<u>36.10</u> 34.38
➤ 1 Inch	<u>45.16</u> 43.01
➤ 1 ½ Inch	<u>90.09</u> 85.80
➤ 2 Inch	<u>144.15</u> 137.29
➤ 3 Inch	<u>270.33</u> 257.46
c. Commercial Accounts based on meter size	

➤ 5/8 Inch	<u>36.10</u> 34.38
➤ 1 Inch	<u>45.16</u> 43.01
➤ 1 ½ Inch	<u>90.09</u> 85.80
➤ 2 Inch	<u>144.15</u> 137.29
➤ 3 Inch	<u>270.33</u> 257.46
➤ 4 Inch	<u>455.51</u> 433.82
d. High fire demand	<u>65.21</u> 62.10
2. Consumption Charge for Residential/Duplex or Triplex (Definition serviced by a single meter per dwelling unit)	
a. 0-700 per cubic Feet	<u>2.69</u> 2.56 /CCF
b. 701-2000 per cubic feet	<u>3.18</u> 3.03 /CCF
c. Over 2000 cubic feet	<u>5.40</u> 5.14 /CCF
3. All Usage Consumption Charge for Multi-Family or Commercial Accounts (one meter serving multiple units)	<u>3.52</u> 3.35 /CCF
4. Rate for Moscow Cemetery	<u>3.00</u> 2.86 /CCF
B. Water and Sewer rate charge for water and sewer furnished outside the boundaries of the City.	200% of the minimum service charge and water rate charge
C. Bulk water usage.	
1. Less than 2,500 cubic feet [For use in the City]	<u>3.48</u> 3.31 / ccf plus 119.20
2. 2,500 cubic feet or more [For use in the City]	<u>4.77</u> 4.54 / ccf plus 58.95
3. Less than 2,500 cubic feet [For use outside of the City]	<u>6.96</u> 6.63 / ccf plus 238.40
4. 2,500 cubic feet or more [For use outside of the City]	<u>9.52</u> 9.07 / ccf plus 117.90
STREET DEPARTMENT	
A. Large banner installation and removal	150.00 each banner
B. Small banner installation and removal	45.00 each banner
C. Information sign installation	120.00 plus cost of sign
D. Street/Sidewalk Closure Permit	40.00
E. Parade Permit	120.00 (+ 100.00 Idaho Transportation Department permitting, if applicable)
F. Street Cut Damage Recovery Fee: Fee based on Overall Condition Index (OCI) rating of street in accordance with most recent street condition survey: OCI	
81-100	800.00
61-80	600.00
41-60	400.00
21-40	200.00
0-20	0

G. Right of Way Excavation Permit	35.00 (+ 100.00 Idaho Transportation Department permitting, if applicable)		
H. Right of Way Excavation Security Deposit Rate Schedule			
<i>Total Valuation of Work in Right of Way</i>	<i>Fee</i>		
\$100 to \$500	245.00		
\$501 to \$1,000	367.50		
\$1,001 to \$1,500	490.00		
\$1,501 to \$2,000	615.00		
\$2,001 to \$2,500	735.00		
\$2,501 to \$3,000	860.00		
\$3,001 to \$3,500	980.00		
\$3,501 to \$4,000	1,100.00		
\$4,001 to \$4,500	1,230.00		
Greater than \$4,500	1,850.00		
Multiple Projects (up to four (4) active projects)	3,675.00		
I. Public Lighting Costs - per month – per Utility Service			
1. Residential Units	3.10		
2. Commercial Units	8.05		
J. City Barricades for Private Projects (applicable only when the City supplies devices on an emergency or prearranged basis for securing construction sites or other traffic revisions – standard traffic control operations shall not be eligible for device rental)			
1. Construction Sign	<u>Day</u>	<u>Week</u>	<u>Month</u>
2. Construction Sign with Tripod	8.00	30.00	90.00
3. Hi-Level Sign Stand	17.00	64.00	127.00
4. Type II Barricade	3.00	9.00	26.00
5. Type III Barricade	7.00	26.00	77.00
6. Construction Drum	27.00	106.00	316.00
7. Tubular Markers	10.00	39.00	110.00
8. 28" Orange Traffic Cones	4.00	13.00	37.00
9. Type A, B, C Warning Lights	1.00	4.00	10.00
10. Set-up	2.00	5.00	13.00
11. Removal			52.00
			52.00
K. Traffic Control (Setup / Devices) for On-Street Events			
Main Street Closures between A Street and 6 th Street			
1. Recommended – 3 rd Street to 5 th Street			
Daytime	80.00		
Nighttime	124.00		
2. Full Closure – A Street to 6 th Street			
Daytime	175.00		
Nighttime	382.00		
3. Partial Closures/Number of Blocks			

a. One Block	
Daytime	80.00
Nighttime	124.00
b. Two Blocks	
Daytime	85.00
Nighttime	134.00
c. Three Blocks	
Daytime	90.00
Nighttime	144.00
d. Four Blocks	
Daytime	95.00
Nighttime	154.00
4. Other Street Closures (per block)	
Daytime	80.00
Nighttime	124.00
L. Crowd Control Barriers	
1. Barrier Rental Fee (per barrier, per event)	2.00
Replacement Cost (if damaged or lost)	110.00
M. Traffic Control (Setup / Devices) for Parades	
1. Main Street – Small	300.00
2. Main Street – Large	750.00
3. Other Locations	Time and Materials
N. Traffic Control (Setup / Devices) for Block Parties	
One Block Standard Set-up	84.00
FINANCE	
A. Turn off and turn on for non-payment first occurrence.	30.00
B. Turn off and turn on for non-payment repeat occurrences in 12 months.	60.00
C. Accounts Receivable Billing Late Fee Penalty	
1. Notice of delinquency (occurs 46 days after billing)	15.00 or 5% whichever is greater
D. Deposits - Utility	
1. Residential	100.00
2. Commercial	175.00
E. NSF (Non-sufficient funds) Returned Check Charge Fees	25.00 per check
F. Convenience Fee	Up to 5% of credit card/digital transaction
General Licenses	
A. Circuses	
1. Circus or Tent show, First Class	260.00
2. Circus, or Tent show, Second Class	180.00
3. Merry go-rounds or mechanical rides - per ride	15.00
4. Amusement and other concessions – per exhibition	5.00
B. Peddlers, Solicitors Registration (per applicant)	

1. New Peddlers, Solicitors Registration	60.00
2. Peddlers, Solicitors Registration Renewal (without fingerprints)	35.00
3. Peddlers, Solicitors Registration Renewal (with fingerprints)	60.00
C. Vendor	
1. New Vendor License	60.00
2. Vendor License Renewal (without fingerprints)	35.00
3. Vendor License Renewal (with fingerprints)	60.00
D. Second Hand/Pawn Dealers	
1. New Second Hand/Pawn Dealer License	60.00
2. Second Hand/Pawn Dealer Renewal (without fingerprints)	35.00
3. Second Hand/Pawn Dealer Renewal (with fingerprints)	60.00
E. Taxicabs, Pedicab, and Carriage	
1. Taxicab, Pedicab, and Carriage Owner License/Renewal (each vehicle)	15.00
2. New Taxicab, Pedicab, and Carriage Operator License	60.00
3. Taxicab, Pedicab, and Carriage Operator License Renewal (without fingerprints)	35.00
4. Taxicab, Pedicab, and Carriage Operator License Renewal (with fingerprints)	60.00
F. Sidewalk Café License	25.00
G. Tree Service Contractors License	26.00
H. Tree Worker Certification	No fee
I.G. Miscellaneous	
1. Appeal from denial, suspension, or revocation of a license, permit, waiver, etc. (unless otherwise specifically set out herein)	55.00
Beer License Fees*	
A. Consumption on premise	200.00
B. Bottled and canned beer with no consumption on premise	50.00
C. Transfer fee	50.00
D. Inspection fee (to cover cost of required inspection that needs to be done by Building Inspector, Fire Inspector, and Health Inspector. This fee must be paid before any inspections will be started. If license application is withdrawn the fee will be forfeited to the city).	105.00
E. Restaurant Certification (required to permit admittance to individuals under the age of 21)	no fee
Liquor License Fees*	
A. Annual fee (includes wine on premise)	562.50

B. Transfer fee (includes wine on premise)	562.50
Wine License Fees*	
A. Wine on and off premise combined license	200.00
B. Wine on premise consumption only	150.00
C. Wine off premise consumption only	150.00
D. Transfer fee	50.00
<i>*All licenses issued for a portion of a year shall be prorated as of the month of actual issue; provided that no fee shall be less than one half of the total fee herein set forth.</i>	
Alcohol Catering Permit Fee – Set by State Code	20.00
Alcohol Event Permit (for an event in public right-of-way)	100.00
Child Care License	
A. Family Day Care Facility Registration (includes administration, fire inspection and background check for one day care provider)	80.00
B. New Facility Application Fee (includes administration, inspections by Code Enforcement, Fire Department, and Health Dept.)	
1. Family Day Care Facility (1-5 children)	75.00
2. Group Day Care Facility (6-12 children)	100.00
3. Small Day Care Facility (13-20 children)	125.00
4. Large Day Care Facility (21+ children)	150.00
C. New Employee/Provider Application Fee	30.00
D. Facility License Annual Renewal Application Fee	
1. Family Day Care Facility (1-5 children)	50.00
2. Group Day Care Facility (6-12 children)	75.00
3. Small Day Care Facility (13-20 children)	100.00
4. Large Day Care Facility (21+ children)	125.00
E. Employee/Provider License Annual Renewal Application Fee	10.00
See Miscellaneous for Background Check Fees	
F. Code Compliance Enforcement to be Billed to Day Care Facility	
1. First and Second Communication	No Charge
2. Third Communication	25.00
3. Fourth Communication	40.00
4. Fifth and each subsequent Communication	60.00
5. Tardy Renewal Applications (Facility and Provider)	10.00
G. Change of Ownership	15.00 Plus other inspection fees as deemed appropriate.
H. Change of Premises	15.00 Plus other inspection fees as

	deemed appropriate.
Bicycle License Lifetime Ownership Tag	7.00
Burglary and Robbery Alarms – False Alarms (for each occurrence)	50.00
Dog Licensing and Related Fees	
A. Lifetime registration tag	
1. Unaltered	35.00
2. Altered	25.00
B. Duplicate tag	5.75
C. Adoption (out)	
1. Altered	15.00
2. Unaltered	27.50
D. Adoption (placing own animal in)	20.00
E. Euthanasia	100.00
F. Boarding - per day or part thereof	20.00
G. Impound	
1. First time	20.00
2. Second time	30.00
3. Third time	40.00
4. Fourth and each subsequent time	60.00
H. Surcharge Fee	
1. Unaltered	30.00
2. Altered	20.00
Miscellaneous Fees	
A. Accident Reports (see G. Copies of official records...)	
B. Background Checks	
1. City of Moscow Police Department – Name Check	20.00
2. Idaho State Police - Fingerprints	42.00
3. Idaho State Police - Name Check	20.00
4. Health and Welfare Statewide Child Abuse Registry Check	20.00
C. City of Moscow Comprehensive Sewer System Plan Paper Copy	(Free on website) 30.00
D. City Code (Free on website)	
1. Initial cost	260.00
2. Annual charge for updating	52.00
3. Zoning Code	20.00
E. Copies of official records or documents	
1. Police files—per page (no charge for first 100 pages)	0.10
2. Other City documents – per page (no charge for first 100 pages)	0.10

3. Audio or video tape copy	Amount allowed by Idaho Code Section 74-102(10)
4. Audio or video CD copy	Amount allowed by Idaho Code Section 74-102(10)
5. Where a request for public records of the City of Moscow is for more than one hundred (100) pages of paper records; or the request includes records from which non-public information must be separated, deleted, and/or redacted; or where actual labor associated with locating and copying documents for a request exceeds two (2) person hours, the requestor shall be charged the copy and/or labor costs allowed by Idaho Code Section 74-102(10) unless the requestor demonstrates an exemption pursuant to Idaho Code Section 74-102(10)(f), as determined by the City Clerk.	
6. The Clerk may require advance payment of the cost of copying pursuant to Idaho Code Section 74-102(12). Any money received by the City shall be credited to the account for which the expense being reimbursed was or will be charged.	
F. Criminal History Letters (letters typed on letterhead stationery indicating the absence of a criminal history in this department. Exclude police records checks requested by federal, state or local government agencies)	30.00
G. Downtown Parking Permit (City Hall, Jackson and Jefferson Street Lots	
1. Per month	12.00
2. Per quarter	30.00
3. Annual	85.00
H. E-911 Monthly Service Fee	1.00
I. Escort Services – escort services, traffic direction and any special event requiring police services including, but not limited to, parades, house moving and other events where advance police assistance or supervision is requested or required. This fee is per each officer per hour (2 hour minimum)	65.00
J. Fire Nuisance Alarms	
1. 1 st Nuisance Alarm within 12 months	No Charge
2. 2 nd Nuisance Alarm within 12 months	No Charge
3. 3 rd Nuisance Alarm within 12 months	25.00
4. 4 th Nuisance Alarm within 12 months	50.00
5. 5 or More Nuisance Alarms within 12 months	100.00 Each Occurrence
K. Fingerprinting – Any fingerprinting requested by a person or a company, but excluding fingerprinting related to criminal or other city matters.	20.00
L. General City Code Infraction (unless otherwise specified herein or established by State Code)	72.00

M. Nuisance Abatement	\$200 plus Removal At Cost
N. Parking Permit (Construction Uses in Right-of-Way)	40.00
O. Parking Violations	
1. 5 Minute Parking Zone	25.00
2. No Parking 3 a.m. - 6 a.m. (City and campus)	25.00
3. No Parking Residential District	25.00
4. Double Parking	25.00
5. Parking in alley, on sidewalk, blocking driveway	25.00
6. Parking in School Bus Zone	25.00
7. Loading Zone Business & Campus Area	25.00
8. Commercial Zones (3 hr. limitation)	25.00
9. Parking Unattended, Motor Running	25.00
10. Parking in Fire Lane, Street & Off-street	40.00
11. Parking within 15 feet of Fire Hydrant	40.00
12. Parking behind Fire Station	25.00
13. Parking in front of Fire Station	40.00
14. Parking obstructing traffic	25.00
15. Improper Parking, other than listed	25.00
16. Parking citations not paid within fifteen (15) calendar day period	late fee 10.00
17. MCC 11-4-12 Prohibited parking trucks/similar vehicles	25.00
18. MCC 11-4-13 Handicapped parking	100.00
19. Parking Boot Removal (per incidence)	100.00
P. Public Hearing Mailing List	25.00
Q. Smoking in Restricted Area Fine	10.00
1. First Offense (if paid within fourteen [14] days of notice of violation)	10.00
2. Second Offense (if paid within fourteen [14] days of notice of violation)	25.00
3. A First or Second Offense not paid within fourteen (14) days of notice of violation or a Third Offense	50.00
Towing and Storage Fees on Illegally Parked Vehicles	
A. Towing charged by the commercial towing service	Actual cost
B. Storage of three-quarter (3/4) ton size pickups and smaller vehicles - per day	15.00
C. Storage of vehicles larger than three-quarter (3/4) ton pickups - per day	20.00
D. Vehicle Inventory Fee	11.00

City Programs and Other Services	
A. Van Pool (to cover costs only)	Not to exceed \$130/month
B. Van Pool Conference Commuter Service	Federal Mileage Reimbursement Rate based on miles traveled
C. Information Systems – Fiber Optic Lease Rate Per Month	0.06 0.058 Strand/Ft. <u>0.062</u> 0.06 Strand/Ft. Effective 1/1/2021
D. Information Systems – Rack Space Lease	40.31 39.14 month/1u <u>41.52</u> 40.31 per 1u Effective 1/1/2021
Community Forestry	
Subdivision Development Tree Fee	250/tree
Parks and Recreation	
A. City Park Picnic Shelter East City Park Stage Rental	25.00 each shelter
Additional Picnic Table Move-In Per Trailer Load of Four (4) Tables	20.00
B. Tree Service Contractor License	25.00
C. Alcohol Event Permit (for an event in a City park)	100.00
D. Recycling Deposit Fees (attendance of more than fifty [50] participants)	50.00
E. Park Shelter Reservations 4-hour blocks of time	25.00
F. Extra tables brought in for park rentals, per 4 tables	20.00
G. Crop Harvest Fee – West Palouse River Drive Property	70.00/acre
Hamilton Indoor Recreation Center	
A. Rental of Full Gym per Hour – court use only w/no set up required	70.00
B. Rental of Half of Gym per Hour – court use only w/no set up required	43.00
C. Rental of Full gym – requiring set up of tarp.	32.00
D. Rental of Multipurpose Room per Hour – Group I (City business)	No Charge
E. Rental of Multipurpose Room – Group II per hour (Non-profit groups, service clubs)	32.00
F. Rental of multipurpose Room – Group III per hour, (Private parties, wedding receptions, commercial, for-profit organizations)	80.00
G. Rental of Multipurpose Room – Group IV per hour (Other Governmental Organizations)	43.00
H. Rental of Sound System per rental	10.00
Hamilton-Lowe Aquatic Center	
A. Pool Passes	
1. Season Adult, Non-Resident	121.00
2. Season Adult, Resident	108.00
3. Season Child (4-17 years old) Non-Resident	108.00

4. Season Child (4-17 years old) Resident	91.00
5. Season Senior (65+ years old) Non-Resident	108.00
6. Season Senior (65+ years old) Resident	91.00
7. Season Household (up to five (5) family members; flat \$ 12.75 <u>15.30</u> each additional member) Non-Resident	211.00 five family members <u>15.30</u> 12.75 each additional member
8. Season Household (up to five (5) family members; flat \$ 12.75 each additional member) Resident	176.00 five family members 12.75 each additional member
9. ID Card Replacement Fee	5.00
B. Daily Admission Prices	
1. Children (3 years old and under)	FREE
2. Children (4-17 years old)	5.50
3. Adults (18-64 years old)	7.11
4. Seniors (65 + years old)	5.50
5. Child Coupon Sales	5.50
C. Private Party-Event Rentals	
1. Option 1: Up to 150 patrons	375.00 per hour
2. Option 2: 151 to 300 patrons	445.00 per hour
3. Option 3: 300 + patrons	600.00
D. Private Party-Event Rentals: Fun Run Inflatable or Giant Slide Inflatable	190.00 per rental
E. Aquatic Center Picnic Table Rental, per hour, per table	7.75
F. Swim team rentals	6.35/Lane
G. Locker rentals	0.50
H. Bathroom Personals	0.25
I. American Red Cross (<u>ARC</u>) Swim Lessons, All levels	43.50
J. Swim Lessons, Adaptive	43.50
K. ARC Guardstart	58.00
L. ARC Lifeguard Training	136.50
<u>M. ARC Lifeguard Instructor</u>	<u>136.50</u>
M.N. <u>ARC Water Safety TrainingInstructor</u>	136.50
N.O. <u>Aquacize & Water Class – Season Pass</u>	70.00
O.P. <u>Aquacize & Water Class – 10-punch Pass</u>	45.00
P.Q. <u>Aquacize & Water Class – Drop-in</u>	8.00
Q.R. <u>Private-Customized</u> Swim Lessons	
1. 1 student/per hour	45.00
2. 2 students/per hour	54.00
3. 3 students/per hour	60.00

Youth Sports	Resident (Res) / Non-Resident(Non-Res)
<u>A. Micro Soccer U5 – U7 Early Bird (Spring and Fall)</u>	<u>Res 36.50 Non-Res 37.50</u>
A.B. _____ Micro Soccer U5 – U7 (Spring and Fall)	Res <u>41.50</u> 36.50 Non-Res <u>42.50</u> 37.50
<u>C. Micro Soccer U8 – U12 Early Bird (Spring and Fall)</u>	<u>Res 42.50 Non-Res 43.50</u>
B.D. _____ Micro Soccer U8 – U12 (Spring and Fall)	Res <u>47.50</u> 42.50 Non-Res <u>48.50</u> 43.50
<u>E. Flag Football Early Bird</u>	<u>Res 45.00 / Non-Res 46.00</u>
G.F. _____ Flag Football	Res <u>50.00</u> 45.00 / Non-Res <u>51.00</u> 46.00
<u>G. Youth Volleyball Early Bird – Grades 4th – 6th (Fall)</u>	<u>Res 36.00 / Non-Res 37.00</u>
D.H. _____ Youth Volleyball – Grades 4th – 6th (Fall)	Res <u>41.00</u> 36.00 / Non-Res <u>42.00</u> 37.00
<u>I. Youth Basketball Early Bird – Grades K – 3rd (Winter)</u>	<u>Res 41.00 / Non-Res 42.00</u>
E.J. Youth Basketball – Grades 1st K – 4th 3rd (Winter)	Res <u>47.00</u> 41.00 / Non-Res <u>48.00</u> 42.00
<u>K. Youth Basketball Early Bird – Grades 4th – 5th (Fall)</u>	<u>Res 41.00 / Non-Res 42.00</u>
F.L. _____ Youth Basketball – Grades 5th 4th – 6th 5th (Fall)	Res <u>47.00</u> 41.00 / Non-Res <u>48.00</u> 42.00
<u>M. Junior Fast Pitch Early Bird – Grades 3rd – 5th</u>	<u>Res 62.00/Non-Res 63.00</u>
<u>N. Junior Fast Pitch – Grades 3rd – 5th</u>	<u>Res 67.00/Non-Res 68.00</u>
<u>O. Senior Fast Pitch Early Bird – Grades 6th – 8th</u>	<u>Res 62.00/Non-Res 63.00</u>
<u>P. Senior Fast Pitch – Grades 6th – 8th</u>	<u>Res 67.00/Non-Res 68.00</u>
G.Q. _____ Youth Baseball / Softball Sponsors	85.00
<u>R. Youth T-Ball / Coach Pitch Early Bird</u>	<u>Res 38.50/Non-Res 39.50</u>
<u>S. Youth T-Ball / Coach Pitch</u>	<u>Res 43.50/Non-Res 44.50</u>
H. Youth Baseball/Softball Players	Res 38.50 / Non-Res 39.50
I.T. Skyhawks Youth Camps	
1. Soccer / <u>Swim</u>	129.00
2. Tennis	115.00
3. Basketball	129.00
4. Tiny Hawk Soccer	65.00
<u>5. Multi-sport</u>	<u>129.00</u>
5.6. Mini Hawk	115.00
6.7. Soccer	115.00
7.8. Flag Football / Swim (Monday – Friday)	119.00
<u>9. Flag Football (Monday, Tuesday, Wednesday)</u>	<u>99.00</u>
J.U. Mini Junior / Junior Golf Lessons	Res 67.00 / Non-Res 68.00

K. Senior & Junior Girls Fast Pitch Softball, each	Res 62.00 / Non-Res 63.00
L.V. Youth Shirts	17.00
M.W. Youth Karate	Res 48.00 / Non-Res 49.00
Adult Sports	Resident (Res) / Non-Resident(Non-Res)
A. Volleyball Fall & Winter (Co-Rec)	248.00
B. Basketball (Moscow/Pullman League)	525.00
C. Co-Rec Softball, per team	475.00
D. Softball, per team	833.00
E. Horseshoes – Doubles and Singles	Res 6.50 / Non-Res 8.50
F. Adult Soccer, per team	475.00
G. Field Set-Up Fee for Private Use	20.00 per set up
General Recreation Programs	Resident (Res) / Non-Resident(Non-Res)
A. Salmon River Trips (two varieties of trips) 1. Youth 2. Adult	Res 63.25 / Non Res 64.25 Res 72.00 / Non Res 74.00
B. Dog Obedience 1. Kinderpuppy 2. Beginning Obedience 3. Advanced Obedience 4. Rally Obedience	Res 64.25 / Non-Res 66.25 Res 64.25 / Non-Res 66.25 Res 64.25 / Non-Res 66.25 Res 64.25 / Non-Res 66.25
C. Hunters' Education	Res 21.50 / Non-Res 22.50
D. Tone & Stretch 1. Per Class 2. 10 class punch card 3. Drop In	Res 3.50 / Non-Res 3.61 49.00 6.25
E. Zumba Class	Res 60.00 / Non-Res 62.00
F. Zumba Punch Card	45.00
G. Zumba Walk-in	6.25
H. Open Life Drawing Studio	Res 10.75 / Non-Res 12.75
I. Hunting Spring Mushrooms	Res 42.75 / Non-Res 44.75
J. Hunting Fall Mushrooms	Res 42.75 / Non-Res 44.75
K. Beginning Birding	Res 10.00 / Non-Res 12.00
L. Athletic Performance Training	Res 100.00 / Non-Res 101.00
M. Beginning Sewing	Res 42.00 / Non-Res 43.00
N. Get Moving	Res 96.00 / Non-Res 97.00
O. Kids' Art Camp	Res 200.00 / Non-Res 201.00

P.O. Fall Tree Pruning	Res 17.00 / Non-Res 18.00
Q.P. Trees of Idaho	Res 10.00 / Non-Res 12.00
R.Q. Trees in Your Neighborhood	Res 10.00 / Non-Res 12.00
S.R. Fruit Tree Pruning	Res 17.00 / Non-Res 19.00
T.S. Choosing and Planting New Street Trees	Res 17.00 / Non-Res 19.00
U.T. Firewise Principles and Practices	Res 5.00 / Non-Res 7.00
V.U. What's Wrong With My Tree?	Res 5.00 / Non-Res 7.00
W.V. Mah Jong Class	Res 35.00 / Non-Res 37.00
X.W. Green Cleaning	Res 10.00 / Non-Res 12.00
Y. Conflict Management Styles	Res 10.00 / Non-Res 12.00
Z.X. Naturally Clean Home	Res 10.00 / Non-Res 12.00
<u>Y. Cornhole Challenge Early Bird</u>	<u>Res 10.00 / Non-Res 12.00</u>
<u>Z. Cornhole Challenge</u>	<u>Res 15.00 / Non-Res 17.00</u>
<u>AA. Mini Drone Challenge Early Bird</u>	<u>Res 10.00 / Non-Res 12.00</u>
<u>BB. Mini Drone Challenge</u>	<u>Res 15.00 / Non-Res 17.00</u>
<u>CC. Moscow Rolling Hills Half Marathon</u>	<u>Res 40.00 / Non-Res 50.00</u>
<u>DD. Moscow Rolling Hills Half Marathon Sponsorship</u>	<u>3,000</u>
<u>EE. Community Garden</u>	
<u>Garden Plot Rental</u>	<u>53.00 each</u>
<u>Clean-up Deposit</u>	<u>25.00 each</u>
Eggan Youth Center Activities	Resident (Res) / Non-Resident(Non-Res)
A. Youth Center Rentals, per hour	35.00
B. Kids Kamps, Per Each Activity Day	Res 22.00 / Non-Res 23.00
C. High Adventure Camp - Daily	Zip Line 120.00 Kayak / Horse 85.00
D. Breakfast with Santa and Candy Cane Hunt	Individual 7.50 / Family 26.00
E. Palouse Youth Triathlon / Sponsorships	17.50 / 500.00
F. Snow Ball	Individual 11.50 / Couple 28.00
G. Youth Enrichment Classes	44.75
H. After School Activities	10.00
I. Teen Night Out	Res 9.00 / Non-Res 10.00
J. Moscow Rolling Hills Half Marathon	Res 40.00 / Non-Res 50.00
K. Moscow Rolling Hills Half Marathon Sponsorships	3,000.00
L. Mayor's Golf Tournament	Individual 75.00 / Team of four 300.00
M. Mayor's Golf Tournament Sponsorships	2,000.00

N. Super Bowl Bash	Res 5.00 / Non-Res 6.00
O. Undetermined Programs	2,000.00
<i>\$1.00/\$2.00 (Child/Adult) non-resident fee is charged for programs in addition to the process listed above.</i>	1.00/2.00
Community Garden	
1. Garden Plot Rental, each	53.00
2. Clean-up Deposit, each	25.00
New recreational programs that do not appear in this fee resolution are often developed and implemented during the fiscal year.	Varies per program
Fire Department	
A. Compressed Gases	30.00
B. Fireworks	30.00
C. Flammable or Combustible Liquids	30.00
D. Covered Malls	30.00
E. Tents, Canopies and Temporary Membrane Structures	30.00
F. Fire Code Inspections	30.00
SOLID WASTE	
Rates for Residential Units	
A. Roll Cart – Variable Size, Variable Rate System (monthly fee per roll cart collected weekly)	
35 Gallon	21.10/month
65 Gallon	27.10/month
95 Gallon	33.15/month
35 Gallon On Demand – Base Fee	15.95/month
35 Gallon On Demand – Per Service	2.10/each
Roll Cart Size Exchange (after initial 30 day period)	18.00/each
Roll Cart Replacement (lost, stolen, damage from abuse)	35.00/each
B. Penalty - for any garbage exceeding service level	6.60 per can/bag
C. Carry-out service	11.60
Outside of building - additional per can, per unit, per month	
D. Inside of building - additional per can, per unit, per month	13.15
E. Return service (blocked roll cart, roll cart not set out on time or otherwise not able to be serviced by Franchisee) per calendar year	
First Occurrence	0.00
Second Occurrence	11.10
Third and Following Occurrences	22.20
<i>Residential units utilizing mechanical containers or compactors shall be billed at the business rate for such equipment.</i>	
F. Apartment Single Stream Recycling Fee	5.05/per unit, per month
Rates for Business Units and Commercial Cans	
A. Loose yardage on ground	33.40/per cubic yard

B. Extra service for dumpster/mechanical containers with 24-hour notice	32.90/each dump (Plus tipping fee-2)						
C. Extra service for dumpsters/mechanical containers per yard.	16.70/cubic yard						
D. Compactor Service Pick Up	213.40 (Plus tipping fee-2)						
E. Small Compactor Yardage	83.50/cubic yard						
F. Commercial Roll Cart – Variable Size, Variable Rate System (monthly fee per roll cart collected weekly)							
35 gallon	20.60/month						
65 gallon	31.10/month						
95 gallon	41.50/month						
Roll Cart Size Exchange (after initial 60 day period)	18.00/each						
Roll Cart Replacement (lost, stolen, damage from abuse)	35.00/each						
G. Commercial Single Stream Recycling Fee	5.05/per unit, per month						
H. Additional Commercial Recycling Cart	5.05/per unit, per month						
Rates for Recycling Mobile Containers per month	(sales tax will be added)						
A. Size: 6 Yard	55.95						
B. Size: 10 1/2 Yard	85.30						
C. Size: 12 Yard	100.15						
Types of Services							
A. Franchisee Services/Value of Recycled Materials Retained by Franchisee: RMC hauled, emptied and exchanged by Franchisee.	45.65 Each Haul						
B. Franchisee Services/Value of Recycled Materials retained by customer: RMC hauled, emptied and exchanged by Franchisee.	54.65 Each Haul						
C. Customer Service/Value of Recycled Materials retained by customer: RMC hauled and exchanged by customer	0.00 Each Haul						
Rates for Dumpsters/Mechanical Containers per month	(Sales taxes will be added)						
Times per week							
Size / yd	Rental	Tax	1	2	3	4	5
1	12.45	0.75	69.92	143.97	217.35	276.14	346.90
2	14.20	0.85	138.32	280.28	425.50	581.23	747.41
3	26.22	1.57	203.97	416.55	636.45	873.10	1126.80
4	29.18	1.75	269.62	552.85	845.91	1155.96	1485.61
6	38.52	2.31	400.93	825.42	1264.83	1720.17	2199.49
8	47.85	2.87	532.28	1098.06	1690.56	2327.34	2988.48
Dumpster Locking Mechanisms						3.00 <u>3.50</u> /month	
Producers who request that their mechanical containers be temporarily removed shall be charged for removal and re-delivery of the container.						42.50 Each Move	
Rates for Solid Waste Processing Facility Access Service							
A. Transfer Station Tipping Fee (MSW)						92.15 <u>94.00</u> /per ton	
B. Compost Materials						No charge	
C. Clean Wood Waste						No charge	
D. Inert/Demolition Materials (NMSW)						37.60 <u>38.35</u> /per ton	
E. Mixed Materials (combination MSW/NMSW)						65.05 <u>66.35</u> /per ton	

F. Minimum Fee – MSW, NMSW or Mixed – includes 200 lbs MSW or 460 lbs NMSW or 280 lbs Mixed	10.00 per trip
G. Large Appliances	6.90/each
H. Appliances that do not have the Chloro-Fluoro Carbon removed, and do not have a certified removal sticker	25.55 per appliance
I. Vehicle Bodies	43.35 each
J. Tires	157.95 per ton
K. Asbestos	167.50 per ton
The foregoing rates are not all-inclusive. The City may establish and/or change rates for unique or special waste.	
Special hauls	
A. Pickup truck when requested by customer from landfill to City	83.40 plus tipping fee
B. Packer truck when requested by customer	
1. On day of service	71.45 plus tipping fee
2. From landfill to City	147.55 plus tipping fee
C. Roll-off unit	
Container Size Rental Rate One time or Exchange Per Trip (Plus Tipping Fee) Rental rate per day after the first five working days 22 yd. 13.30 112.20 18.10 30 yd. 18.10 112.20 18.10 45 yd. 18.10 112.20 18.10	
D. Deposit for Roll-off Unit or Temporary Mechanical Container	100.00
Special haul rates shall be charged for collection and disposal of dead animals.	
Rate for hazardous wastes and for infectious and potentially harmful waste shall be the actual cost for such service as billed by the City, plus 10% for administrative costs.	
Community Events	
<u>A. Moscow Farmers Market 26 Week Season, May through October</u>	
1. Registration and Service Daily Full Booth Daily Shared Booth Daily Table Space Tier 1 Attend 1-8 markets 15.00 30.00 15.00 48.00 12.00 Tier 2 Attend 9-17 markets 50.00 20.00 12.00 8.00 Tier 3 Attend 18-26 markets 125.00 15.00 9.00 6.00	
2. Youth Vendor (exempt from registration fee)	6.00/day <u>per group</u>
<u>3. Performance Vendor (exempt from registration fee)</u>	<u>7.00 / day per group</u>
<u>3.4. Non-neighbor Corner Space</u>	5.00/day
<u>4.5. Electrical Hookup</u>	10.00/day
<u>5.6. Truck Parking-Vehicle Surcharge</u>	<u>15.00</u> 11.00 /day
<u>7. Third penalty policy violation fine</u>	50.00
<u>6. Performance Art Space</u>	7.00/day
<u>7. Sponsorships</u>	up to 5,000
<u>B. Mayor's Golf Tournament</u>	
<u>1. Registration</u>	<u>75.00 / Individual</u> <u>300.00 / team of four</u>

<u>2. Sponsorships</u>	<u>7,500.00</u>
<u>C. Vandal Town Block Party</u>	
<u>1. Sponsorships</u>	<u>6,000.00</u>
Arts Department	
<u>A. Artwalk</u>	
1. Business	100.00
2. Non-Profit and Art Studio	50.00
3. Artist	25.00
4. Main Street Food Vendor	70.00
5. Main Street Art Vendor / Demonstrator	25.00
6. Sponsorships	up to 5,000
<u>B. Palouse Plein Air</u>	
1. Artist	25.00
2. Student Artist (18 years and older)	20.00
<u>C. Art Department Facilitating Artwork Sales</u>	Per Artist Contract

CITY COUNCIL STAFF REPORT

DATE: Monday, August 3, 2020



RESPONSIBLE STAFF

Gary Riedner, City Supervisor

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Resolution to Extend Amended Public Health Emergency Order 20-03 (ACTION ITEM) - Gary J. Riedner

DESCRIPTION

On July 6, 2020, the City Council approved Resolution 2020-12, accepting and extending Mayor Lambert's Amended Public Health Emergency Order 20-03, requiring face coverings (masks) when in a public setting and the 6-foot physical distancing cannot be maintained and maintain a 6-foot social/physical distancing from non-household members when in public settings, within the City of Moscow. The Resolution 2020-12 expires at 11:59 p.m. on August 4, 2020. The attached Resolution extends Emergency Order 20-03 until October 6, 2020, and includes a definition of face coverings.

STAFF RECOMMENDATION

Adopt the Resolution extending Public health Emergency Order 20-03 until October 6, 2020 and adopting a definition of face covering.

PROPOSED ACTIONS

PROPOSED ACTIONS: Adopt the Resolution extending Amended Public Health Emergency Order 20-03 until October 6, 2020, and adopting a definition of face covering, or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Resolution Authorizing Continuation of Amended Public Health Emergency Order 20-03 to October 6_mb

RESOLUTION NO. 2020 –

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AUTHORIZING THE CONTINUED ACCEPTANCE AND EXTENSION OF THE MAYOR’S AMENDED PUBLIC HEALTH EMERGENCY ORDER 20-03 MADE EFFECTIVE JULY 2, 2020 AND EXTENDED BY COUNCIL ON JULY 6, 2020 WITH AN EXPIRATION AT 11:59 P.M. OF AUGUST 4, 2020; AND PROVIDING THIS RESOLUTION SHALL BE IN EFFECT UPON ITS PASSAGE AND APPROVAL.

- WHEREAS, the health and safety of all citizens of the city of Moscow is the greatest priority and is of the upmost importance to the Mayor and City Council; and
- WHEREAS, Idaho cities are authorized by Idaho Constitution Article XII, Section 2, to enforce, within the city limits all such local police, sanitary and other regulations as are not in conflict with the city’s charter or with the general laws of the state; and
- WHEREAS, Idaho Code § 50-302, enables cities to promote the general welfare of its citizens; and
- WHEREAS, Idaho Code § 50-304, grants cities the authority to prevent the introduction of contagious diseases into the city and make quarantine laws for that purpose; and
- WHEREAS, pursuant to Moscow City Code, Title 1, Chapter 11 and the authority pursuant to Idaho Code, in order to effectively preserve the health and safety of the public, the Mayor is granted the emergency powers to issue public health emergency orders; and
- WHEREAS, the Centers for Disease Control and Prevention (hereinafter “CDC”) identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high”, and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and
- WHEREAS, Governor Little has stated on numerous occasions, due to Idaho’s diverse and expansive state, that he is not mandating statewide face coverings or physical distancing for non-household members and is trusting and encouraging local officials to take any measures they deem necessary and appropriate to protect their community. The coronavirus.idaho.gov website supports the Governor’s position by stating, “Idaho’s response to COVID-19 is now primarily local or regional in nature...”; and
- WHEREAS, both the CDC, the federal government, and the Idaho Department of Health and Welfare and the Idaho North Central Health District have recommended practices to prevent the rapid spread of COVID-19, including maintaining six (6) feet of physical distancing from non-household members and the wearing of face coverings when in public settings and when the six feet of physical distancing from others cannot reliably be maintained. The policies, along with other information, are available on the CDC’s official COVID-19 website. (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>); and
- WHEREAS, the City, as a municipal corporation of the State of Idaho, has the authority to exercise all powers and perform all functions of local self-government in city affairs that are not in conflict with the general laws or the constitution of the state of Idaho (I.C. § 50-301); and
- WHEREAS, the risk of community spread throughout the city of Moscow is a continued threat, especially due to our unique location in Idaho and our close proximity to states and locations where there is a large number of confirmed COVID-19 cases and evidence of community spread; and

WHEREAS, on June 30, 2020, Bill Lambert, Mayor of the City of Moscow, Idaho proclaimed and declared Public Health Emergency Order No. 20-03 and Amended said order on July 1, 2020; and

WHEREAS, on July 1, 2020, Idaho North Central District of Public Health issued a press release reporting widespread community transmission throughout the District, and highlighted the importance of practicing COVID-19 risk reduction strategies, which include practicing self-distancing (maintaining at least 6 feet between individuals) and wearing a face covering when in public settings where social distancing measures are difficult to maintain; and

WHEREAS, as of July 30, 2020, the Idaho North Central District of Public Health reported that Latah County had 68 positive confirmed cases of COVID-19, and 9 probable cases; and

WHEREAS, the number of confirmed cases of COVID-19 continue to climb in our city and the surrounding communities; and

WHEREAS, it is deemed necessary by the Council of the City of Moscow to extend such Amended Public Health Emergency Order No. 20-03 to provide for the ongoing threat to public life and property and the Council wishes to continue to be proactive and help reduce the spread of COVID-19 and to encourage our community members and community businesses to do their part to prevent and limit the spreading of COVID-19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moscow as follows:

The Amended Public Health Emergency Order 20-03, ordering every person in the city of Moscow to wear a face covering when in public when the 6-foot physical distancing cannot be maintained, with specific exceptions, and maintain 6-foot physical distancing when in locations open to the public, whenever possible, within the City of Moscow, Latah County, Idaho, signed into effect on July 1, 2020, by Mayor Bill Lambert, attached as Exhibit A, shall be continued and remain in effect until 11:59 p.m. on October 6, 2020.

Furthermore, face covering is defined as any material that securely covers the nose and mouth, creating a barrier to help prevent respiratory droplets from traveling into the air. The face coverings may be made of a variety of materials, including but not limited to, cotton, silk, linen, flax, wool, ramie, denim, polyester, or a combination of materials or paper.

That this Resolution shall become effective as of the ____ day of August, 2020.

PASSED BY THE CITY COUNCIL AND APPROVED by the Mayor of the City of Moscow, Idaho, this ____ day of August, 2020.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

Exhibit A

NO. 606727
AT THE REQUEST OF
CITY OF MOSCOW
DATE & HOUR 7.1.2020 2:45
HENRIETTE N. WESTERLUND
LATAH COUNTY RECORDER
FEE \$ 0 BY: S. Chapman

THE CITY OF MOSCOW

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03

FACE COVERINGS AND 6 FOOT SOCIAL/PHYSICAL DISTANCING

July 1, 2020

- WHEREAS,** the health and safety of all citizens of the city of Moscow is the greatest priority and is of the utmost importance of the Mayor and City Council; and
- WHEREAS,** the coronavirus (hereinafter, COVID-19), is a respiratory disease caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person, which can result in serious illness or death thereby threatening widespread and/or severe damage to life or property thereby creating an “emergency” as defined by Idaho Code § 46-1002; and
- WHEREAS,** the Centers for Disease Control and Prevention (hereinafter “CDC”) identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high”, and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and
- WHEREAS,** on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a “public health emergency of international concern”; and
- WHEREAS,** on January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and
- WHEREAS,** on March 11, 2020, The World Health Organization (WHO) made the assessment that COVID-19 can be characterized as a pandemic; and
- WHEREAS,** on March 13, 2020, the Idaho Governor Brad Little, pursuant to Idaho Code § 46-1008, declared a state of emergency due to COVID-19, which is still in effect; and
- WHEREAS,** on March 13, 2020, the President of the United States issued an emergency declaration for the country in response to the increasing number of COVID-19 cases within the U.S., which is still in effect; and
- WHEREAS,** on March 13, 2020, Moscow Mayor Bill Lambert issued a Local Emergency Proclamation, declaring a local disaster emergency due to the occurrence and imminent threat to public health and safety arising from the effects of the 2019 novel coronavirus (COVID-19), pursuant to Idaho Code § 46-1011 and other relevant sections of Idaho Code; and

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03 - Page 1 of 7

- WHEREAS,** on March 16, 2020, the Moscow City Council adopted Resolution 2020-05, authorizing continuation of Mayor Lambert's Local Emergency Proclamation until May 5, 2020; and
- WHEREAS,** on March 20, 2020, the Council for the city of Moscow adopted an ordinance enacting a new Chapter 11 to Title 1 of the Moscow City Code, setting forth the authority, purpose, and intent of emergency powers to address the threat of COVID-19; and
- WHEREAS,** on March 20, 2020, Mayor Lambert issued the first Public Health Emergency Order No. 20-01, instituting regulations regarding mass gatherings, restaurants and bars to help prevent the spread of COVID-19; and
- WHEREAS,** on March 20, 2020, the City Council extended such Public Health Emergency Order No. 20-01 to May 5, 2020, to provide for the ongoing threat to public life and property; and
- WHEREAS,** on March 24, 2020, Moscow Mayor Bill Lambert proclaimed and declared Public Health Emergency Order No. 20-02 prohibiting gatherings in groups of more than ten (10) persons within a facility, which also applied to educational institutions, expressive and associative activities, including assembly, and church and religious organization activities; and
- WHEREAS,** on March 25, 2020, Governor Brad Little issued a proclamation declaring that there existed an extreme emergency within the State of Idaho and through a press conference declared he was issuing a statewide stay-home order; and
- WHEREAS,** on March 25, 2020, pursuant to Idaho Code § 56-1003(7), Idaho Department of Health and Welfare Director, Dave Jeppesen, issued an Order to Self-Isolate for all individuals living in Idaho, at the direction of Governor Brad Little, to fight the community spread of COVID-19 that had been confirmed in Idaho. The Order was effective until April 15, 2020, subject to be extended, rescinded, superseded, or amended. The isolation order was issued based on advice and direction of state, federal and local public health experts; and
- WHEREAS,** on March 26, 2020, it was deemed necessary by the City Council to extend such Public Health Emergency Order No. 20-02 to May 5, 2020, to provide for the ongoing threat to public life and property, and the Council wished to continue to be proactive and help reduce the spread of COVID-19 and to encourage our community members and community businesses to do their part to prevent and limit the spreading of COVID-19; and
- WHEREAS,** on April 15, 2020, Idaho Department of Health and Welfare Director, Dave Jeppesen, amended the Order to Self-Isolate issued on March 25, 2020, providing

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03 - Page 2 of 7

additional guidance regarding travel into Idaho, regarding certain businesses, and extending the Self-Isolation Order until April 30, 2020; and

WHEREAS, on April 22, 2020, Governor Little issued a proclamation declaring an extreme emergency within the State of Idaho and declaring the state of emergency proclamation issued on March 13, 2020 and extended on March 25, 2020, continues to be in effect and is extended for a period of thirty (30) days unless terminated, modified or extended; and

WHEREAS, on April 30, 2020, Governor Little and Director Jeppesen of the Idaho Department of Health and Welfare, issued the "Stay Healthy Order" effective as of 12:00 a.m. May 1, 2020, implementing Stage 1 of the Governor's Idaho Rebound plan, and which can be found on the website: rebound.idaho.gov. Governor Little's plan is one of utilizing a four-staged approach to reopening Idaho and its economy, whereby specific criteria must be met before Idaho advances to the next stage of reopening. The Idaho Division of Public Health and the Governor's Coronavirus Working Group will review the criteria every two weeks to assess if criteria are met, or continue to be met, so Idaho can move to the next stage; and

WHEREAS, the Council and Mayor have supported the Governor's guidelines and plans for systematically assessing existing conditions and slowly lifting the current regulations in place through the Stay Healthy Order and the now Stay Healthy Guidelines, and to utilize the proposed staged approach for reopening Idaho; and

WHEREAS, the Council and Mayor permitted the Mayor's Proclamation of Local Disaster Emergency as modified by Resolution 2020-05, and the Public Health Emergency Orders 20-01 and 20-02 to terminate on May 1, 2020, to avoid any confusion in light of the Stay Health Order in effect for all of Idaho at that time; and

WHEREAS, on June 24, 2020, Washington Secretary of Health, John Wiesman, issued Order 20-03, an order for all of Washington state which requires all individuals to wear a face covering that covers their nose and mouth when in any indoor and outdoor public space when the 6-foot physical distancing is not possible, with limited exceptions; and

WHEREAS, on June 26, 2020, the District Board of Central District Health, State of Idaho, issued an emergency quarantine order pursuant to Idaho Code § 56-1003(7), IDAPA 16.02.10.065.09, Idaho Code § 39-415 and § 67-5247, for Ada County bars and nightclubs open to the public for on-site consumption of beverages, be placed under quarantine and must remain closed to on-site consumption; prohibits large venue gatherings; requires six foot physical distancing from non-household members, and makes any violation of said order a misdemeanor pursuant to Idaho Code § 56-1003(7)(c); and

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03 - Page 3 of 7

- WHEREAS,** on June 29, 2020, Whitman County, which is located at the western Moscow City limits, reported it has 38 confirmed cases of COVID-19; and
- WHEREAS,** on June 29, 2020, Spokane County, which is located less than 79 miles from Moscow, reported it has 1,344 confirmed cases of COVID-19; and
- WHEREAS,** on June 30, 2020, the state of Idaho reported 6,117 confirmed and probable cases of COVID-19, 261 of which are located in Kootenai County and where Kootenai County has been identified as a “hotspot” by the Idaho Department of Health and Welfare, which is located less than 80 miles to the north of Moscow; and
- WHEREAS,** on June 30, 2020, Latah County has 16 confirmed cases and 5 probable cases of COVID-19; and
- WHEREAS,** on June 30, 2020, The Idaho North Central District, which includes Clearwater County, Idaho County, Latah County, Lewis County and Nez Perce County is reporting a total of 121 confirmed and probable cases of COVID-19; and
- WHEREAS,** the Department of Health and Human Services Centers for Disease Control (“CDC”) is reporting that as of June 30, 2020, the United States has 2,581,229 confirmed cases of COVID-19, and 126,739 total deaths; and
- WHEREAS,** Idaho is currently in Stage 4 of Governor Little’s Idaho Rebound Plan, which no longer has any mandatory requirements as the previous Stay Healthy Orders; and
- WHEREAS,** Governor Little has stated on numerous occasions due to Idaho’s diverse and expansive state, and that not all counties have confirmed cases of COVID-19, he is not mandating statewide face coverings or physical distancing for non-household members and is trusting and encouraging local officials to take any measures they deem necessary and appropriate to protect their community; and
- WHEREAS,** both the CDC, the federal government, and the Idaho Department of Health and Welfare and the Idaho North Central Health District have recommended practices to prevent the rapid spread of COVID-19, including maintaining six (6) feet of physical distancing from non-household members and the wearing of face coverings when in public settings and the six feet of physical distancing from others cannot reliably be maintained. The policies, along with other information, are available on the CDC’s official COVID-19 website. (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>); and
- WHEREAS,** the spread of COVID-19 continues to threaten the life and health of the public and public health is imperiled by the person-to-person spread of COVID-19, and the reduction of opportunities for the person-to-person transmission of COVID-19 is necessary to combat the spread of the disease; and
- WHEREAS,** the City, as a municipal corporation of the State of Idaho, has the authority to exercise all powers and perform all functions of local self-government in city affairs

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03 - Page 4 of 7

that are not in conflict with the general laws or the constitution of the state of Idaho (I.C. § 50-301); and

WHEREAS, the City is empowered to make all such ordinances, bylaws, rules, regulations and resolutions not inconsistent with the laws of the state of Idaho as may be expedient, in addition to the special powers in this act granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry (I.C. § 50-302); and

WHEREAS, under Moscow City Code section 2-1-7 and Idaho Code § 50-304, the City may pass all ordinances and make all regulations necessary to preserve the public health; prevent the introduction of contagious diseases into the city; make quarantine laws for that purpose and enforce the same within five (5) miles of the city; and

WHEREAS, under Idaho Code § 50-606, the Mayor shall have such jurisdiction as may be vested in him/her by ordinance over all places within five (5) miles of the corporate limits of the city, for the enforcement of any health or quarantine ordinance and regulation thereof, and shall have jurisdiction in all matters vested in him/her by ordinance, except taxation, within one (1) mile of the corporate limits of said city and over such properties as may be owned by the city without corporate limits; and

WHEREAS, the city of Moscow has had 3 restaurants voluntarily close for self-quarantine due to a staff member having tested positive for COVID-19 and/or having been exposed to someone who tested positive for COVID-19; and

WHEREAS, the risk of community spread throughout the city of Moscow is a continued threat, especially due to our unique location in Idaho and our close proximity to states and locations where there is a large number of confirmed COVID-19 cases and evidence of community spread; and

WHEREAS, the rapid spread of COVID-19 to date requires a more aggressive proactive response in order to protect the public and resources to address the supply issues we as a city, state and nation currently face.

NOW, THEREFORE, I, Bill Lambert, Mayor of the City of Moscow, Idaho, by virtue of the authority vested in me by Moscow City Code Title 1-11-05(B), and the common law authority to protect the public in the event of an emergency, in order to encourage and enforce Social/Physical Distancing of non-household members and reduce the potential for spread of the COVID-19 virus, hereby order as follows:

1. Every person in the city of Moscow must wear a face covering that covers their nose and mouth when in any indoor or outdoor public setting where the 6-foot physical distancing is not able to be maintained with non-household members, except as follows:
 - a. This Order does not apply to children under 5 years old, however, with the assistance and close supervision of an adult the City strongly recommends

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03 - Page 5 of 7

- children wear face coverings when in public spaces where the 6-foot physical distancing cannot be maintained;
- b. This Order does not apply to persons with a medical condition, mental health condition, or disability that prevents wearing a face covering;
 - c. This Order does not apply to those who are incarcerated;
 - d. Individuals may remove their face covering when in a public setting under the following circumstances:
 - i. While at a restaurant, at an establishment or location that allows or offers food or beverage service, while they are eating or drinking, provided that they are able to maintain a distance of at least 6-feet from other guests or other non-household members;
 - ii. When any party to a communication is deaf or hard-of-hearing and not wearing a face covering is essential to communication;
 - iii. While obtaining a health or personal service that requires temporary removal of the face covering;
 - iv. When necessary to confirm a person's identity; and
 - v. When local, state or federal law prohibits wearing a face covering or requires the removal of a face covering.
2. Every person in the city of Moscow, when in places that are open to the public, shall maintain 6-foot physical distancing from a non-household member, whenever possible.
3. Definitions.
- a. "Household Members" are defined as people who reside in the same residence regardless of familial relation and people who enter a residence to provide a caretaking function.
 - b. "Public Setting" is defined as any place that is open to the public.
4. If this Order and any action of any other agency or official are in conflict, the more protective and most restrictive requirement must be followed, unless prohibited by a state or federal statute or rule.
5. **Exemptions.** Nothing in this order shall constrain the duties and powers of the City, the Mayor, or other governmental agencies.
6. **Penalty.** In accordance with Moscow City Code Section 1-11-10, any person who knowingly violates the provisions of this order may be charged with a misdemeanor. The maximum penalties for this offense are up to 6 months in the county jail and a \$1,000 fine.

This Emergency Order shall take effect at 12:00 a.m. on July 2, 2020, and shall remain in full force and effect for seven (7) days, subject to be extended by City Council through Resolution unless it is terminated or modified at an earlier date.

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03 - Page 6 of 7

606727

IN WITNESS WHEREOF, I have hereunto set my hand on this 1ST day of July, 2020.



Bill Lambert

Bill Lambert, Mayor



Laurie M. Hopkins
Laurie M. Hopkins, City Clerk

AMENDED PUBLIC HEALTH EMERGENCY ORDER No. 20-03 - Page 7 of 7

COMMITTEE STAFF REPORT

DATE: Monday, August 3, 2020



RESPONSIBLE STAFF

Gary Riedner, City Supervisor

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Live Entertainment in Sidewalk Cafes & Community Events Downtown (ACTION ITEM) - Gary J. Riedner

DESCRIPTION

Moscow City Code Title 9, Chapter 12 regulates use of the public right-of-way (ROW) in the Central Business District Zone for sidewalk cafes. Due to the recent adverse economic impacts of the COVID-19 pandemic and the mandate of social distancing for businesses, particularly eating and drinking establishments, on June 1, 2020 the Moscow City Council adopted Resolution 2020-11, which suspended certain of the sidewalk cafe regulations, allowing for temporary expansion of use of the ROW.

Staff developed a program for permitting the temporary expansions of sidewalk cafes and many downtown businesses have participated in this program, and the City continues to field applications.

The City has had several requests for allowing live entertainment in the expanded sidewalk cafes, particularly live music. With the appropriate noise ordinance waiver review by the Police Department, music has been allowed in the ROW, although MCC 9.12 does not identify live entertainment and Resolution 2020-11 does not provide authorization for live entertainment.

The Community Events Department has also received requests for live entertainment in the ROW downtown. Staff is seeking Council direction relating to temporary suspension of live entertainment in downtown, as the City's own live entertainment programs have been suspended in order to reduce the risk of exposing patrons to COVID-19. Examples of these suspended programs include Entertainment in the Park concerts, Farmers Market entertainment, Art Walk, Vandal Town Block Party, etc.

Staff presented to Administrative Committee on Monday, July 27, and the Committee consensus was to not support amending Resolution 2020-11 to include live music.

STAFF RECOMMENDATION

Provide staff direction regarding the use of expanded sidewalk cafes, and suspension of permitting live entertainment in public ROW downtown.

PROPOSED ACTIONS

PROPOSED ACTIONS: Provide staff direction regarding the use of expanded sidewalk cafes, and suspension of permitting live entertainment in public ROW downtown.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Resolution 2020-11
2. Title 9 Chapter 12 - Sidewalk Cafe Regulations (PDF)
3. Application - Sidewalk Cafe Expansion
4. MPD Noise Exemption (PDF)

RESOLUTION NO. 2020 – 11

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AUTHORIZING THE TEMPORARY SUSPENSION OF SPECIFIC SECTIONS OF MOSCOW CITY CODE TITLE 9, CHAPTER 12, SIDEWALK CAFÉ REGULATIONS; AND PROVIDING THIS RESOLUTION SHALL BE IN EFFECT UPON ITS PASSAGE AND APPROVAL.

- WHEREAS, the health and safety of all citizens of the city of Moscow is the greatest priority and is of the utmost importance of the Mayor and City Council; and
- WHEREAS, the coronavirus (hereinafter, COVID-19), is a respiratory disease caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person, which can result in serious illness or death thereby threatening widespread and/or severe damage to life or property thereby creating an “emergency” as defined by Idaho Code § 46-1002; and
- WHEREAS, the Centers for Disease Control and Prevention (hereinafter “CDC”) identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high”, and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and
- WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a “public health emergency of international concern”; and
- WHEREAS, on January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and
- WHEREAS, on March 11, 2020, The World Health Organization (WHO) made the assessment that COVID-19 can be characterized as a pandemic; and
- WHEREAS, on March 13, 2020, President of the United States Donald Trump issued an emergency declaration for the country in response to the increasing number of COVID-19 cases within the U.S., which is still in effect; and
- WHEREAS, on March 13, 2020, Idaho Governor Brad Little, pursuant to Idaho Code § 46-1008, declared a state of emergency due to COVID-19; and
- WHEREAS, on March 13, 2020, the Idaho Department of Health and Welfare and the Idaho North Central Health District issued recommendations for limiting mass gatherings and public events in order to contain and slow the spread of COVID-19, the recommendations included postponing or cancelling any gatherings or events that would bring together more than 250 individuals, where social distancing of 6 feet or more was not likely or possible. The recommendation also cautioned that there is currently no vaccine to prevent COVID-19 and the best way to prevent illness was to avoid being exposed to the virus; and

- WHEREAS, on March 13, 2020, pursuant to the authority granted under Idaho Code § 46-1011, Moscow Mayor Bill Lambert proclaimed and declared a local disaster emergency in the City of Moscow due to the COVID-19 pandemic and authorized the furnishing of aid and assistance thereunder; and
- WHEREAS, the local disaster declaration was in effect for a period of seven (7) days, unless extended pursuant to consent of the Moscow City Council in accordance with Idaho Code § 46-1011(1); and
- WHEREAS, on March 16, 2020, the Moscow City Council deemed it necessary to extend such local disaster emergency declaration to provide for the ongoing threat to public life and property, and the Council wished to continue to be proactive in reducing the spread of COVID-19, and wanted to encourage our community members and community businesses to do their part to prevent and limit the spreading of this virus, and signed Resolution 2020-05 Authorizing Continuation of the Local Emergency Proclamation until May 5, 2020; and
- WHEREAS, due to Idaho being a diverse and expansive state, Governor Brad Little, prior to issuance of a March 25, 2020, statewide mandate, was not mandating categorical closures. Governor Little indicated that he trusted local leaders to make the decisions regarding mandates appropriate for their communities; and
- WHEREAS, the CDC has provided guidance for preventing the spread of COVID-19 and is continually providing updates as information becomes available with revised recommendations; and
- WHEREAS, the City, as a municipal corporation of the State of Idaho, has the authority to exercise all powers and perform all functions of local self-government in city affairs that are not in conflict with the general laws or the constitution of the state of Idaho (I.C. § 50-301); and
- WHEREAS, the City is empowered to make all such ordinances, bylaws, rules, regulations and resolutions not inconsistent with the laws of the state of Idaho as may be expedient, in addition to the special powers in this act granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry (I.C. § 50-302); and
- WHEREAS, under Moscow City Code section 2-1-7 and Idaho Code § 50-304, the City may pass all ordinances and make all regulations necessary to preserve the public health; prevent the introduction of contagious diseases into the city; make quarantine laws for that purpose and enforce the same within five (5) miles of the city; and
- WHEREAS, under Idaho Code § 50-606, the Mayor shall have such jurisdiction as may be vested in him/her by ordinance over all places within five (5) miles of the corporate limits of the city, for the enforcement of any health or quarantine ordinance and regulation thereof, and shall have jurisdiction in all matters vested in him/her by ordinance, except taxation, within one (1) mile of the corporate limits of said city and over such properties as may be owned by the city without corporate limits; and

- WHEREAS, under Idaho Code § 50-903, the City is empowered to revise and codify ordinances of a general and permanent nature and to make such changes, alterations, modifications, additions and substitutions therein as the City deems best; and
- WHEREAS, in order to effectively preserve the health and safety of the public, on March 20, 2020, City Council passed and the Mayor approved the passage of Ordinance 2020-03, adding Chapter 11, to Title 1, granting Emergency Powers to the Mayor to issue Public Health Emergency Orders; and
- WHEREAS, both the CDC, the federal government, and our local public health district have recommended practices to prevent the community spread of COVID-19, including social distancing measures, and on March 18, 2020, Governor Brad Little adopted these recommendations for the state of Idaho. The recommendations included that individuals practice social distancing by not gathering in groups of more than ten (10) people and that they avoid eating at bars, restaurants and food courts. The recommendations further included that individuals use drive-up, take-out and delivery options for meals. The policies, along with other information, were available on the CDC's official COVID-19 website. (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>). Additionally, as of March 19, 2020 there were twenty-three (23) cases of COVID-19 within Idaho;
- WHEREAS, on March 20, 2020, Moscow Mayor Bill Lambert recognized that public health is imperiled by the person-to-person spread of COVID-19, and the reduction of opportunities for the person-to-person transmission of COVID-19 was necessary to combat the spread of the disease and therefore, the Mayor proclaimed and declared Public Health Emergency Order No. 20-01, restricting gatherings in groups of more than ten (10) persons and ordering the closure of on-premise services for restaurant and bars; and
- WHEREAS, on March 20, 2020, the City Council extended such Public Health Emergency Order No. 20-01 to May 5, 2020, to provide for the ongoing threat to public life and property; and
- WHEREAS, the risk of community spread throughout the city of Moscow was and is a continued threat, especially due to our unique location in Idaho and our close proximity to states and locations where there is a large number of confirmed COVID-19 cases and evidence of community spread; and
- WHEREAS, the inability for certain businesses to follow the recommended social distancing guidelines due to the very nature of their business called for additional regulation to help slow the spread of COVID-19; and
- WHEREAS, as of March 24, the rapid spread of COVID-19 at that time required a more aggressive proactive response in order to protect the public and resources to address the supply issues we as a nation and state faced; and
- WHEREAS, on March 24, 2020, Moscow Mayor Bill Lambert proclaimed and declared Public Health Emergency Order No. 20-02 prohibiting gatherings in groups of more than ten (10) persons within a facility, which also applied to educational institutions,

expressive and associative activities, including assembly, and church and religious organization activities; and

WHEREAS, on March 25, 2020, Governor Brad Little issued a proclamation declaring that there existed an extreme emergency within the State of Idaho and through a press conference declared he was issuing a statewide stay-home order; and

WHEREAS, on March 25, 2020, pursuant to Idaho Code § 56-1003(7), Idaho Department of Health and Welfare Director, Dave Jeppesen, issued an Order to Self-Isolate for all individuals living in Idaho, at the direction of Governor Brad Little, to fight the community spread of COVID-19 that had been confirmed in Idaho. The Order was effective until April 15, 2020, subject to be extended, rescinded, superseded, or amended. The isolation order was issued based on advice and direction of state, federal and local public health experts; and

WHEREAS, on March 26, 2020, it was deemed necessary by the City Council to extend such Public Health Emergency Order No. 20-02 to May 5, 2020, to provide for the ongoing threat to public life and property, and the Council wished to continue to be proactive and help reduce the spread of COVID-19 and to encourage our community members and community businesses to do their part to prevent and limit the spreading of COVID-19; and

WHEREAS, on April 15, 2020, Idaho Department of Health and Welfare Director, Dave Jeppesen, amended the Order to Self-Isolate issued on March 25, 2020, providing additional guidance regarding travel into Idaho, regarding certain businesses, and extending the Self-Isolation Order until April 30, 2020; and

WHEREAS, on April 22, 2020, Governor Little issued a proclamation declaring an extreme emergency within the State of Idaho and declaring the state of emergency proclamation issued on March 13, 2020 and extended on March 25, 2020, continues to be in effect and is extended for a period of thirty (30) days unless terminated, modified or extended; and

WHEREAS, on April 30, 2020, Governor Little and Director Jeppesen of the Idaho Department of Health and Welfare, issued the "Stay Healthy Order" effective as of 12:00 a.m. May 1, 2020, implementing Stage 1 of the Governor's Idaho Rebound plan, and which can be found on the website: rebound.idaho.gov. Governor Little's plan is one of utilizing a four-staged approach to reopening Idaho and its economy, whereby specific criteria must be met before Idaho advances to the next stage of reopening. The Idaho Division of Public Health and the Governor's Coronavirus Working Group will review the criteria every two weeks to assess if criteria are met, or continue to be met, so Idaho can move to the next stage; and

WHEREAS, the Council and Mayor support the Governor's guidelines and plans for systematically assessing existing conditions and slowly lifting the current regulations in place through the Stay Healthy Order, and to utilize the proposed staged approach for reopening Idaho; and

WHEREAS, on April 30, 2020, based on the Council and Mayor's belief the City's interests for the health and safety of all citizens of the city of Moscow would be served by the

Stage 1- Stay Healthy Order and by the Governor's guidelines for opening up Idaho, that there was no longer a need to keep the Public Health Emergency Orders 20-01 and 20-02 in place; and

WHEREAS, on April 30, 2020, the Council and Mayor terminated the Mayor's Proclamation of Local Disaster Emergency as modified by Resolution 2020-05 and the Public Health Emergency Orders to eliminate any confusion that may cause in light of the statewide Stay Healthy Order.

WHEREAS, on May 16, 2020, Governor Little and Director Jeppesen of the Idaho Department of Health and Welfare, issued the "Stay Healthy Order" implementing Stage 2 of the Governor's Idaho Rebound plan, and which can be found on the website: rebound.idaho.gov., which continued to provide restrictions and guidelines for businesses to adhere to social distancing and sanitation requirements; and

WHEREAS, on May 30, 2020, Governor Little and Director Jeppesen of the Idaho Department of Health and Welfare, issued the "Stay Healthy Order", implementing Stage 3 of the Governor's Idaho Rebound plan, and which can be found on the website: rebound.idaho.gov., which continues to provide restrictions and guidelines for businesses to adhere to social distancing and sanitation requirements; and

WHEREAS, since Governor Little declared a state of emergency on March 13, 2020, in the State of Idaho, due to the occurrence and imminent threat to public health and safety, he has issued proclamations suspending provisions of regulations that would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, on March 23, 2020, Governor Little issued a proclamation directing all state agencies to review their administrative rules to identify opportunities to assist in the COVID-19 response while maintaining public safety; and

WHEREAS, on March 23, 2020, Governor Little issued a proclamation suspending over one hundred twenty-five (125) rules for the duration of the emergency to more quickly, efficiently, and safely respond to the declared emergency; and

WHEREAS, Idaho's Stage 3-Stay Healthy Order continues to require six-foot social distancing and limits gatherings, which poses unprecedented and unique challenges for businesses, especially businesses that serve food and beverage and want to offer dine in service as permitted by the current order; and

WHEREAS, the Idaho State Police, Alcohol Beverage Control Unit has authorized Cities to expand the licensed area of eating and drinking establishments that serve alcohol beverages on a temporary basis to address the requirements and guidelines of the Stay Healthy Order.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moscow as follows:

1. Subject to the authority granted by this Resolution to the City Clerk, the requirements of the following Sections of Title 9, Chapter 12, Sidewalk Café Regulations, are suspended during the term of the state of emergency to assist in the COVID-19 response while maintaining public safety.

- a. Sec. 12-1.B. “Licensed Area. The area or location upon public property and/or right-of-way and abutting an eating and/or drinking establishment within which a licensed Sidewalk Café may operate.” The portion of this section being suspended is the requirement that the right-of-way upon which the Sidewalk Café operates abuts the eating and/or drinking establishment. This requirement is being suspended in order to allow the City Clerk, in exercising the authority granted by this Resolution to allow temporary expansion of Licensed Areas when the applicant has obtained the permission to expand the Sidewalk Café in front of a neighboring property.
- b. Sec. 12-3.B. “A Sidewalk Café license shall be issued for one (1) year, commencing on the date of license issuance and ending at midnight on December 31st of the year of issuance.” This section is being suspended in order to allow the City Clerk, in exercising the authority granted by this Resolution, to issue temporary Sidewalk Café licenses from the effective date of this Resolution until its expiration.
- c. Sec. 12-3.C. “An annual fee to be paid upon issuance of a Sidewalk Café license shall be set from time to time by Resolution duly passed and adopted by the Council.” This section is being suspended in order to allow the City Clerk, in exercising the authority granted by this Resolution, to issue temporary Sidewalk Café licenses without the requirement of collecting a fee from applicants.
- d. Sec. 12-4.F.4. “The licensee shall amend its existing State, County, and City alcohol license information to include the Licensed Area.” This section is being suspended in order to allow the City Clerk, in exercising the authority granted by this Resolution and the Idaho State Police, Alcohol Beverage Control Unit, to allow temporary expansion of Licensed Area’s in appropriate circumstances.
- e. Sec. 12-4.F.5. “Delineation of the Licensed Area shall consist of a non-permanent physical barrier such as a railing, potted plants, decorative chain, fence, rope or other physical barrier, as required and approved by the City.” This section is being suspended in order to allow the City Clerk, in exercising the authority granted by this Resolution, in appropriate circumstances, to waive the requirement that a Licensed Area maintain a physical barrier, while requiring delineation of the Licensed Area by other means.
- f. Sec. 12-6.G. “No Sidewalk Café located within Friendship Square shall operate during Farmer’s Market hours of operation.” This section being suspended also effectively temporarily modifies Resolution 2012-05 regarding the regulations of the designated “Speakers Space.”
- g. Sec. 12-6.C. “If liquor is served or allowed to be consumed in a Licensed Area, the establishment shall be a “full service restaurant”, as that term is defined in this Chapter.” This section is being suspended in order to allow the City Clerk, in exercising the authority granted by this Resolution, to allow the serving of liquor by a duly licensed establishment without the necessity of being a full-service restaurant.
- h. Sec. 12-6.D. “The Sidewalk Café shall be specifically limited to the Licensed Area shown in the Sidewalk Café license and accompanying diagram and shall take up

no more than fifty percent (50%) of the unobstructed portion of the abutting Sidewalk, except in accordance with specific regulations adopted by the Council by Resolution or as otherwise authorized or permitted by City.” The portion of this section being suspended is the limitation of 50% of the unobstructed portion of the abutting right-of-way, if the City Clerk determines that the proposed configuration of the Licensed Area protects the four (4) contiguous feet of pedestrian access as required by Sec. 12-6 E. This requirement is being suspended in order to allow the City Clerk, in exercising the authority granted by this Resolution to allow temporary expansion of Licensed Areas.

2. The suspension of this requirement is necessary to permit eating and drinking establishments located in the Central Business District to provide increased opportunities for social distancing in order to comply with the Idaho Governor’s and Idaho Director of Department of Health and Welfare’s Stay Healthy Order and aid in achieving compliance with the Business Protocols and Guidelines issued through Rebound Idaho.
3. The City of Moscow encourages citizens to continue to practice appropriate social distancing, wearing a face mask when social distancing is difficult, and to employ increased hygiene measures in order to maintain the reduced COVID-19 infection rate that has been the result of their great efforts during this outbreak.
4. The City Clerk will be responsible for reviewing and approving Sidewalk Café Applications or Modifications consistent with this Resolution.
5. All other requirements of the Sidewalk Café remain intact and are not impacted by this Resolution.
6. This Resolution is in effect until Sunday, October 4, 2020, unless terminated, extended or modified by Resolution.

That this Resolution shall become effective as of the 2nd day of June, 2020.

PASSED BY THE CITY COUNCIL AND APPROVED by the Mayor of the City of Moscow, Idaho, this 1st day of June, 2020.

ATTEST:



Laurie M. Hopkins, City Clerk


Bill Lambert, Mayor

Chapter 12

SIDEWALK CAFÉ REGULATIONS

- Sec. 12-1:** Definitions
- Sec. 12-2:** Permit Required
- Sec. 12-3:** Application for Sidewalk Café License
- Sec. 12-4:** Standards for Issuance of License
- Sec. 12-5:** Liability and Hold Harmless Agreement
- Sec. 12-6:** Conditions of License
- Sec. 12-7:** Denial, Revocation, or Suspension of License
- Sec. 12-8:** Appeals
- Sec. 12-9:** Penalties

Sec. 12-1. Definitions.

- A. *Full Service Restaurant.* An establishment maintained, advertised and held out to the public as primarily a food eating establishment, where individually priced meals are prepared and regularly served to the public primarily for on-premises consumption, or an establishment where not less than forty percent (40%) of its consumable purchases are derived from the sale of food and/or non-alcoholic beverages. The full service restaurant shall also have a dining room or rooms, kitchen, and cooking facilities for preparation of food (including stoves, ovens, and/or refrigeration equipment).
- B. *Licensed Area.* The area or location upon public property and/or public right-of-way and abutting an eating and/or drinking establishment within which a licensed Sidewalk Café may operate.
- B. *Sidewalk.* Sidewalk means that portion of a street between the curb or lateral lines of a roadway or other public right-of-way and the abutting property lines intended for use by pedestrians.
- C. *Sidewalk Café.* An eating and/or drinking establishment which serves food and/or beverages on public property or within a public right-of-way

as part of its business as an eating and/or drinking establishment, pursuant to City license.

(Ords. 2007-09, 08/20/2007; 2010-12, 06/07/2010)

Sec. 12-2. Permit Required.

It shall be unlawful for any person to operate a Sidewalk Café without a Sidewalk Café license as provided by this Chapter. A Sidewalk Café license shall not grant any person a property right or property interest in the Licensed Area, any public property, or right-of-way.

(Ord. 2007-09, 08/20/2007)

Sec. 12-3. Application for Sidewalk Café License.

- A. A person desiring to operate a Sidewalk Café shall make written application to the Clerk upon forms supplied by the City.
- B. A Sidewalk Café license shall be issued for one (1) year, commencing on the date of license issuance and ending at midnight on December 31st of the year of issuance.
- C. An annual fee to be paid upon issuance of a Sidewalk Café license shall be set from time to time by Resolution duly passed and adopted by the Council.

(Ord. 2007-09, 08/20/2007)

Sec. 12-4. Standards for Issuance of License.

The Clerk shall issue a permit upon a finding that:

- A. The proposed Sidewalk Café will not unreasonably interfere with pedestrian traffic and/or other uses of the Licensed Area and/or public rights-of-way.
- B. The proposed Sidewalk Café shall maintain an unobstructed pedestrian access on the sidewalk of not less than four contiguous feet (4').
- C. The applicant has met all other applicable provisions of this Code as well as the laws of the United States of America, the State of Idaho, and Latah County, Idaho, including, where applicable, licenses to serve alcohol.

- D. A risk assessment has been performed by the North Central District Health Department on the applicant's business and the applicant has a current State license authorizing the applicant to serve food and beverages, where such license is required.
- E. The licensee shall demonstrate that current, paid up, general liability insurance has been obtained for each Licensed Area in an amount not less than Five Hundred Thousand Dollars (\$500,000) combined single limits. Such general liability insurance policy shall be primary to any other insurance related to the operation of the Sidewalk Café and to that of any potential party subject to a claim related to these events. The City shall be named as an additional insured on any insurance policy of the licensee relating to the operation of the Sidewalk Café. All policies of insurance shall require ten (10) days notice to City by certified mail of any cancellation or change affecting any interest of coverage. A current certificate of insurance shall be kept on file with the Clerk at all times.
- F. A licensee who intends to serve alcoholic beverages or allow such to be consumed in the Sidewalk Café shall meet the following additional requirements:
 - 1. The licensee shall have a valid State, County, and City alcohol license for lawful service of beer and/or wine and/or liquor.
 - 2. Service and/or consumption of alcohol shall only occur in the Licensed Area.
 - 3. No taps, kegs, coolers, or other alcoholic beverage storage devices related to the Sidewalk Café are allowed to be stored in the public right-of-way; and
 - 4. The licensee shall amend its existing State, County, and City alcohol license information to include the Licensed Area.
 - 5. Delineation of the Licensed Area shall consist of a non-permanent

physical barrier such as a railing, potted plants, decorative chain, fence, rope or other physical barrier, as required and approved by the City.

6. The licensee shall demonstrate that the licensee has current, paid up, Liquor Liability Insurance for each Sidewalk Café in an amount not less than One Million Dollars (\$1,000,000) combined single limits. Such insurance shall be primary to any other insurance related to the alcohol service by the Sidewalk Café and to that of any potential party subject to a claim related to these events. City shall be named as an additional insured on any such insurance policy of the licensed vendor or for the events described herein. All policies of insurance shall require ten (10) days notice to City by certified mail of any cancellation or change affecting any interest of coverage. A current certificate of insurance shall be kept on file with the Clerk at all times.

(Ord. 2007-09, 08/20/2007; 2010-12, 06/07/2010)

Sec. 12-5. Liability and Hold Harmless Agreement.

Every licensee shall hold City, its agents, servants, employees, officers, and/or contractors harmless, and shall indemnify and defend any claim filed against City, its agents, servants, employees, officers and/or contractors for any activities associated with the Sidewalk Café, including the actions and/or inactions of every person, licensee, owner, director, employee, or agent.

(Ord. 2007-09, 08/20/2007)

Sec. 12-6. Conditions of License.

- A. A Sidewalk Café license shall not be issued in any zoning district other than the Central Business (CB) Zoning District.
- B. A Sidewalk Café license shall not be assigned to any other person or place.
- C. If liquor is served or allowed to be consumed in a Licensed Area, the

establishment shall be a “full service restaurant”, as that term is defined in this Chapter.

- D. The Sidewalk Café shall be specifically limited to the Licensed Area shown in the Sidewalk Café license and accompanying diagram and shall take up no more than fifty percent (50%) of the unobstructed portion of the abutting Sidewalk, except in accordance with specific regulations adopted by the Council by Resolution or as otherwise authorized or permitted by City.
- E. The proposed Sidewalk Café shall maintain an unobstructed pedestrian access on the sidewalk of not less than four contiguous feet (4’).
- F. The Sidewalk Café may operate only between the hours of 6:00 a.m. and midnight local time, and only during hours the abutting eating and/or drinking establishment is in operation.
- G. No Sidewalk Café located within Friendship Square shall operate during Farmer’s Market hours of operation.
- H. The Licensed Area, and all items placed within it, shall at all times be maintained in a clean and orderly condition.
- I. Only those items authorized by the Sidewalk Café license and shown on the diagram may be stored in the Licensed Area when the Sidewalk Café is not in operation.
- J. The Licensed Area shall be returned to the condition it was prior to the Sidewalk Café license agreement permitting operation of the Sidewalk Café.
- K. The Sidewalk Café shall conform to any additional requirement established from time to time by Resolution duly passed and adopted by the Council.
(Ord. 2007-09, 08/20/2007; 2010-12, 06/07/2010; 2014-15, 09/15/2014)

Sec. 12-7. Denial, Revocation or Suspension of License.

- A. In the event that a licensee or applicant has violated or cannot meet a condition of approval or a provision of this

Chapter, the Clerk may seek the denial, revocation, or suspension of the license.

- B. Prior to the denial, revocation, or suspension of a license as required herein, the Clerk shall provide written notice of such denial, revocation, or suspension to the licensee or applicant, as the case may be. Such written notice shall state the reason(s) for such denial, revocation, or suspension, and shall state that such licensee or applicant may request an appeal hearing as provided herein. Notice of denial, revocation, or suspension is effective on the date such notice is placed in a mailbox controlled by the United States Postal Service. Failure by the City to give notice as provided herein shall not establish a right to a license under this Chapter.

(Ord. 2007-09, 08/20/2007)

Sec. 12-8. Appeals.

- A. Any person aggrieved by the action of denial, suspension or revocation of the license by the Clerk shall have the right of appeal to the Council.
- B. Such appeal shall be taken by filing with the Clerk written notice thereof within ten (10) business days after the denial or the entry of the order of suspension or revocation. The notice of appeal shall specify an address at which the person appealing may be given notice of hearing on the appeal.
- C. At the appeal hearing before the Council, the applicant or person appealing shall be entitled to appear in person and offer evidence pertinent to the denial, suspension or revocation or may appear through legal counsel. The Clerk, Chief of Police, and/or legal counsel for the City shall likewise be entitled to appear at the hearing and offer evidence in support of the denial, order of suspension or revocation. Failure by applicant, person appealing, or their representative to appear before Council at the time scheduled to hear such an appeal shall result in the automatic denial of such appeal.

- D. The Council shall determine whether the denial, suspension or revocation shall be sustained and shall make a final reasoned statement in writing within fifteen (15) business days following the close of the hearing.

(Ord. 2007-09, 08/20/2007)

Sec. 12-9. Penalties.

Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished pursuant to this Code and the Idaho Code.

(Ord. 2007-09, 08/20/2007)

CITY OF MOSCOW
SIDEWALK CAFÉ ENCROACHMENT LICENSE
TEMPORARY EXPANSION



A Sidewalk Café Encroachment License authorizes the Licensee to serve food and/or beverages outside and adjacent to their premises (Moscow City Code (MCC) Title 9, Chapter 12). If the premises are properly licensed, a Licensee may serve alcohol. Moscow City Council passed Resolution 2020-11 on June 1, 2020, allowing the expansion of the licensed area of eating and/or drinking establishments that serve food and/or alcohol beverages on a temporary basis to address the requirements and guidelines of Governor Little's Stay Healthy Order and Idaho Rebounds Plan protocols.

Attached to this letter is the application for the temporary expansion of a Sidewalk Café License.

After your consultation with Public Works and Services regarding the layout for a proposed temporary expansion, please fill out the application that is attached to this letter and **submit the complete application packet to the City Clerk**. Once the proposed premises has been determined to not unreasonably interfere with pedestrian traffic and/or other uses of the public right-of-way, the application will be forwarded to Police, Fire, and Community Events for review, with final approval by the City Clerk.

Items to consider as you fill out the application:

1. How to manage extended area seating with waiting patrons.
2. How to assure ADA accessibility requirements are met (minimum 4' clear zone).
3. Modification or removal on Saturdays during the Farmers Market season.
4. The portability of the setup if the right-of-way is needed for another public use.

Should you have Americans with Disabilities Act (ADA) specific questions, please contact the City's ADA Coordinator at 208-883-7600 or email adacoordinator@ci.moscow.id.us.

If you have any questions, please contact the following:

City Clerk 208-883-7015 or lhopkins@ci.moscow.id.us.

Please submit your application **in person** to Laurie M. Hopkins, City Clerk at City Hall, 206 E 3rd St. Room 304.

CITY OF MOSCOW
TEMPORARY SIDEWALK CAFÉ EXPANSION
FEE WAIVED FOR TEMPORARY EXPANSION ONLY



EXTENDED LICENSE EXPIRES ON OCTOBER 4TH, 2020
unless terminated sooner or extended by City Council

APPLICANT INFORMATION

Applicant's name _____ Phone _____
Applicant's address _____
Business name _____ Phone _____
Business street address _____
Contact email _____

REQUIRED INFORMATION

Description of Required Deliverables
Layout requested (<i>see diagrams</i>) and enclose site plan of entire Sidewalk Café, including expanded area
☐ Café extended to sidewalk with pedestrian route on street.
☐ Café extended into on-street parking area with pedestrian route bifurcating the café.
☐ Café extended to other area of ROW (no parking area impact)
Extension to frontage of adjacent property owner business front
☐ Submit a copy of map to adjacent property owner.
☐ Signed letter from adjacent property approving the extension and map, countersigned by requesting business.
Certificate of Liability to include proposed extended area of café. City of Moscow as additional ensured.
Barriers
☐ Provided by applicant Type: _____ # of: _____
☐ Provided by City (as available) Type: _____ # of: _____
Parking Stalls requested (see map for specific numbered stalls): _____

Once the proposed café area has been inspected for public safety and meets the City's revised standards, the City Clerk will provide a letter and revised map to Alcohol Beverage Control.

READ CAREFULLY: _____ (applicant name) shall indemnify and hold harmless the City of Moscow from and for any and all losses, claims, actions, judgements for damages or injury to persons and property and losses and expenses caused or incurred by _____ (business name), its servants, agents, employees, guests and business invitees, and not caused by or arising out of the tortious conduct of the City of Moscow or its employees.

I understand:

- the licensed area must be contiguous to the business;
- any temporary expansion of the licensed area granted pursuant to Resolution 2020-11 shall not act to waive any of the qualifications and/or requirements of state, county and city alcohol licenses unless specifically authorized herein;
- the Sidewalk Café extension may need to be modified or removed on Saturdays during the Moscow Farmers Market season;
- any temporary expansion cannot block ingress/egress to the front of the business nor an adjoining business;
- if extending to the front of an adjoining business, the adjoining business may revoke permission at any time by notifying the City Clerk in writing;
- the City Clerk has the authority to revoke the temporary permit at any time;
- by approving the extension of a Sidewalk Café, the City is not approving the businesses regulation of social distancing or the businesses protocols of implementing Governor Little's Stay Healthy Order or Idaho Rebounds Plan for the business;
- this is a pilot program and may be modified at any time.

I have read the foregoing and understand that the terms of this Agreement are contractually and legally binding and that no verbal statement to the contrary, by any person or entity, can void or alter the terms of this Agreement.

I, _____, certify under penalty of perjury pursuant to the law of the State of Idaho, that the foregoing is true and correct.

Applicant's Signature

Date

FOR OFFICE USE ONLY	
Date Received: _____	☐ Completed and signed application ☐ Sidewalk Café site plan ☐ Letter from adjacent property owner if applicable ☐ Certificate of Insurance, City additional insured ☐ Barrier information ☐ Letter sent to ABC
Approvals: _____	
Public Works: _____	
Streets: _____	
Police: _____	
Fire: _____	Clerk Approval: _____
Engineering: _____	Approval Date: _____
Comm Events: _____	Conditions: _____
Denied ☐ Denial Reason: _____	

NOISE EXEMPTION PERMIT REQUEST
(Moscow City Code 10-11-2)

Requested Event Date(s): _____ Begin time: _____ End time: _____

Event Location: _____

Amplified Music (DJ, party, etc.) ☐ No ☐ Yes

Alcoholic Beverages Available ☐ No ☐ Yes - Purchaser: _____
(Marking this box does not mean your request will be denied) (If hosted or catered, name of serving organization)

Live Band Performing ☐ No ☐ Yes - Group: _____

Describe the event: _____

(use back of this form if more space is needed)

Name of requesting person/Group/Organization: _____

Person responsible for Group or Organization: _____

Requesting Person's Address: _____

Home phone: _____ Work phone: _____ Cell phone: _____ Pager: _____
Daytime phone number is required

Responsible person available **AT AND DURING** this event: _____

Cell- or contact-phone during event. _____

Your signature is unconditional acceptance of all terms and conditions. This permit may be modified or revoked by City at any time if permit conditions are violated. Read the following carefully:

The applicant/group/organization hereby agrees to indemnify and hold harmless City of Moscow, Idaho from all claims, actions and demands of any kind whatsoever related to and/or arising out of the activity(ies) specified in this application and does hereby accept all risk and responsibility for any damage(s) stemming from such activity. Every Applicant requesting a noise Exemption Permit shall cooperate with law enforcement by adjusting the noise level in the event of any citizen complaint(s). In the event of non-compliance, law enforcement may revoke this permit. No applicant/group/organization shall be required to indemnify or hold harmless City of Moscow, Idaho for claims, actions and demands that arise out of City's sole negligence.

Date: _____ Requesting Person's Signature: _____

☐ APPROVED ☐ DENIED

Conditions:

Date permit valid: _____ Hours permit valid: _____

Noise level (dBa) shall not exceed _____ at ☐ source at ☐ property line

Other Conditions: _____

Chief of Police (208) 883-7054