

Moscow City Council



Regular Meeting ~Agenda~

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Laurie M. Hopkins
City Clerk

208.883.7015

**Monday
March 21, 2022**

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. Attendees are subject to any protocols established by Governor Little's Stay Healthy Guidelines of the Idaho Rebounds Plan. 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. Please note that Moscow City Council meetings are televised, videotaped and/or recorded. Links to view the City Council meeting live can be found on the City website, YouTube, Facebook and Spectrum Cable 1301. 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 March 7, 2022 Minutes - Laurie M. Hopkins

B. AT&T Wireless Communications Lease Agreement Renewal - Bill Belknap

In August of 2003, the City entered into a wireless communications facility lease agreement with Cingular Wireless to install wireless communications equipment on the City's Residence Street water reservoir. The lease agreement has been amended five times to accommodate minor alterations and additional antennas and equipment at the site. New Cingular Wireless (the current business name) has approached the City with a request to revise the agreement to update the annual monetary fee, establish a 3% annual escalator and extend the term for five years beginning in August 2023. Staff and New Cingular have prepared the agreement amendment for the Council's consideration. This was reviewed by the Public Works/Finance Committee on February 8, 2022 and recommended for approval.

ACTION: Approve the AT&T agreement amendment.

C. Disbursement Report February 2022 - Sarah Banks

Staff presented the February 2022 Accounts Payable Report to Public Works / Finance Committee on March 14, 2022. The Committee received the report and approved the disbursements as presented.

ACTION: Receive the Disbursements Report for the month of February 2022.

D. Fourth Quarter Financial Report July 1, 2021 to September 30, 2021 for FY2021 - Sarah Banks

Staff presented the financial report for the fourth quarter of Fiscal Year 2021 (July 1, 2021 to September 30, 2021) to Public Works / Finance Committee on March 14, 2022. The Committee received the report.

ACTION: Receive the FY2021 Fourth Quarter Report.

E. Consideration of the Milton Arthur Park Playground Equipment Purchase - David Schott

The Parks and Recreation Department is requesting authorization to purchase Miracle playground equipment and rubber tile safety surfacing at the cost of \$100,000 from Garrett and Company, Inc., DBA Garrett Parks and Play, for Milton Arthur Park. In addition, the Parks and Recreation Department is requesting an additional \$3,000 for materials and supplies for parks staff to install the playground equipment and rubber tile safety surfacing. If approved, the safety tiles and playground equipment will be installed in-house by parks crew certified installers. The playground equipment is intended for 2 to 12 year-old children. This project was approved in the FY2022 budget with the use of Hamilton Funds as required by Resolution 2017-07 which notes, "the City wishes to direct the remaining Hamilton Fund balance to be used in City Parkland Development for the purchase and installation of playground equipment and attendant pathways and access to such playgrounds in City Parks." This was reviewed by the Public Works/Finance Committee on March 14, 2022 and recommended for approval.

ACTION: Approve the purchase of Miracle playground equipment and rubber tile safety surfacing at the cost of \$100,000 from Garrett and Company, Inc., DBA Garrett Parks and Play, for Milton Arthur Park and an additional \$3,000 for materials and supplies for parks staff to install the playground equipment and rubber tile safety surfacing with funding from the Hamilton Fund.

F. Lilly Street Reconstruction 'A' St to Third St - Bid Results - Scott Bontrager

The Lilly Street Reconstruction project includes the reconstruction of Lilly Street ('A' St to Third St) and First Street (Lieuellen St to Lilly St). The base bid consists of the full replacement of Lilly Street underground utilities, curb and sidewalk, and full-depth roadway replacement. Also included in the base bid is the realignment and daylighting of Hogg Creek and an extension of the existing pathway along First Street. The Add Alternate bid consists of the reconstruction of First Street pavement, curb, sidewalk, and the installation of a new water main. The City published an advertisement for bids on February 5, 2022 and the Engineer's Estimate for construction is \$1,577,822.40 for Base Bid and \$211,587.00 for the Add Alternate.

Bid opening for the project took place on March 1, 2022, at which one (1) bid was received. The responsive bid received was submitted by Razz Construction with a Base Bid of \$2,128,771.75 and an Add Alternate bid of \$241,987.00. A bid analysis is included in the Committee packet. This was reviewed by the Public Works/Finance Committee on March 14, 2022 and recommended for approval.

ACTION: Reject the low bid from Razz Construction, Inc.

G. Paul Mann Building Restoration Project - Bid Results and Contract Award - Scott Bontrager

In November of 2011, a professional structural evaluation of the Paul Mann Building revealed minor structural deficiencies with the concrete masonry (CMU) and provided recommendations to repair the cracking and replace the roof to improve drainage and limit water accumulation above the CMU. In 2021, Castellaw Kom Architects (CKA) were hired by the City for professional design services with the scope of replacing the existing membrane roof with insulation and a new 20-year membrane roof, repairing the CMU walls, and the installation of a new weather barrier and metal cladding system on the south and west sides of the building, which will limit water damage to the CMU as well as improve the appearance of the building. Add alternates were also added to the project for:

- Add/Alt #1 - Additional metal cladding on the north and east faces of the building
- Add/Alt #2 - Increase the thickness of the proposed new roof to meet a 30-year warranty

The City published an advertisement for bids on February 5, 2022 and the Architect's Estimate for construction is \$149,221 for Base Bid, \$26,826 for Add Alternate #1, and \$45,103 for Add Alternate #2. Bid opening for the project took place on March 8, 2022, at which one (1) bid was received. The responsive bid received was from Dardan Enterprises, Inc with a Base Bid of \$139,486, an Add Alternate #1 bid of \$24,120, and Add Alternate #2 bid of \$9,250. A full bid tabulation is included in the Committee packet. This was reviewed by the Public Works/Finance Committee on March 14, 2022 and recommended for approval.

ACTION: Accept the low bid from Dardan Enterprises, Inc., award the contract for the base bid and both additive alternates for the total sum of \$172,856, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount.

REGULAR AGENDA

2. Staff Recognition Report - Bill Belknap

3. Mayors Appointments (ACTION ITEM)

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

5. Citizen Commission Report - Planning and Zoning Commission - Mike Ray / Robb Parish

6. Comprehensive Annual Financial Report Presentation (ACTION ITEM) - Sarah Banks /Nick Nicholson

Presnell Gage PLLC, the City's auditors, will be presenting the City's FY2021 Annual Comprehensive Financial Report (ACFR), which includes any significant changes regarding the annual audit and outlining comparative changes from the FY2020 ACFR. The City has received the Certificate of Achievement for Excellence in Financial Reporting for the ACFR for 18 consecutive years. After approval, staff will submit the FY2021 ACFR for consideration for the award. The accompanying final draft of the FY2021 ACFR is submitted for City Council review.

PROPOSED ACTIONS: Accept the City of Moscow audited Annual Comprehensive Financial Report for FY2021 as presented, or take other action deemed appropriate.

7. Request from Palouse Ice Rink for Hamilton Funds (ACTION ITEM) – Mia Bautista / PIR Representative

By adoption of Resolution 2017-13, and its successors, Resolution 2019-16, and Resolution 2021-02, the Moscow City Council approved a commitment of \$1 million dollars of Hamilton Funds to the Rotary Veterans Memorial Pavilion, Inc., an Idaho nonprofit corporation d/b/a Palouse Ice Rink nonprofit association, for construction of an ice rink facility.

Subsequent to the passage and approval of Resolution 2021-02 and the Memorandum of Understanding entered between the City and PIR on March 3, 2021, PIR was unable to secure a loan through Zion's bank, but thereafter secured funding through Idaho Central Credit Union (ICCU) and the estimated cost to construct the ice rink facility increased, which required PIR to secure other funding sources to cover the increased costs for construction of the ice rink. On July 9, 2021, PIR purchased the property at 2009/2013 S. Main Street and at 325 West Palouse River Drive for the amount of \$2,585,000 from NRS Properties, LLC to construct the new ice rink facility. PIR paid \$500,000 at closing and entered into an agreement to pay an interest-only promissory note for the remaining \$2,085,000 with a balloon payment due on or before October 1, 2031. The note bears an annual interest rate of four and a half percent (4.5%) and is to be paid in quarterly installments on January 1, April 1, July 1 and October 1 each year until

completion. PIR converted the property at 2009/2013 South Main Street into two condominium units, sold Unit 1 of the condominiums for \$600,000, said funds are being utilized for the construction of the ice rink facility. On November 24, 2021, PIR sold the property located at 325 West Palouse River Drive for \$343,500. PIR obtained an appraisal report that excludes Unit 1 and excludes the 325 West Palouse River Drive properties that were sold, and received an appraisal that concluded the ice rink facility would be valued at approximately \$4,700,000 after completion of construction. PIR secured Ginno Construction to act as general contractor for the construction of the new ice rink, who has estimated cost projections as of March 8, 2022, to complete Phase I is \$4,391,210. PIR has the following funding sources to pay for the construction of Phase I of the new ice rink facility:

\$1,468,679	PIR Cash available
\$1,500,000	ICCU Loan
\$1,000,000	City of Moscow
\$61,000	Pledges to be paid this year when the City of Moscow releases funds
\$341,056	Construction costs already paid to date

As a result of the increased cost of construction, the revised purchase and sale of the properties, the new lender and revised agreements associated with the funding sources, PIR is requesting the City Council to renew its commitment of Hamilton Funds to be used in the new location, with revisions to the terms limiting the commitment of said funds and revisions to the draw process that comports with both ICCU's and the City of Moscow's fiduciary responsibilities through the attached revised Resolution which will replace Resolution 2021-02 and the Amended MOU to replace the MOU executed on March 3, 2021. The 2020 PIR Business Plan and additional materials relating to the Council's previous commitment of Hamilton Funds are within the Council packet. This was reviewed by the Public Works/Finance Committee on March 14, 2022, recommended for approval, and that it be placed on the Council regular agenda.

PROPOSED ACTIONS: Review Amended Memorandum of Understanding and Resolution stating conditions of approval of Palouse Ice Rink's Request for City participation of \$1 million of Hamilton Funds to assist in construction of the ice rink, and approve, or deny, or modify the Amended MOU and Resolution, or take other action deemed appropriate.

8. FAA & State Terminal and Apron Grant Award Reauthorization (ACTION ITEM) – Tony Bean

The Pullman Regional Airport regularly applies for grants from the U.S. Federal Government and State of Idaho for the purpose of Terminal, Site and Apron Design and Construction at the Airport. The primary grant programs that are available include FAA Grants, Bipartisan Infrastructure Law (BIL) Grants and State of Idaho Department of Transportation Aeronautics Division Grants. Competitive BIL Terminal Grants have a 5% local match requirement, and the FAA and BIL Entitlement Grants have an 8.12% local match requirement. The City Council previously authorized up to \$21,000,000 through Resolution 2020-14 and the acceptance of additional CARES Act funding through Resolution 2020-10. The current request is to authorize acceptance of up to \$32,000,000 of Competitive BIL Terminal Grant funds with an estimated local match of \$1,600,000.00 from the Airport's CARES operations grant. This request is to finalize the grant acceptance actions already taken by both councils by resolution in 2020 and 2021 totaling \$33 Million in FAA Grants and the remainder of the CARES Grant awarded. To facilitate the grants, it is necessary to preauthorize its acceptance due to the short time allowed between award and acceptance. The draft resolution has been prepared for that purpose. The resolution also authorizes the execution of related assurances and certifications. Also included in the packet is a spreadsheet depicting the current funding program with potential BIL and State Grant awards as well.

PROPOSED ACTIONS: Approve the proposed Resolution preauthorizing the acceptance of up to \$32 million in grant funding from the FAA Airport Improvement Program or take such other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

ADJOURN TO EXECUTIVE SESSION PER IDAHO CODE 74-206 (1)(D) AND (F) - THE MEETING WILL NOT RECONVENE.

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.