

Moscow City Council



Regular Meeting ~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
March 4, 2024**

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. 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 February 20, 2024 Minutes - Laurie M. Hopkins

B. 2024 Moscow Farmers Market Handbook - Amanda Argona

In 2018, the Farmers Market Commission and Community Events Division implemented the first iteration of the Moscow Farmers Market Handbook. The Handbook is an expanded policy document meant to provide clarity and serve as a resource for anyone seeking information on the Market, as well as hold Market participants accountable for operating procedures. At the end of each season, the policies that make up the Handbook are considered in depth by staff and the Farmers Market Commission. The Commission reviewed the proposed changes to the Handbook on February 6, 2024, and unanimously accepted all changes for approval and adoption by the Council for the 2024 Market Season. This was reviewed by the Administrative Committee on February 26, 2024 and recommended for approval.

ACTION: Approve the 2024 Moscow Farmers Market Handbook.

C. Assistance to Firefighters – Grant Application - Alisa Anderson / Brian Nickerson

The Moscow Volunteer Fire Department (Department) is requesting to submit a funding request to the Assistance to Firefighters Grant (AFG) under the Operations and Safety (O&S) program which funds fire safety projects and equipment for first responders. The primary goal of the AFG is to meet the firefighting and emergency response needs of fire departments and non-affiliated emergency medical service organizations. The proposed grant request is to purchase communications equipment to include 50 portable and 22 mobile all-band radio systems to include chargers, audio accessories, extended warranty and service agreement.

The total estimated cost for the proposed radios is \$460,000 and the required match for jurisdictions of more than 20,000 residents is 10% of the grant award. The grant application is due March 8, 2024. This was reviewed by the Administrative Committee on February 26, 2024, and recommended for approval.

ACTION: Approve the Moscow Volunteer Fire Department to submit a grant application to the FY2023 Assistance to Firefighters Grant program for an amount not to exceed \$460,000 for portable and mobile radio equipment.

D. Task Order No. 22 Moscow Water Reclamation Facility – Intermediate Pump Station (IPS) Upgrade - Evan Timar

Task Order No.22, pursuant to the Master Agreement for Professional Services between City of Moscow and J-U-B Engineers, consists of design phase and bidding services for the replacement of the existing three Archimedes screw pumps, which are original to the 2002 Phase III facility upgrade. The IPS system is relied upon to maintain a seamless and consistent operation by moving all of Moscow’s wastewater to the peak of the Reclamation Facilities hydraulic grade line further distributing it to downstream treatment processes. On average, the IPS system pumps 650 million gallons of wastewater per year into the facility. This was reviewed by the Administrative Committee on February 26, 2024 and recommended for approval.

ACTION: Approve Task order No. 22 with J-U-B Engineers in the amount of \$157,000.

REGULAR AGENDA

- 2. Mayors Appointments (ACTION ITEM)**
- 3. Public Comment and Mayor's Response Period (limit 15 minutes)**
- 4. 1912 Center Annual Report - David Schott / Jenny Kostroff**
- 5. Public Hearing: Ordinance Amending Moscow City Code Title 4, Chapter 3 Regarding Self-Storage Facilities (ACTION ITEM) - Mike Ray**

Self-storage facilities are currently only permitted within certain commercial zoning districts in the City. The City continues to allow and encourage a range of different housing types to be developed, some of which are constructed on smaller lots which have limited storage space. In order to accommodate developments that allow for more efficient and innovative housing types, it will become increasingly imperative that an adequate number of storage options are available within the City. Therefore, the Planning and Zoning Commission has prepared an ordinance which would allow self-storage facilities within more residential and commercial zoning districts, subject to development standards to ensure compatibility with surrounding areas and minimize their impact on adjacent uses. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on January 11, 2023 and recommended approval to City Council. The Administrative Committee reviewed this item at their February 26, 2024 meeting.

PROPOSED ACTIONS: After considering public testimony, 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 such other action deemed appropriate.

- 6. City Council Resolution Supporting the Latah County Library District (ACTION ITEM) -**

Bill Belknap

In response to recently proposed legislation, the cities of Blackfoot, Shelley, Firth and Aberdeen and the Bingham County Commissioners recently passed a resolution expressing their confidence in the ability of the Board of Trustees and Library Directors of the public libraries in Bingham County to exercise their statutory duties to establish policies and practices to provide appropriate access to print and electronic materials to their patrons. Moscow City Council leadership requested staff to prepare a similar resolution expressing the Moscow City Council's support of the Latah County Library District. Staff has prepared a draft resolution for the Council's consideration.

PROPOSED ACTIONS: Approve the proposed Resolution or take other action as deemed appropriate.

REPORTS

City Council

Mayor

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

Moscow City Council



Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Tuesday
February 20, 2024

7:00 PM

Council Chambers
206 E. Third St.

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

PRESENT: Mayor Art Bettge, Bryce Blankenship, Drew Davis, Sandra Kelly, Hailey Lewis, Julia Parker, Gina Taruscio

STAFF: Bill Belknap, Mia Bautista, Cody Riddle, James Fry, Ty Thomson, Steve Schulte, Kyle Steele, Tyler Palmer, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Lewis led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council February 5, 2024 Minutes - Laurie M. Hopkins

B. Disbursement Report January 2024 - Sarah Decker

Staff presented the January 2024 Accounts Payable Report to the Public Works / Finance Committee on February 12, 2024. The Committee received the report and approved the disbursements as presented.

ACTION: Accept the Disbursements Report for the month of January 2024.

C. Approval of Resolution to Continue Participation in the Internet Crimes Against Children Unit Task Force - James D. Fry

Det. Mowery is a full-time affiliate member of the Idaho Internet Crimes Against Children (ICAC) Task Force, which is overseen by the Idaho Office of the Attorney General (OAG) under the executed Memorandum of Understanding on July 1, 2018, and August 19, 2019. The OAG has solicited the City to execute a Revised Interagency Agreement to replace the previously executed Memorandum of Understanding. The City is requesting authorization for the Mayor to sign this Agreement and Appendices A, B, C, and D, and any amendment to the Appendices of this Agreement. This was reviewed by the Public Works/Finance Committee on February 12, 2024, and recommended for approval.

ACTION: Approve the Resolution for the Mayor to sign the Interagency Agreement for the ICAC Unit Task Force Agent and Appendices A, B, C, and D and any amendment to the Appendices of this Agreement.

D. Approval of Memorandum of Understanding (MOU) between the City of Moscow Police Department and Homeland Security Investigations - James D. Fry

Det. Mowery is a full-time affiliate member of the Idaho Internet Crimes Against Children (ICAC) Taskforce, which is overseen by the Idaho Office of the Attorney General. His investigations are focused on ICAC cases, many of which are prosecuted in the federal courts. The Attorney

General's Office's ICAC employees and affiliates are obtaining their federal credentials to assist in investigating and prosecuting ICAC cases. The federal credentials allow for many benefits in these cases, including warrant service and returns, resources, equipment, and data collection. Homeland Security Investigations (HSI) is the criminal investigative branch of U.S. Immigration and Customs Enforcement. HSI is not involved with enforcing immigration laws but is directed to enforce federal criminal statutes nationwide. The Idaho Attorney General's Office is requesting the City enter into this MOU for the sole purpose of Det. Mowery to continue investigating ICAC cases. This was reviewed by the Public Works/Finance Committee on February 12, 2024, and recommended for approval.

ACTION: Approve the MOU between Homeland Security Investigations and the Moscow Police Department to enable Det. Mowery to obtain federal credentials to investigate ICAC cases.

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

REGULAR AGENDA

2. Mayors Appointments (ACTION ITEM)

Mayor Bettge presented to the City Council for consideration the appointment of Jodi McClory to the Farmers Market Commission. Kelly moved and Parker seconded approval of the appointment. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

McClory said she has been a vendor for 10 years and happy to volunteer and share her expertise and perspective of being a vendor.

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

James Fry, Police Chief announced he will be retiring May 1. He has been the chief for 8 years with a total of 29 years with the City. He will be running for Latah County sheriff. He thanked everyone for their support. Bettge thanked him for his time at the City.

Julia Parker, said Moscow has lost an icon, Bob Jahns. He was a retired pilot, veteran from the Air Force who spent time in the Vietnam war; flew planes for Bennett Lumber. He joined the Moscow Volunteer Fire Department and was an EMT for 25 years. Bob was amazing, full of life, received EMT of the Year several times. When she had to call 911 and Bob arrived, she knew the patient was in good care.

Nick Koenig, (Moscow) presented a current draft of a climate and ecological crisis declaration. On Presidents Day, there were 250 hubs around the country pushing for a national climate declaration. He also drafted a resolution for the city. He is hoping Moscow can take action to declare the emergency so the President can invoke the national emergency act which would create funding for climate jobs and preparedness.

Nathan Lee (Moscow) lives in the old Super 8 and every day travels between the hotel and campus. He doesn't feel crossing the highway feels safe. There are a few access points but cars are turning through the cross walk. Bettge said the City is talking with ITD for potential remedies along that stretch and other areas as well.

4. Stormwater Program Report - Kyle Steele / Steve Schulte

Schulte gave a brief history of the permit and explained stormwater runoff. The City has 80 miles of pipe; 10 miles of ditch; over 1200 manholes; over 2500 storm drains; 9.5 miles of Creek and River channel; and over 50 detention pond facilities. In 2023 the City removed over 1.7 million pounds of debris from city streets (over 66,000 cubic feet). cleaned all the storm drains four times the first year. Reviewing the

drains recently showed 8 that were over 66% full. This provided information as to which catch basins need more cleaning than others.

Thompson said staff is committed to reviewing all dry weather outfalls, where 13 individual outfalls were identified. Assessment will continue in 2024. The permit also requires management of construction runoff control. Environmental Services is involved in preconstruction review to ensure stormwater best management practices are included in construction plans. The permit requires an enforcement response policy that addresses enforcement in an escalation manner. April 3 is the deadline for implementation of a Stormwater Management Program and needs to be reapplied for at that time. The Moscow City Code will be updated to include a new title for Illicit Discharge Detection and Elimination which will cover all these requirements.

In response to council questions, Steve said Paradise Creek is an area of high concern both systematically and financially. Staff is identifying a list of areas that need improved or upsized to be included in capital projects. Thompson said there have been requirements for stormwater runoff but hasn't been monitored closely. Now that there is dedicated staff, inspections can occur more frequently. Palmer said staff is working on a plan for maintenance on the creek but the majority of the creek is on private property. Palmer said staff has initiated work on a plan for the creek and will be working with the Army Corps of Engineering and Department of Environmental Quality.

5. Set FY2025 Budget Hearing Date (ACTION ITEM) - Bill Belknap

Per Idaho Code 63-802(A) the City is required to notify Latah County of the public hearing date for the City's annual budget no later than April 30 each year. Staff is requesting that the Council officially set the date for the FY2025 Budget hearing for August 5, 2024, so the Notification of Budget Hearing form can be completed and returned to the Latah County Auditor's Office as required.

PROPOSED ACTIONS: Set August 5, 2024, as the public hearing date for the City of Moscow FY2025 budget, or take other action deemed appropriate.

Belknap introduced the item as written above. Lewis moved to set August 5, 2024 as the public hearing date for the City of Moscow FY2025 budget. Taruscio seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REPORTS

City Council

Moscow Tree Commission – Taruscio said they discussed a location for the Arbor Day celebration and the type of seedlings.

Palouse Basin Aquifer Committee – Taruscio said they received a report on updated data and reviewed alternative 5.

Moscow Volunteer Fire Department – Taruscio said the department discussed their approach for the future.

Moscow Arts Commission – Kelly said mural submissions are arriving.

Associated Students of the University of Idaho – Parker said they discussed climate commitments and an ASUI social.

Sustainable Environment Commission – Parker reported the Commission discussed working towards a curbside compost program.

Moscow Pathways Commission – Davis said they are planning the bike tour.

Transportation Commission – Lewis said they discussed goals; duplication of work between the commissions.

Mayor

Mayor Bettge said he attended legislative meetings and discussed some of the bills that have been introduced by the legislature. Also attended the Chamber Legislative Action Committee and the Latah County Human Rights Task Force awards.

ADJOURN

It was moved, seconded and mutually agreed upon to adjourn at 8:10 p.m.

ATTEST:

Arthur D. Bettge, Mayor

Laurie M. Hopkins, City Clerk

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, March 4, 2024



AGENDA ITEM TITLE

2024 Moscow Farmers Market Handbook - Amanda Argona

RESPONSIBLE STAFF

Amanda Argona, Community Events Manager

ADDITIONAL PRESENTER(S)

Cody Riddle, Deputy City Supervisor - Community Development

DESCRIPTION

In 2018, the Farmers Market Commission and Community Events Division implemented the first iteration of the Moscow Farmers Market Handbook. The Handbook is an expanded policy document meant to provide clarity and serve as a resource for anyone seeking information on the Market, as well as hold Market participants accountable for operating procedures. At the end of each season, the policies that make up the Handbook are considered in depth by staff and the Farmers Market Commission. The Commission reviewed the proposed changes to the Handbook on February 6, 2024, and unanimously accepted all changes for approval and adoption by the Council for the 2024 Market Season. This was reviewed by the Administrative Committee on February 26, 2024 and recommended for approval.

REVIEWED BY

This was reviewed by the Administrative Committee on February 26, 2024 and recommended for approval.

PROPOSED ACTIONS

ACTION: Approve the 2024 Moscow Farmers Market Handbook.

STAFF RECOMMENDATION

Approve the 2024 Moscow Farmers Market Handbook.

OTHER RESOURCES

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Resolution_2024- FarmersMarketHandbook_final_reduced

RESOLUTION NO. 2024 -

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE MOSCOW FARMERS MARKET 2024 HANDBOOK INCLUDED HERewith AND INCORPORATED HEREIN BY THIS REFERENCE; PROVIDING THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Moscow Farmers Market (hereinafter “the Market”) has been in existence for many years; and

WHEREAS, the Market is an integral part of Moscow’s vibrant downtown, bringing together people from diverse backgrounds and interests and of all ages; and

WHEREAS, the Council wishes to continue to support and promote the Market; and

WHEREAS, the Moscow Farmers Market 2024 Handbook (hereinafter “Handbook”) policies have been developed and recommended by the Moscow Farmers Market Commission, with input from City staff members, and made available for review by vendors and the public through public Commission meetings; and

WHEREAS, establishment of the Handbook will allow for an efficient, effective, predictable and fair administration of the Market activities during the 2024 Market Season; and

WHEREAS, this Handbook enhances transparency and understanding, and provides additional information for the reasoning behind policies, as the goal of the Handbook was to increase the clarity, quality, consensus on, and consistency of policies; and

WHEREAS, the Council believes that this Handbook and the policies contained herein are appropriate, and will support the Market and enhance the Market experience for all of those who participate in this great City activity;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow that all matters stated above are found to be true and correct and are incorporated herein by reference as if copied in their entirety and shall be adopted with the following:

The attached Moscow Farmers Market 2024 Handbook is hereby adopted for the 2024 Market Season.

PASSED on Motion by the Following Vote:

	Aye	Nay	Abstain	Absent
Hailey Lewis	_____	_____	_____	_____
Drew Davis	_____	_____	_____	_____
Sandra Kelly	_____	_____	_____	_____
Gina Taruscio	_____	_____	_____	_____
Julia Parker	_____	_____	_____	_____
Bryce Blankenship	_____	_____	_____	_____

ADOPTED by the City Council of the City of Moscow, Idaho and **APPROVED** by the Mayor of the City of Moscow, this _____ day of _____, 2024.

Arthur D. Bettge, Mayor

CERTIFICATION and ATTESTATION. I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Moscow, held on _____, 2024 and attest to the Mayor's signature.

Laurie M. Hopkins, City Clerk



MOSCOW FARMERS MARKET

EST. 1976

growers | makers | performers

2024 HANDBOOK

CITY OF MOSCOW | 221 E SECOND STREET | MOSCOW, IDAHO

WWW.CI.MOSCOW.ID.US | 208-883-7132

FARMERSMARKET@CI.MOSCOW.ID.US



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Moscow Farmers Market Overview

The Moscow Farmers Market has been a treasured and vibrant part of the community since its inception in 1976 as a small grass-roots gathering. It serves to provide locally grown produce and quality wares, as well as bring the community together in ways no other event or service does. Whether Market goes visit to purchase their weekly groceries or simply to enjoy the music and socialize, the experience of the Market promotes a sense of place and helps citizens feel tied to the community. The Moscow Farmers Market is unique in its ability to stay rooted to its original purpose and charm of a local market while growing and progressing with trends and needs. The variety of stakeholders invested in the Moscow Farmers Market means that each decision can have a great impact on our residents, vendors, local businesses, City staff, and more.

Market Leadership is formed by a collaboration of City of Moscow Staff and a Moscow Farmers Market Commission comprised of community residents, vendors, and other representatives. City staff manages the operational and regulatory

FARMERS MARKET COMMISSION MEMBERS

VENDOR REPRESENTATIVES

Jodi McClory

Produce Vendor representative

Gerardo Alvarez

Specialty Food Vendor representative

Kassie Smith

Crafts Vendor representative

COMMUNITY REPRESENTATIVES

Phillip Blankenship

At-large representative

Jamie Hill, Chair

At-large representative

Josh Larson, Vice Chair

At-large representative

JT Manning

At-large representative

SPECIALTY REPRESENTATIVES

Colette DePhelps

University of Idaho Extension representative

Samantha Marlinet

*Moscow Chamber of Commerce + Visitor Center
representative*

aspects of the Market while Commission members guide the vision and values of the Market.

It is the duty of the Commission to suggest ways to promote and improve the Farmers Market, propose and/or review Market policies, keep abreast of trends and opportunities for advancing Market interests, products, standards, and offerings, and to otherwise act in an advisory role to the Moscow City Council.

The Commission meets regularly on the first Tuesday of each month, from 4:00 p.m. to 5:30 p.m. in the Council Chambers at City Hall, 206 E. Third Street, Moscow, Idaho. Meetings are open to the public.

The Moscow Farmers Market does not discriminate on account of race, color, gender, religion, sex, national origin, physical or mental disability, age, marital or familial status, sexual orientation or gender expression in its selection and inclusion of vendors.

**CITY OF MOSCOW
COMMUNITY EVENTS DIVISION & MOSCOW FARMERS MARKET STAFF**

Cody Riddle, Deputy City Supervisor
criddle@ci.moscow.id.us | 208-883-7027

Amanda Argona, Community Events Manager
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Laura Perrigo, Administrative Specialist
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FIND, LIKE & FOLLOW THE MOSCOW FARMERS MARKET
Website www.ci.moscow.id.us/723/Current-Vendors
Facebook @MoscowFarmersMarket
Instagram @cityofmoscowid

Mission Statement

The Moscow Farmers Market celebrates life on the Palouse by providing the community with the opportunity to buy and sell local and regional agricultural products (e.g., crops, meat, cheese, wine, etc.), distinctive handmade goods, artisan pieces, and original-recipe cuisine. This venue is meant to encourage and support sustainable economic, social, and environmental practices.

Core Values

Access: Providing the community with access to local Vendors and their goods with an emphasis on having at least fifty percent (50%) of the Market's Vendors located within Latah and Whitman counties.

Agricultural Focus: Prioritizing space for agriculturally-derived products by having at least fifty percent (50%) of the Market's footprint occupied by Vendors selling such products for the majority of the Market Season.

Economic Opportunity: Contributing to the greater Moscow economy with emphasis on assisting independently-owned and start-up enterprises, while encouraging Vendors to locally source materials and ingredients direct from regional businesses and/or producers.

Community: Providing a safe space and opportunity for positive engagement that welcomes all residents and visitors.

Information: Increasing awareness of regional agriculture, sustainability, and sound environmental practices through education and outreach activities.



200 AIR-MILES FROM THE CITY OF MOSCOW, IDAHO



Definition of Terms

These definitions are included to provide a background for terms used throughout this document. The Market relied on a variety of sources in formulating the following definitions which included the use of definitions from entities like the Farmers Market Coalition, U.S. Department of Agriculture, Washington State Farmers Market Association, etc. to keep on trend with best practices for farmers markets. The ultimate decision regarding interpretation of these definitions lies with the Community Events Manager.

Agriculture: The science, art, or practice of cultivating the soil, producing crops, and raising livestock, and in varying degrees, the preparation and marketing of the resulting products.

Approved Vendor: An individual or a group that qualifies to participate in selling at the Market in at least one (1) of the listed vending categories listed on pages 9-12 and has undergone one of the two processes outlined in Appendix 6 – Vendor Eligibility and Approval.

Handmade: Items that show evidence of manual skills and dedication of one's own design, creativity, and making.

Local: Defined in this Handbook as "No more than two hundred (200) air miles from the City of Moscow, Idaho". Please see the visual aid on page 7.

Local Sourcing: The purchase of goods directly from local growers/producers for use in creating a product for sale at the Moscow Farmers Market.

Product Mix: A recognition that the Moscow Farmers Market, as a whole, needs a balance of products.

Sustainable Practices: An integrated system of plant and animal production practices that are capable of maintaining their productivity and usefulness to society over the course of time. These systems incorporate the most efficient use of nonrenewable resources and on-farm resources, and where appropriate, utilize natural biological cycles and controls that maintain agricultural productivity, promote economic viability in both the short and long term, and maintain stable rural communities, and quality of life.

Vendor Categories

All Vendors are required to submit relevant copies of permits, licenses, and/or third-party certifications prior to vending. It is the responsibility of the Vendor to know and understand what regulations may apply to their operation. See Appendix 5 - Permits, Licensees, and Resource Contacts for a list of resources.

Agriculture Vendors

Vendors who participate in the planting, growing, cultivating, harvesting, production and/or management of crops, livestock and bees. Vendors shall demonstrate how their practices are hygienic, sustainable, build soil health, promote animal welfare and are supportive of environmental stewardship via a Site Visit.

Apiarist: Vendors who keep bees and manage beehives where the majority of products sold are the honey, honeycomb, and wax from their hives.

Forager: Vendors who harvest wild-grown, non-cultivated food. Examples include, but are not limited to, mushrooms, berries, and herbs.

Livestock/Poultry: Vendors who raise animals where the majority of raw products sold are cuts of meat, milk, eggs, fiber, and hides. Animals must be under a Vendor's care and management for the majority of its lifespan (51% or greater) and finished by the Vendor.

Fresh Produce/Nursery: Vendors who grow or produce herbs, fruits, vegetables, cut flowers, plants, grains, seeds, raw nuts, shrubs, trees, and vine starts.

Value-Added: Vendors who grow, produce, forage, and/or harvest raw ingredients that impart a distinct and predominate flavor or characteristic in their processed products. Vendor must manage the land, ranch, or garden where such raw ingredients are sourced from or have permission and access to forage land for the collection of raw ingredients. Examples include, but are not limited to, harvesting fruit trees for jam and raising goats for goat's milk products. The majority of a Vendor's products must meet the above parameters to be classified in this category. If a Vendor is unable to be the processor of their products, does not have complete oversight and ownership of the final product, or the majority of products do not meet the above parameters, then products are classified as Non-Agricultural and are subject to the jury process, unless required by law to use a third-party processor.

Non-Agriculture Vendors

Prepared Food Vendors: Vendors who offer prepared foods must make these items in accordance with local and state regulations. State code requires the use of commercial kitchens to prepare certain foods.

Processed Foods: Vendors who create and process foods not intended for immediate consumption, including, but not limited to, preserves, jams, jellies, ciders, beer, wine, syrups, salsas, smoked meats, cheeses, dried fruit, dried herbs, roasted nuts, seasonings, drink mixes, flavored oils, etc., with all such ingredients **not** grown or raised by the producer.

Ready to Eat Foods: Vendors who create ready-to-eat foods made on-site on Market day or prepared in advance and served on Market day that are ready for immediate consumption.

Craft/Artisan Vendors: Vendors who handmake or manually design products that are of a home, studio, or cottage-type industry using an intermediate type technology rather than industrial-type production. Vendors in this category may not sell items made by others unless it is a part of the product design as a whole (i.e. a ceramic honey pot and wooden honey dipper; pendant and chain; frame for a photo; etc.). Examples of unacceptable items include, but are not limited to, tracings, paint-by-number, wood or metal products using duplicating machines, kits in any form, and any other items which clearly do not reflect originality of design, as determined by the jury process or Community Events Manager. The following sub-categories apply to Craft and/or Artisan Vendors:

Fine Arts: Painting, drawing, sculpture, pottery, ceramics, etc.

Heritage Arts: Basket-making, soap-making*, candle-making, woodworking, blacksmithing, knitting, crocheting, etc.

Decorative Arts: Items for self or home and garden, such as jewelry, birdhouses, furniture from recycled materials, mosaics, stained-glass items, lawn sculpture, photography, etc.

**Cosmetics fall under the Crafts/Artisan category, unless the Vendor grows or raises the majority of items used to create the final product. Cosmetics include creams, lotions, shampoos, and some soap products. The Market does not consider items consisting primarily of alkali salts and of fatty acids that make no label claim other than the cleansing of the human body as cosmetics but the following rules may still apply: Cosmetics must follow rules set by the Federal Drug Administration, comply with the Federal Food, Drug, and Cosmetic Act, and the Fair Packaging and Labeling Act.*

Youth Vendors

The Market encourages and supports early entrepreneurial interest of farming, gardening, crafts, and food preparation. This Handbook generally applies to Youth Vendors. Adults, chaperones, guardians, and/or other family members in attendance with a Youth Vendor shall also abide by this Handbook and subsequent policies, especially in decorum and etiquette. Youth Vendors and their designated chaperone(s) who fail to meet the policies of this Handbook and Youth Vendor Guidelines are subject to the penalty process as outlined in Appendix 4 – Moscow Farmers Market Notice of Penalty. The following sub-categories are applicable to Youth Vendors to assist with product distribution:

Sprouts (ages 6-12): Youth Vendors in this age category are limited to a three-foot by three-foot (3'x3') space located at the intersection of 5th Street and Main Street. Three (3) spaces will be available to Sprouts on a Market day.

Juniors (ages 13-17): Youth Vendors in this age category are limited to a five-foot by fifteen-foot (5'x15') space located at the intersection of 5th Street and Main Street. Three (3) spaces in this area will be available to Juniors on a Market day. Juniors may be assigned to a shared five-foot by fifteen-foot (5'x15') space along Main Street pending availability. Juniors requesting an eleven-foot by fifteen-foot (11'x15') space will be required to jury their products or will submit to a site visit, as outlined in Appendix 6 – Vendor Eligibility and Approval. Pending acceptance through these processes, Juniors will be subject to Tier 1, 2, or 3 registration and stall fees in the Vendor Fee Schedule and the Youth Fee will no longer be applicable, see Appendix 2 – Moscow Farmers Market Vendor Fees.

All Youth Vendors shall adhere to the following:

- Be the grower or producer of items for sale.
- Complete and submit the following paperwork:
 - Food Risk Assessment form (applicable for the sale of drink or food).
 - Youth Vendor registration form.
 - Release and Hold Harmless form.
 - Register with the Idaho Tax Commission.
- Request space by Tuesday at 5:00 p.m. for priority consideration.
- Have their booth set-up by 8:00 a.m.
- Actively sell their goods and items without the assistance of a parent and/or chaperone, where possible.
- Have an adult chaperone present at the Moscow Farmers Market, or be supervised by a parent and/or guardian.

- Be limited to no more than three (3) individual youths in the cases of group participation.

Performance Vendors (Buskers)

The Market values the performing arts and has created the Performance Vendor category to support emerging artists in developing their skills and audience at an affordable rate. The Market defines Performance Vendors as any person or group of persons who provide entertainment in the Market by playing musical instruments, singing, dancing, speaking, face painting, balloon tying, etc. Commercial vending of products is not a "performance". This definition is not applicable to live entertainment scheduled in Friendship Square. Space availability for Performance Vendors is on a first come, first serve basis, with sign-ups beginning at 7:45 am on Market day. Performance Vendors must complete and submit paperwork prior to receiving a space assignment. Moscow Farmers Market staff reserve the right to designate locations for these activities in non-Vendor spaces, screen Performance Vendors for suitability, and rotate space assignments to create a varied atmosphere and ambiance for patrons, shoppers, and vendors. This Handbook generally applies to Performance Vendors. Adults, chaperones, guardians, and/or other family members in attendance with a Performance Vendor who is a minor shall also abide by this Handbook and subsequent policies, especially in decorum and etiquette. All Performance Vendors shall adhere to the following:

- Complete and submit the following paperwork:
 - Performance Vendor registration form;
 - Release and Hold Harmless form; and.
 - Register with the Idaho Tax Commission.
- Amplification is prohibited.
- May only seek tips or donations.
- Shall only perform in designated areas.
- May not utilize tents, canopies, or umbrellas.
- Limit their performance group to three (3) individuals or fewer.
- Hawking, swearing, and/or aggressive, lewd, and inciting language is prohibited.
- May not occupy the same, designated space for more than a two and one-half (2.5) hour time period.

Policies

Market Policies shall apply to the Moscow Farmers Market and its Vendors. The Farmers Market Commission and Market Management developed these Policies, and City Council approved them. Failure to abide by these Policies is grounds for penalty action.

Market Operating Policies

1. **Market Location**

The Market is located generally on Main Street south of Third Street and north of Sixth Street, east of Main Street on the 4th Street right-of-way (west) of the cul-de-sac, east on 5th Street from Main Street to the alley, and Friendship Square in downtown Moscow, unless temporarily located or extended elsewhere when found to be in the best interest of the City. *Most generally, the Market moves off Main Street for University of Idaho's Homecoming Parade.* See Appendix 1 – Moscow Farmers Market Map & Boundaries.

2. **Vendor Production and Location Rule**

All Vendors shall be the grower/producer and shall conduct their growing/producing operations in a location not more than two hundred (200) air-miles from the City of Moscow, Idaho.

3. **Market Schedule**

- a. **Market Season:** The Market operates every Saturday in the months of May through October, annually.
- b. **Hours of Operation:** Market sales occur between the hours of 8:00 a.m. and 1:00 p.m., local time.
- c. **Public Access:** Main Street will be closed by City of Moscow Staff beginning at 5:00 a.m. and re-opened by 2:00 p.m. by City of Moscow Staff.
- d. **Unauthorized Vehicles:** The City of Moscow Police Department will have any non-Market related vehicles removed from Main Street and 5th Street, and any non-ADA vehicles removed from the first parking bay of the Jackson Street parking lot by 5:00 a.m.

4. **Vendor Eligibility and Approval**

- a. **New Vendors:** New Vendors are defined as any Vendor who has not previously sold at the Market or has been absent for two (2) or more consecutive Market Seasons. These Vendors are required to complete either a satisfactory Site Visit or receive a qualifying score through a Craft & Food Jury to become eligible. Basic eligibility, approval process, and tier eligibility are described in Appendix 6 – Vendor Eligibility & Approval.

- b. **Returning Vendors:** Returning Vendors are defined as any Vendor that has not been absent from the Market for two (2) or more consecutive Market Seasons. Return Vendors need to register for the upcoming Market Season and submit relevant required documents to maintain eligibility.

5. **Market Vendor Space**

- a. **Space Dimensions and Safety:** Most Vendor spaces will be marked as an eleven-foot by fifteen-foot (11' wide x 15' deep) space. A Vendor's business must be conducted within their assigned space. Vendors may not extend beyond the limits of the assigned space or into the pedestrian area at the entrance of the Vendor space unless specifically authorized by Market Management. Any Vendor utilizing coverings for their space, such as canopies, tents, and/or umbrellas, may not extend these items outside their assigned space. Requests for additional adjacent space will be granted at the discretion of Community Events Manager, where possible. All Vendors are subject to unscheduled inspections throughout the Market Season by the Moscow Volunteer Fire Department for compliance with relevant safety regulations to ensure public safety and emergency vehicle accessibility. See Appendix 3 – Safety Compliance Requirements.
- b. **Space Assignments:** The Market recognizes the value of Vendors maintaining a consistent location for the development of a healthy customer base. Vending space allocation is based on the level of commitment chosen by the Vendor as defined in Appendix 2 – Moscow Farmers Market Vendor Fees, as well as historical occupation and availability as it pertains to Market Product Mix. Agricultural based Vendors whose product readiness is determined by the growing seasons will be given special consideration by Market Management on a case-by-case basis and will not be penalized due to weather events that delay or impact their products.
- c. **Vehicles in Spaces:** Tier 3 Vendors may utilize motor vehicles or tow-behind trailers in their assigned space. Such usage will result in an additional vehicle surcharge fee. The Community Events Manager may grant Tier 1 and Tier 2 Vendors motor vehicle usage pending space availability and feasibility of access on a market-to-market basis. The Market defines motor vehicles and tow-behind trailers as any road-ready and licensed vehicle.
- d. **Non-Neighbor Spaces:** The Market recognizes that spaces which do not have adjacent vendors are more valuable due to greater visibility and/or

increased customer access. The Market defines these spaces as non-neighbor spaces (previously referred to as 'corner' and/or 'walk-thru' spaces). Vendors occupying a space with this type of designation are subject to an additional surcharge fee.

- e. **Space Use:** Use of a Vendor space for purposes other than those outlined in this Handbook is prohibited, unless specifically authorized.
- f. **Sharing Spaces:** Any proposal by Vendors to share a Vendor space must be approved by the Community Events Manager.
- g. **Space Allocation:** The City reserves the right to make the final decision on vending space and Tier package allocation, based upon overall Market Product Mix needs.

6. Market Fees

Fees include an annual registration fee, a daily per booth fee, and any additional amenity fees as outlined in Appendix 2 – Moscow Farmers Market Fees.

- a. **Structure:** The Market utilizes a tier structure based on the number of Market days a Vendor plans on attending during the Market Season. A Vendor's rate is determined based on the tier they select. Vendors pay the same rate throughout the Market Season, regardless if they attend more or less of their anticipated Market dates.
 - i. **Annual Registration Fee:** All Vendors, regardless of their selected tier, will be required to pay their associated registration fee at the Annual Vendor Orientation. Vendors unable to attend the Orientation shall arrange to pay this fee prior to the start of the Market Season.
 - ii. **Invoices:** All Vendors will receive invoices (weekly, monthly, or entire season) via Farmspread. Vendors without access to reliable internet or computers will receive invoices through the City of Moscow.
 - iii. **Refunds:** The Market does not provide refunds to Vendors for days that Vendors cancel their attendance or do not show up to the Market (no call, no show). In the event that severe weather or public safety issues force a Market cancellation as determined by City Administration, all Vendors that were granted a space assignment and did not cancel in advance of the stated closure may request a refund within two (2) weeks of the stated closure.
 - iv. **Payments:** To reduce risk of theft and improve record keeping, payments will be collected prior to Saturday. Failure to submit payment prior to Saturday will result in the Vendor's space being revoked for the following Market or their next space request not accommodated until

payment has been received. Vendors may choose to pay their fees the following ways:

- Online via Farmspread invoices.
- In-person with cash, check, or credit card.
- By mailing a check to the Moscow Farmers Market, PO Box 9203, Moscow, Idaho, 83843.

b. **Tier Packages:** Packages are non-transferrable and non-refundable. The Market currently offers the following tier packages to Vendors.

- i. **Tier 3** – Seventy-five percent (75%) or more attendance.
 - Vendor chooses to attend between eighteen (18) and twenty-six (26) consecutive Markets;
 - Highest registration fee;
 - Lowest daily per booth fee;
 - Guaranteed same location;
 - Allowed to substitute representation for two (2) Markets;
 - Must notify Community Events Manager of their first and last anticipated attendance date; and
 - Eligible to maintain space location if unforeseen circumstances arise that affect a Vendor's ability to meet attendance requirements upon communication with Community Events Manager. Such examples may include: parental leave, bereavement, elder care, etc.
- ii. **Tier 2** – Thirty to sixty percent (30-60%) attendance.
 - Vendor chooses to attend between nine (9) and seventeen (17) Markets;
 - Mid-range registration fee;
 - Mid-range daily booth fee; and
 - Same block location, as available.
- iii. **Tier 1** – Less than thirty percent (30%) attendance.
 - Vendor chooses to attend between one (1) and eight (8) Markets;
 - Lowest registration fee;
 - Highest daily per booth fee; and
 - Not guaranteed same location.

c. **Registration:** Registration for the Market Season will open annually in March, with notice sent to all Returning Vendors at the beginning of each year.

d. **Attendance Requests:** In order to streamline communication with the Community Events Manager, Vendors are encouraged to use the Farmspread platform when requesting, changing, or cancelling

attendance days. Requests during the Market Season shall be made by Tuesday at 5:00 p.m. for priority consideration. Requests submitted after this time will be considered at the discretion of the Community Events Manager.

7. Regulation of Certain Activities during Market Operations

Because it is important for the continuing success of the Market to preserve its character and appearance, and because the Market was established and remains primarily a local growers Market, certain activities that otherwise occur during non-Market hours are regulated in the public right-of-way during the Market hours, as follows:

- a. **"Cart" Vendors:** Vendors who are licensed pursuant to Moscow City Code Title 9, Chapter 11, shall not be allowed in the Market Location during Market hours unless they qualify as a current authorized Farmers Market Vendor independent of their Vending license. See M.C.C. § 9-11-13.
- b. **Licensed Sidewalk Cafes:** The possessor of a current, valid, sidewalk café license from the City may operate a sidewalk café in the Market during Market hours, pursuant to regulations contained within Moscow City Code Title 9, Chapter 12. Council recognizes and reaffirms that the purpose of the sidewalk café license is to allow the contiguous storefront restaurant to extend its typical and customary service into the portion of the public right-of-way shown in its license. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous restaurant owner, shall not be allowed to sell or promote in the Market, unless they otherwise qualify as a Farmers Market Vendor and meet all of the Farmers Market Vendor's requirements in this Policy. See M.C.C. § 9-12-6(B).
- c. **Downtown Businesses Other Than Sidewalk Cafes:** Downtown businesses may continue their operations during Market hours. The areas in the Market that are contiguous with non-retail business(es) or business(es) that are closed during Market hours, are not to be used for the display or sale or promotion of produce, products, goods or services by such business(es) or by any person or group, other than as specifically authorized by the Council or by this Policy. Sales, promotions tables, and displays placed contiguous with the front of downtown business(es) are allowed as long as those sales or displays are an extension of what is available for sale or promotion by and within the contiguous business, and such sales or promotions are carried out by the owners or their employees. No activity which directly interferes with or competes with the Market and/or its

Vendors shall be allowed within the public right-of-way during Market hours, unless that activity occurs by and within the contiguous business on a day-to-day basis as an integral part of such business. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous owner shall not be allowed to sell or promote in the Market unless they otherwise qualify as a Farmers Market Vendor and meet all of the Farmers Market Vendor's requirements in this Policy. Sales tables, clothes racks, free-standing displays, etc., shall be placed contiguous with the storefront in a manner that allows the preservation of an unobstructed pedestrian access on the sidewalk of not less than four (4) contiguous feet, and as approved by the City Fire Marshall.

- d. **Universities, Colleges or Other Educational Institutions Participation in Farmers Market:** Universities, colleges, or other educational institutional departments and retail outlets are not allowed to apply as Market Vendors. Student organizations, if qualified, may participate as Vendors.
- e. **First Amendment Activities:** Because of the importance the City places on First Amendment rights and activities, the Council has adopted specific regulations relative to downtown First Amendment activities during Farmers Market hours. The City has established reasonable time, place, and manner restrictions and has designated Friendship Square as the location for such activities in the downtown area during Farmers Market hours. See Resolution No. 2012-12. No separate, additional, or expanded First Amendment activities shall be allowed within the Market during Farmers Market hours, unless specifically authorized by Council or required by the United States or Idaho Constitutions.

Per Resolution No. 2012-05, "The City wishes to coordinate the multiple and varied uses of Friendship Square during Market days of the Market Season. Uses include playground, pedestrian, and other travel through Friendship Square, maintenance of an emergency access lane, music and arts performances, demonstrations by various arts groups and the like, and presentations of various messages, ideas, philosophies, and opportunities by various individuals and groups who wish access to the Market participants and members of the public on Market day. The City does not intend to control, or regulate and coordinate the message or content of a Speaker's "speech" on a Market day, but rather, desires to reasonably regulate and coordinate the time, place, and manner of the speech by allowing Speakers to avail themselves of the designated Friendship Square

Speakers Space on Market days, while continuing to coordinate and accommodate their use of Friendship Square on Market day. Also, the City desires to preserve the principally non-commercial nature of Friendship Square and the Speakers Space to the extent allowed by law." For the complete resolution, see Appendix 7 – Resolution No. 2012-05 Friendship Square Use Policy During Farmers Market Season.

- f. **Nicotine Products:** All types and kinds of nicotine use, including smoking, vaping in all forms (including nicotine-free vape pens), and chewing tobacco, are prohibited within the boundaries of the Farmers Market during the hours of operation and through the duration of the Farmers Market Season. See Resolution No. 2018-13.
- g. **Animals Prohibited in the Market:** Only ADA Service Animals, as defined in the Americans with Disabilities Act 2010 final regulations, are allowed throughout the Market boundaries, and are not restricted to the eastern and western sidewalks. All other non-ADA Service Animals are restricted to the eastern and western sidewalks. See Resolution No. 2018-12.

Vendor Operating Policies

1. **Market Vendor Requirements**

Those who participate in selling at the Market must be the owner and/or producer of their goods, represent at least one (1) vending category, as defined within this Handbook, and be approved through a jury process or site visit, as outlined in Appendix 6 – Vendor Eligibility & Approval.

2. **Hawking**

Hawking (to offer for sale by calling aloud in public) is prohibited.

3. **Sale and Distribution of Non-Approved Items**

The sale, distribution, or display of non-approved items such as canned or bottled beverages, literature, information, signage, etc. not related to the Vendor's products or services is prohibited.

4. **Vendor Merchandise**

The Market permits Vendors to sell merchandise items that are directly related to and/or promoting the Vendor's business operations in a limited capacity. Vendors wishing to sell merchandise must first register all merchandise items with the Community Events Manager. Upon approval, Vendors may display no more than one type of approved merchandise item for sale among the majority of their current products per Market day.

5. **Public Health Management**

To ensure the Market is creating a safe and non-hazardous environment to the public, all Vendors will abide by the following public health measures:

- a. **Waste Management:** Vendors are responsible for the set-up, clean-up, and safe operation of their assigned space. Vendors will provide their own receptacles/bags to manage waste, then must take any waste they generate with them at the end of the Market day. Waste receptacles in the Market are for use by Market customers and should not be used by Vendors for their waste. The dumpsters located throughout the downtown area are privately owned and are not for Vendors' use. Unauthorized use of other's solid waste container(s) is considered "theft of services" Pursuant to Idaho Code § 18-2403(5)(c). This activity is a misdemeanor crime and punishable by up to a \$1,000 fine, plus court costs and up to one (1) year in jail.
- b. **Health Regulations:** The Idaho Public Health Department conducts unscheduled inspections for compliance with relevant health and safety regulations throughout the Market Season to ensure public safety and adequate health practices. The Community Events Manager and/or a Public Health Department representative will enforce applicable state and

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local requirements and have the authority to stop the sale of any items that are in violation of these regulations.

- c. **Grey Water:** Vendors are required by Idaho State Law, when applicable, to deposit grey water waste in the receptacle provided at the Market. No grey water or other waste water, fat, grease, oil, or other liquid shall be placed in the gutter or in a City storm water catch basin or other City water collection system. The Market provides a grey water dump station for use by Vendors. Grey water must be disposed of at this dump station. Vendors must take with them their non-grey water waste at the end of Market day.

6. Generators

The Market does not allow the use of generators during operating hours.

7. Decorum and Etiquette

The Market requires and expects considerate, polite, common sense, and friendly cooperation among all Vendors and toward other Market participants and patrons. Vendors shall respect the authority of the Community Events Manager and Staff. Vendors shall respect the rights of the other Vendors, participants, and patrons. If a Vendor feels that he or she is being treated unfairly or in an unprofessional manner by the Community Events Manager, such complaint shall be made only to the Deputy City Supervisor.

8. Participation in Market Promotion

Participation in the Market acts as a grant of permission to City to use photographs and other images of Vendors for promotional purposes, without compensation. All Vendors give permission to City to release the Vendor's preferred method of contact information (name, business name, address, or phone numbers) to requesting patrons and other organizations for promotional purposes and for publication by print media, video, or motion picture.

9. Signage

All Vendors are encouraged to display at their booth the Vendor's business name, City, and State of operation. Vendors subject to signage requirements as listed under any federal, state, or city regulation must comply. All signage must be contained within the Vendor's designated space(s).

10. Pricing

Market Vendors shall clearly post visible pricing for each item.

11. Packaging and Labeling

The Market encourages the use of recyclable packaging, and prohibits the use of Styrofoam packaging. All packaged food products (e.g., jams, jellies, salsa, nuts, etc.) must be labeled. Labels must include the Vendor's name and address; ingredients listed in order of volume (most to least); and potential allergenic

ingredients. It is recommended that Vendor's also list their phone number on the label.

12. Annual Gross Sales Reporting

All Vendors are required to report their Annual Gross Sales by the third Wednesday in November, utilizing their Farmspread account, or via paper format. Individual Vendor reports will be kept confidential by Market Staff. Aggregate data will be used for future grant proposals, economic impact data collection, and Market reports. ***Failure of Market Vendors to report Annual Gross Sales, as required under this Policy, will result in said Vendor being disqualified to participate in the following Market Season. No appeals process provided.***

13. Idaho Sales Tax Reporting

Vendors must complete an Idaho Sales Tax Form ST-124 as required by the Idaho State Tax Commission. All Vendors are required by law to have a copy of Form ST-124 in their assigned space at all times. The Idaho State Tax Commission reserves the right to perform unscheduled inspections for tax compliance throughout the Market Season.

14. Agreement to Hold Harmless, Defend, and Indemnify

In order to participate in the Market, all Vendors shall sign an agreement that holds City harmless for any and all actions or inactions of every Market Vendor or person associated with such Vendor, and agree to defend and indemnify City for any claim filed against City related to any and all activities which are associated with the Vendor, the Market, or the Vendor's business.

15. Compliance with all applicable Laws and Regulations

Vendors are to comply with all applicable federal, state and local laws and regulations, including U.S. copyright laws.

16. Permits and Licenses

At the time of application, all Vendors shall provide current copies of any permits and licenses applicable and necessary for the sale of their products. For a list of permits and licensing resources, please refer to Appendix 5 – Permits, Licensees, and Resource Contacts.

17. Use of Licensed, Trademarked, or Registered Characters or Images

In general, products featuring licensed, trademarked, and/or registered characters or images are not permitted for sale at the Market (i.e. Disney characters, professional sports team logos, and other commercial entities).

18. Third Party Certifications

All Vendors presenting products as third-party-certified, such as Organic, Certified Naturally Grown, etc., shall include the authorized certification form with their Vendor application. Certification will be checked for compliance with the

certifying entity or organization. Vendors not in compliance with their certification requirements, or who cannot produce a current certification, will be required to remove signage stating the certification(s).

19. **Annual Vendor Orientation**

All Vendors are required to attend the mandatory annual Vendor Orientation meeting in-person prior to start of Market Season, at a date and time set by the Community Events Manager. Failure to attend will result in one of the following:

- a. **Tier 1 Vendors:** Loss of eligibility to participate in the upcoming Market Season.
- b. **Tier 2 Vendors:** Loss of eligibility to participate in the upcoming Market Season.
- c. **Tier 3 Vendors:** Loss of designated Market space.

An alternative to the in-person meeting is provided to Vendors who experience illness, emergency, or another unanticipated conflict that forces their absence. If a Vendor meets any of these parameters for missing the in-person meeting, then Vendor is subject to the following:

- a. Vendor provides notice and/or request to the Community Events Manager.
- b. Vendor answers list of questions via email by a date and time set by the Community Events Manager demonstrating that they viewed the alternative meeting format.
- c. Vendors who fail to provide an email with answers by the set date and time are subject to the consequences as designated by Tier status above.

20. **Non-Attendance**

Vendors are required to communicate with the Community Events Manager on or before the Friday before the Market day that will be missed. If illness or emergency forces non-attendance, the Vendor must contact the Community Events Manager as soon as they are able.

21. **Setup**

Setup may begin at 5:00 a.m. Vendors are to enter on 5th Street, pull into their assigned space, unload their items to the sidewalk, and exit via 3rd Street or 6th Street. Vendors will park their vehicle a minimum of two (2) City blocks away from the Market (parking is available at Moscow City Hall and the adjacent Jefferson lot. See Appendix 8 – Vendor Parking Map). Once a Vendor's vehicle is parked, they can then begin setting up their space for the Market. **Large vehicles and trailers should arrive early to allow sufficient time for unloading during setup.** Vendors must allow for traffic flow and may not block the main thoroughfare. 5th Street will be closed to all vehicles at 7:15 a.m. Vendors must be in their assigned space and be unloaded by 7:30 a.m. and must have their tent(s) and

booth(s) set-up by 8:00 a.m. All vehicles must be off Main Street by 7:30 a.m. unless otherwise specifically allowed by the Community Events Manager. All tents must be placed as close to the adjacent curb as is physically possible unless specifically authorized by the Community Events Manager to do otherwise.

22. Take-Down

5th Street will remain closed to Vendor traffic until 1:10 p.m. to ensure the safety of any children and patrons who may still be in the main thoroughfare. Beginning at 1:00 p.m., Vendors may begin to disassemble their space and move items to the sidewalk before retrieving their vehicle. **Vendors shall not retrieve their vehicle before items are ready to be loaded.** No vehicle may enter or leave the Market Location unless directed to do so by the Community Events Manager, a Peace Officer, or an emergency services provider. Vendors must allow for traffic flow and may not block the 5th Street alley, the main thoroughfare, or obstruct traffic on Washington Street. Vendors may continue loading their items from the sidewalk after 2:00 p.m. if their vehicle is off Main Street, in a parking stall, and facing the direction of traffic flow. The City requires that the Market Location be completely vacated by Vendors and made available to the public by 2:00 p.m.

23. Early Departure / Selling Out

Vendors requiring early departure must inform the Community Events Manager and obtain permission prior to leaving. Vendors must carry goods, supplies, and equipment out of their assigned space without using a vehicle. Vendors that sell out are encouraged to remain in their assigned space, but may pack-up items and carry them out without the use of a vehicle.

24. Vendor Space Assessment

All Vendors are subject to a Market space walk-through by the Community Events Manager and/or members of the Farmers Market Commission acting in an official capacity. The purpose of the on-site walk-through is to ensure all Vendors are current on required permits and licenses and also to inspect the Vendor's goods and operations. Vendors found to be violating Market policies will be subject to penalties.

25. Resale

The resale or reselling of any product is strictly prohibited.

Policy Violations

Unless explicitly stated, violation of any Policy will be subject to the penalties outlined below. The purpose of penalties is to encourage communication between Vendor(s) and Market Management to correct the offending action so that the Vendor, where possible, may continue to sell goods within the Market. Penalties are cumulative whether the same Policy has been violated multiple times or multiple Policies violated multiple times. Nothing related to the Market's penalties shall affect, in any way, other laws and/or regulations with which Vendors must comply (e.g., health, tax, police, fire, etc.).

Penalties

All penalties will be issued via a carbon copy format with one (1) copy for the Vendor's records, and one (1) copy for the Market's records. See Appendix 4 – Moscow Farmers Market Notice of Penalty.

1. **First Penalty**

A verbal warning shall be given to the Vendor.

2. **Second Penalty**

A written warning shall be given to the Vendor. Vendor will provide Management an email or letter that states how the Vendor will correct the behavior. Failure to receive a statement from the Vendor will result in a forced absence for the next Market attendance.

3. **Third Penalty**

A fifty-dollar (\$50) fine will be imposed upon the Vendor. Failure to remit payment will result in the Vendor being prohibited from attending Market until the fine is paid.

Enforcement

The City of Moscow Farmers Market ("Market") Policies will be enforced by the on-site Community Events Manager and/or in consultation with the Deputy City Supervisor, depending on circumstances. As the Market Location encompasses public right-of-way or City-controlled property, City reserves its right to regulate activities which occur within such public property. All Vendors agree to abide by Market Policies upon acceptance into the Market.

Egregious Behavior and Offense

In the case of a Vendor(s) acting in threatening or belligerent behavior, Community Events Manager has the right to cease sales for the remainder of the Market and have the Vendor dismissed early from the Market. Community Events

Manager will issue a penalty and present a case of expulsion or termination from the Market to the Farmers Market Commission. Vendor will be provided an opportunity to state their case, either orally, or in writing.

Appeals Process

If a Vendor has been found in violation of Market Policies, and the Vendor believes the penalty imposed is based upon inaccurate or incomplete information, or the penalty would constitute an unfair action if imposed, the Vendor may use the appeals process.

1. *Appealing a Penalty*

Vendor(s) who have been issued a penalty for an alleged Policy violation may appeal the decision within five (5) business days of the violation.

2. *Written Statement*

Appeals must take the format of a written statement detailing the reasons as to why the Vendor did not violate the Policy. Statements must be addressed to the Assistant City Supervisor.

3. *Number of Appeals*

Vendor(s) may only appeal the alleged violation one (1) time.

4. *Final Decision*

A decision regarding the appeal will be rendered within five (5) days of receiving the appeal and shall be final.

Effective Date

These policies shall be effective upon approval by the Moscow City Council.

Appendices

Appendix 1 – Moscow Farmers Market Map and Boundaries



Appendix 2 – Moscow Farmers Market Vendor Fees

Number of days in attendance at the Market & associated fee by stall size									
Tier 1 (\$16 reg. fee)	1	2	3	4	5	6	7	8	
11'x15' (\$32/day)	\$32	\$64	\$96	\$128	\$160	\$192	\$224	\$256	
5'x15' (\$16/day)	\$16	\$32	\$48	\$64	\$80	\$96	\$112	\$128	
Tier 2 (\$54 reg. fee)	9	10	11	12	13	14	15	16	17
11'x15' (\$22/day)	\$198	\$220	\$242	\$264	\$286	\$308	\$330	\$352	\$374
5'x15' (\$13/day)	\$117	\$130	\$143	\$156	\$169	\$172	\$195	\$208	\$221
Tier 3 (\$135 reg. fee)	18	19	20	21	22	23	24	25	26
11'x15' (\$16/day)	\$288	\$304	\$320	\$336	\$352	\$368	\$384	\$400	\$416
5'x15' (\$10/day)	\$180	\$190	\$200	\$210	\$220	\$230	\$240	\$250	\$260
Additional Amenities									
Electricity <i>Limited outlets, 16 amps max</i>	Flat rate of \$11/day, regardless of Tier								
Non-Neighbor Spaces	Flat rate of \$5/day, regardless of Tier								
Vehicle Surcharge	Flat rate of \$16/day, regardless of Tier								
Other Vendor Categories									
Performance/ Busker	\$8 per group								
Youth Vendor	\$6 per group								

Appendix 3 – Safety Compliance Requirements

The Moscow Volunteer Fire Department requires Vendor compliance with the following items at all times. Vendors are subject to inspection on an irregular basis for these requirements:

1. **Tents, Canopies, Umbrellas, etc.**

- a. **Weights:** Weights are required on all types of coverings utilized by Vendors to reduce risk and harm from being blow down. Each anchor point must have no less than twenty-four pounds (24 lbs.) weighing it down.
- b. **Attachment:** Weights requiring tethering shall
 - i. Not create a tripping hazard;
 - ii. Use lines that are visible with soft edges to avoid abrasions; and
 - iii. Be securely attached to the tent, canopy, etc., at ground level, and not above a person's head, to prevent a clothesline effect.
- c. **Tripping Hazards:** Any part of a tent, canopy, etc., in a walkway will have a red or florescent tape applied to the portion in the walkway to prevent tripping hazards.

2. **Fire Extinguishers**

- a. **Certified Fire Extinguishers:** Vendors shall arrange for annual service of their fire extinguishers and ensure that a 'verification tag of service date' is in place.
- b. **Number of Fire Extinguishers:** A minimum of one (1) five-pound (5 lb.) ABC type portable fire extinguisher is required for each Vendor with any type of cooking device or warming plate.
- c. **Class Type:** A class K rated portable extinguisher is required for **deep-vat fry** cooking equipment involving vegetable or animal oils and fats.

3. **Portable Cooking Devices**

- a. **Tent Standards:** The national standard set by the National Fire Protection Agency (NFPA) 701 applies to the Market regarding portable cooking devices under any type of coverings. Vendors using this method to prepare or cook food shall do one (1) of the following:
 - i. Provide a certificate from an approved testing laboratory that states the covering's materials and performance meet the criteria outlined in NFPA 701; or
 - ii. Provide the brand of flame-retardant used to treat the covering. Treatment application must be through an approved manner that

meets the flame propagation performance criteria outlined in NFPA 701.

- b. **Combustible Materials:** No combustible material shall be within five feet (5') of any open flame or portable cooking device.
 - c. **Smoke Stacks:** Portable cooking devices with a smoke stack must be a minimum of five feet (5') from any combustible material.
 - d. **Gas Cylinders and Tanks:** Compressed gas cylinders must be secured to prevent tipping and potential damage to the stem and/or regulator. Approved methods include chained to a stable structure or placed in a milk crate. Always secure gas cylinders in an upright, vertical manner on a flat surface.
4. **Electrical Cords**
- a. **Cord Standards:** All electrical cords shall be Underwriters Laboratories (UL) approved.
 - b. **Tripping Hazards:** Cover all electrical cords to prevent tripping hazards.
5. **Fire Lanes**
- A minimum fire lane of twenty-five feet (25') shall be maintained at all times.

Appendix 4 – Moscow Farmers Market Notice of Penalty



POLICY VIOLATION NOTICE OF PENALTY

NO. XXXXXX

Today's date: ____/____/____

☐ 1st – verbal warning

Date of policy violation: ____/____/____

☐ 2nd – written warning

Date penalty issued: ____/____/____

☐ 3rd – \$50 fine

MOSCOW FARMERS MARKET VENDOR HANDBOOK POLICY VIOLATED BY VENDOR

Name and job title of Moscow Farmers Market staff issuing penalty

Signature of Moscow Farmers Market staff issuing penalty

VENDOR INFORMATION ☐ Tier 1 ☐ Tier 2 ☐ Tier 3

Primary contact for Vendor: _____
First name Last name

Vendor doing business as: _____
Name of Business Operation

By signing this policy violation, I acknowledge receipt of penalty notice for my business operation at the Moscow Farmers Market

Signature of Vendor primary contact: _____ Date: _____
MM/DD/YYYY

V

Appendix 5 – Permits, Licensees, and Resource Contacts

Permits and licensing information is different for each Vendor category. The following list is not exhaustive and is meant for user education purposes.

Moscow Volunteer Fire Department

229 Pintail Lane or 603 South Main
Moscow, ID 83843
208-882-2831
dellinwood@ci.moscow.id.us

Public Health – Idaho North Central District

333 East Palouse River Drive
Moscow, ID 83843
208-882-7506
<https://www.idahopublichealth.com/district-2/aboutidahopublichealth>

Idaho State Tax Commission

11321 W. Chinden Blvd.
Boise, ID 83714-1021
800-972-7660 or 208-334-7660
www.tax.idaho.gov

State of Idaho Alcohol Beverage Control

Idaho State Police

700 S. Stratford Dr., Ste. 115
Meridian, ID 83642
208-884-7060
<https://www.isp.idaho.gov/abc/>

Idaho State Department of Agriculture (ISDA)

2270 Old Penitentiary Road
Boise, ID 83712
208-883-8500
info@isda.idaho.gov
<https://agri.idaho.gov/main/>

ISDA Division of Animal Industries

Eggs, Cattle, Dairy, Sheep & Goats, Swine
208-332-8540 or 208-332-8560
animal_info@isda.idaho.gov
<https://agri.idaho.gov/main/animals/animal-industries-contacts/>

ISDA Division of Plant Industries

Nursery, Florist, & Landscaping and Bees
(Apiary)
208-332-8620
plantsinfo@isda.idaho.gov
<https://agri.idaho.gov/main/plants/plant-services-section-contact-information/>

ISDA Food Safety Modernization Act (FSMA)

<https://agri.idaho.gov/main/inspections/fsma-main/>

ISDA FSMA

Produce Safety Rule and Division
208-332-8502
fsma@isda.idaho.gov
<https://agri.idaho.gov/main/inspections/fsma-main/contact-fsma/>

ISDA Organic Program

208-332-8680
organics@isda.idaho.gov
<https://agri.idaho.gov/main/about/about-isda/ag-inspections/organic-certification-program/>

ISDA Idaho State Seed Lab Seeds

2240 Kellogg Lane

Boise, ID 83712

208-332-8630

<https://agri.idaho.gov/main/laboratories/seed-lab/>

ISDA Weights and Measures

2216 Kellogg Lane

Boise, ID 83712

208-332-8690

<https://agri.idaho.gov/main/weights-and-measures/inspections-exams/contact-information/>

Food & Drug Administration (FDA) Food Safety Modernization Act (FSMA)

Preventative Controls in Human Food Rule – Value-added projects and processed products made on-farm and in licensed commercial kitchens

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm525201.htm>

University of Idaho (UI) Extension

606 S. Rayburn Street

E.J. Iddings Agricultural Science

Laboratory, Room 52

208-885-5883

extension@uidaho.edu

UI Extension Horticulture & Small Farms

Area Extension Educator, Community Food Systems, Colette DePhelps

Agricultural Science, Room 333

Moscow, ID 83843

208-883-4003

cdephelps@uidaho.edu

<https://www.uidaho.edu/extension/small-farms>

UI Extension Horticulture & Small Farms

Area Extension Educator, Small Farms, Iris Mayes

200 S. Almon St., Ste. 201

Moscow, ID 83843

208-883-2267

imayes@uidaho.edu

<https://www.uidaho.edu/extension/small-farms>

UI Extension FSMA Food Safety for Produce Growers

<http://www.uidaho.edu/extension/food-safety-for-produce-growers>

UI Extension FSMA Produce Safety Rule guide with concern to your farm

https://uidaho.co1.qualtrics.com/jfe/form/SV_8D1ucSlEeq749AF

Bees (Apiary): All beekeepers are required to register their bees with the ISDA and pay a registration fee, as well as a honey advertising tax on each colony of bees. See the Idaho Bee Inspection Program, <https://agri.idaho.gov/main/plants/bees-apiary-inspection/>.

Dairy: For information on selling raw milk, small herd exemptions, and selling shares of raw milk. See the Dairy Bureau, <https://agri.idaho.gov/main/animals/dairy-bureau/>.

Eggs: It is a requirement under [Title 37, Chapter 15](#), Idaho Code, "Egg and Egg Products" and [IDAPA 02.02.11](#) "Rules Governing Egg and Egg Products" to comply with the laws and rules if you are a distributor of egg and/or egg products or if you have three hundred (300) or more birds. If an individual **has less than three hundred (300) birds**, the eggs can be sold without complying with the requirements; however, the eggs must be clean and the container must be labeled with the individual's name, address, phone number, and the words "UNGRADED EGGS" See Avian Species, <https://agri.idaho.gov/main/animals/avian-species/eggs/>.

Fresh Produce: The FSMA Produce Safety Rule was made final in January 2016, and establishes science-based minimum standards for the safe growing, harvesting, packing and holding of fruits and vegetables grown for human consumption. Many, if not all farms, are impacted by at least part of the FSMA Produce Safety Rule, even those that are very small. The FDA has a brief summary of the key requirements for the final Produce Safety Rule available on their website, <https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472887.pdf>. The University of Idaho has developed a self-guided tool to determine if the FSMA Produce Safety Rule applies to your farm at https://uidaho.co1.qualtrics.com/jfe/form/SV_8D1ucSlEeq749AF. For regulatory compliance in Idaho see <https://agri.idaho.gov/main/inspections/fsma-main/>. For regulatory compliance in Washington see <https://agr.wa.gov/departments/food-safety/food-safety/compliance>.

Meat: Idaho does not have any State inspected meat processing facilities so all meat sold by the cut at the Farmers Market needs to be processed in a USDA

approved facility. Contact your local Public Health District for any additional food license requirements and additional information on best practices for selling meat in the Market.

Nursery, Florists, and Landscaping: Anyone who engages in, conducts, or carries on the business of propagating, growing, selling, dealing in, or importing into Idaho, for sale or distribution, any nursery or florist stock, or engages in the installation of landscape plants, or acts as an agent, salesman, or solicitor for any nurseryman, florist, landscape contractor, or dealer in nursery or florist stock, must first obtain a license to do so from the ISDA Division of Plant Industries. Pursuant to Idaho Code § 22-2305(2), sellers with less than \$500 gross annual sales are exempt from licensing. See Nursery, Florists, and Landscaping section, <https://agri.idaho.gov/main/plants/nurseries-florists-and-landscaping/>.

Organic: The ISDA Organic Certification Program is an accredited certifying agent of the USDA's National Organic Program. It provides certification services for crops, wild crops, livestock, and handlers/processors. The Program also provides material registration for manufacturers who produce inputs used in organic production. See USDA Organic, <https://www.usda.gov/topics/organic>.

Poultry: Poultry sales and processing regulations are managed by your local Public Health District. Contact them for compliance at <https://healthandwelfare.idaho.gov/health-wellness/community-health/public-health-districts>.

Processed and Value-Added Foods It is important to understand how the FSMA Prevention Controls for Human Food Rule (PCHF) applies to your business. See the FDA section on the FSMA Final Rule for PCHF at <https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334115.htm>.

For determining your compliance level see pages 7 and 20 of the FDA PCHF Compliance Guide, <https://www.fda.gov/downloads/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/UCM526507.pdf>.

Please note, all facilities are required to notify FDA about their compliance status. To learn more about notifying FDA, see page 18 of the Compliance Guide.

Soil and Plant Amendments: Registration with ISDA is required in order to distribute soil or plant amendments in Idaho. See Feed, Fertilizers, Soil & Plant Amendments, <https://agri.idaho.gov/main/plants/feeds-fertilizers-soil-and-plant-amendments-commercial/>.

Weights and Measures: Any weighing or measuring instrument or device used for commercial purposes in Idaho is required to be licensed annually. This includes scales to measure produce at the Market. See Weights and Measures, <https://agri.idaho.gov/main/weights-and-measures/>.

Appendix 6 – Vendor Eligibility & Approval

1. **Basic Eligibility**

All Vendors are required to be the grower/producer of the products they are interested in selling at the Market. These same products must be grown/produced within 200 air miles of Moscow, ID.

2. **Approval Process for Agricultural Vendors**

- a. Create a Farmspread account and apply to sell at the Moscow Farmers Market for the applicable season.
- b. Attend the mandatory Vendor Orientation.
- c. Complete a Site Visit with the Farmers Market Commission and Community Events Staff either prior to or during the Market Season.
 - i. **Purpose:** The purpose of a Site Visit is to verify a Vendor's practices as listed by the Vendor in Farmspread and to ensure compatibility with the Market's mission statement, core values, and philosophies.
 - ii. **Issues and Actions:** Any food safety and/or public health violations discovered during a Site Visit may result in an immediate suspension from the Market. Vendors who are deemed incompatible with the Market's mission statement, core values, and philosophies by the Site Visit subcommittee may attend the Market until further notice by the Commission.
 - iii. **Foragers:** Agricultural Vendors in the sub-category of Forager are required to disclose where product was harvested within a five [5] square mile description. The Market may require the Vendor to sign a disclosure form that no laws were violated in harvesting or selling of wild mushrooms, plants, or berries.
- d. Pending a satisfactory Site Visit or Commission decision, the Agricultural Vendor is approved to sell at the Market.

3. **Approval Process for Non-Agricultural Vendors**

- a. Create a Submittable account and submit a Craft & Food Jury Reservation form. Include with the form:
 - i. **Vendor Statement:** A statement that describes the tools, techniques, and traditions utilized in crafting final product(s).
 - ii. **Sourcing List:** Materials/ingredients sourcing list to include businesses, farms, and/or locations of supplies utilized to create final product(s).

- iii. **Price/Menu List:** Include pricing of items and/or a menu of product offerings as part of table display at the jury.
 - iv. **Prepared Food Vendors are also required to:**
 - Submit a legible drawing, photograph, or digital rendering of proposed booth layout that includes handwashing station location, prep areas, etc.
 - Complete a Food Risk Assessment Form or submit a copy of current Food Permit License.
 - Submit examples of packaging for unsealed/open food items (i.e. plates, bulk containers, to-go packaging, etc.). Styrofoam packaging and containers are not permitted.
- b. Attend the applicable Craft & Food Jury
- i. **Set-Up and Take-Down:** Tables are provided for Vendors. Vendors have one (1) hour to complete their table set-up and may not be present during the judging period. Vendors are required to collect their items at the end of a jury. Failure to do so results in a zero (0) score and items left behind are discarded.
 - ii. **Judging Criteria and Scoring:** A jury panel handles, examines, and/or tastes presented items. Panelists are generally comprised of Farmers Market Commission members. A Vendor's score is based on their Table Display, Sourcing Information, and Product Design and Integrity. Each evaluator completes a score card (see examples on following pages) per Vendor. Score cards are tallied and an average score is provided per Vendor. Vendors must receive a minimum score of seventy percent (70%) to be qualified to participate in the Market. Vendors who do not receive the minimum score may re-submit a Reservation Form and re-jury at a later date pending space availability. Upon request, the Community Events Manager provides evaluation feedback to Vendors seeking to make improvements to their operation.
 - iii. **Notification:** Community Events Staff notifies Vendors of the jury results within two (2) business days. The Community Events Manager reserves the right to select fewer qualified Vendors based on availability of space and current Market product mix.

- c. The Vendor must have a qualifying score and product approval to be eligible to sell at the Market.
- d. Create a Farmspread account and apply to sell at the Moscow Farmers Market for the applicable season.
- e. Attend the mandatory Vendor Orientation.
- f. Vendor is only permitted to sell their approved products at the Market. Requests to sell additional products throughout the season are to be submitted to the Community Events Manager for review. Please note: approved Non-Agricultural Vendors are subject to Site Visits if warranted by Community Events staff or Commission Members.

4. **Tier Eligibility**

- a. **First Season:** New Vendors and Vendors that have been absent for two (2) consecutive seasons are eligible for Tier 1 or Tier 2 packages. See Tier Packages on page 16. Approval status does not equate to receiving space at the Market. Vendors who complete their first season may submit a request to the Community Events Manager to be promoted to Tier 3 status for the following season. Considerations for Tier 3 status includes the Vendor's attendance, timeliness, adherence to this Handbook, available space, and product mix.
- b. **Special Considerations:** Tier 3 status is not typically granted to new Vendors in their first season. Agricultural Vendors, and Craft and Food Vendors who receive a qualifying score of ninety percent (90%) or greater, requesting Tier 3 status in their first season shall appeal to the Community Events Manager for consideration.

ARTISAN/CRAFT CRITERIA		Poor (0)	Average (1)	Excellent (2)	Notes (shared with prospective vendors that request them and are entered into the Market's record database)
DISPLAY	Display is visually appealing (6 points)				
	Neat and attractive				
	Items are relatable and present a cohesive theme				
	Product list is present and prominently displayed with prices (prices listed on each item is an acceptable substitute)				
SOURCING	Products feature local sourcing (4 points)				
	Material choices reveal a consideration for environmental and economic sustainability				
	Material choices are sourced locally within a 200 air-mile radius				
PRODUCT DESIGN AND INTEGRITY	Products offer a distinct look and feel not readily duplicated (12 points)				
	Unique				
	Structurally intact				
	Exhibit craftsmanship				
	Exhibit original design				
	Reflect local/regional area				
	Made by the prospective vendor without excessive reliance on ready-made or mass-produced elements (e.g. pre-die-cut objects, pre-fabricated objects, stamp kits, promo items, etc.)				
Display: Sourcing: Product design & integrity:				Minimum qualifying score: 15.5/22 = 70% Participant's score: /22 = %	
All products accepted: ☐ Yes ☐ No (list products not accepted below)					
Notes to the Community Events Manager:					

HOT/PREPARED/PROCESSED/ PACKAGED FOOD CRITERIA		Poor (0)	Average (1)	Excellent (2)	Notes <i>(shared with prospective vendors that request them and are entered into the Market's record database)</i>
DISPLAY	Display is visually appealing (6 points)				
	Neat and attractive				
	Item arrangement reveals forethought for customer engagement				
	Menu is present and prominently displayed with prices				
SOURCING	Products feature local sourcing (4 points)				
	Ingredient choices reveal a consideration for environmental and economic sustainability				
	Ingredient choices are sourced locally within a 200 air-mile radius				
PRODUCT DESIGN AND INTEGRITY	Product flavors & textures are appealing (6 points)				
	Appearance (sight)				
	Flavor (taste) & Aroma (smell)				
	Unique with an innovative approach to cuisine and original recipes by prospective vendors				
	Products presented in an appetizing manner (6 points)				
	Ingredient(s) label present and distinct				
	Potential allergen warnings clearly listed				
	Serving and packaging techniques exhibit adequate food safety practices (e.g. hot food served at appropriate temperatures, dairy products served at appropriate temperatures, packaged food seals are unbroken, etc.)				
	Display: Sourcing: Product design & integrity:		Minimum qualifying score: 15.5/22 = 70% Participant's score: _____/22 = ____%		
	All products accepted: ☐ Yes ☐ No (list products not accepted below)				
Notes to the Community Events Manager:					

XV

Appendix 7 – Resolution No. 2012-05 Friendship Square Use Policy during Farmers Market Season

RESOLUTION NO. 2012 - 05

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A POLICY FOR THE USE OF FRIENDSHIP SQUARE ON MARKET DAYS DURING THE FARMERS MARKET SEASON; PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Friendship Square is City property owned, operated, and controlled by the City; and

WHEREAS, Friendship Square functions, in part, as a downtown meeting place, a place for arts performances, playground and visiting uses, protests and demonstrations, and the presentation to the public of various messages, ideas, and public expressions; and

WHEREAS, Moscow's Farmers Market (hereinafter "the Market") has been in existence for many years; and

WHEREAS, the Market is an integral part of various downtown Saturday activities during the months of May through October annually; and

WHEREAS, multiple individuals and groups (in increasing numbers) seek to access the Farmers Market audience and participants (also increasing in number) by utilizing a portion of Friendship Square on Market days; and

WHEREAS, the City wishes to make space in Friendship Square available to individuals and groups to allow them to present their messages, ideas, opportunities, and information on Market days (Saturdays) during the Farmers Market Season; and

WHEREAS, the Council believes that these Friendship Square regulations comprise Constitutionally reasonable time, place, and manner restrictions and coordination of uses in Friendship Square during Market days; and

WHEREAS, the City also wishes to coordinate Friendship Square uses by reserving portions of Friendship Square for pedestrian, music, arts and other performances, visiting, emergency access, playground uses, recreation, and other uses and access to the Market and Main Street; and

WHEREAS, coordination and accommodation of such multiple uses in Friendship Square on Market days are consistent with the law, City goals and values, and will support Market activities without undue interference with the Market;

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

The attached *Friendship Square Use Policy During Farmers Market Season* is hereby adopted and shall be effective upon publication according to law.

PASSED AND APPROVED by the Council and Mayor of the City of Moscow, Idaho, this 16th day of April, 2012.

ATTEST:

Stephanie Kalisz, City Clerk



Mayor

RESOLUTION 2012-05 FRIENDSHIP SQUARE USE POLICY

APRIL 16, 2012

PAGE 1 OF 4

FRIENDSHIP SQUARE USE POLICY
DURING FARMERS MARKET SEASON

- A. **Definitions.** For purposes of this Friendship Square Use Policy During Farmers Market Season ("Policy"), certain words and terms used herein are defined as follows:

City of Moscow Farmers Market, Farmers Market, Market. City-sponsored selling and associated activities which take place every Saturday from May through October in the downtown area which focuses on the sale of locally grown and/or value added produce and goods and which has traditionally occurred in 4th Street and South Jackson Street parking lot (and as shown on Attachment "A" incorporated into this Policy).

Friendship Square. The public pedestrian mall area in downtown Moscow immediately south of the Moscow Hotel, immediately north of the Skattaboe Building, east of the 4th Street and South Jackson Street parking lot and west of Main Street, as designated on the Attachment "A", incorporated into this Policy.

Market day. Every Saturday during the Farmers Market Season (from May through October) during which the Market is in operation, (i.e., 8:00 a.m. to 1:00 p.m. local time).

Speaker(s). A person or entity whose presence in Friendship Square on a Market day is primarily for the purpose of presenting a message, activity or opportunity to the Market audience, participants, and/or members of the public and which message or activity does not compete directly with Market Vendors. This includes individuals or groups who wish to utilize Speakers Space for local arts, philanthropic, charitable, non-profit, social, and other similar purposes governed by this Policy.

Speakers Space. The area generally south of the current emergency access lane, playground and permanent benches in Friendship Square and north of the north wall of the Skattaboe building currently occupied by New Saint Andrews College and Bloom Restaurant (minus the spaces in front of the ingress/egress features) that is currently available for continuing use by Speakers, as described in this Policy and as shown on Attachment "A".

- B. **Background.** Since the establishment of the Farmers Market in the early 1970's, a portion of Friendship Square (adjacent to the Market) has been used during Market hours of operation for local arts, philanthropic, performance, pedestrian, charitable, non-profit, social, and similar purposes. Individuals and groups in Friendship Square during Market days focus principally on getting their "message" or opportunity out to those participating in the adjacent Market (approximately 5,329 people per Market day).

The City wishes to preserve part of Friendship Square (i.e., the area in Friendship Square not identified and set apart as "Speakers Space" in Attachment "A") for the emergency access lane that runs east-west through the entirety of Friendship Square so that it remains free and open for access and/or use by emergency responders. The City also desires to allow for the safe and open use of the established public playground and benches during Farmers Market hours of operation. Additionally, the non-Speakers Space portion of Friendship Square to the north and south of the emergency access lane needs to remain open for visiting, foot traffic, bicycle, stroller, wheelchair, and similar movement through Friendship Square to access the Market and Main Street, and for music, arts, and other programs (including those organized or sponsored by City) that occur within Friendship Square as a multi-faceted downtown public venue.

Because Moscow is an inclusive community with a deep and long-term commitment to education and diversity (in all of its aspects), the City wishes to preserve space to accommodate "messages" and Speakers ("Speakers Space") in Friendship Square.

- C. Policy Purpose. The City wishes to coordinate the multiple and varied uses of Friendship Square during Market days of the Market Season. Uses include playground, pedestrian and other travel through Friendship Square, maintenance of an emergency access lane, music and arts performances, demonstrations by various arts groups and the like, and presentations of various messages, ideas, philosophies and opportunities by various individuals and groups who wish access to the Market participants and members of the public on Market day. The City does not intend to control or regulate and coordinate the message or content of a Speaker's "speech" on a Market day, but rather, desires to reasonably regulate and coordinate the time, place and manner of the speech by allowing Speakers to avail themselves of the designated Friendship Square Speakers Space on Market days while continuing to coordinate and accommodate their use of Friendship Square on Market day. Also, the City desires to preserve the principally non-commercial nature of Friendship Square and the Speakers Space to the extent allowed by law.

By this Policy, the City does not wish to interfere with Market Policies or activities and desires that this Policy be administered independently from any Market Policy. Additionally, because of the multiplicity of uses and because of the increased density of occupancy in Friendship Square during Market day operations, with the exception of a "service animal" (as defined in the Americans With Disability Act 2010 Final Regulations), dogs and other animals and pets are not allowed in Friendship Square during the hours of 8:00 a.m. through 1:00 p.m. local time on Saturdays in May through October, unless specifically authorized in writing by the City Parks and Recreation Director for a specific planned event or demonstration (such as a raptor show or magic act).

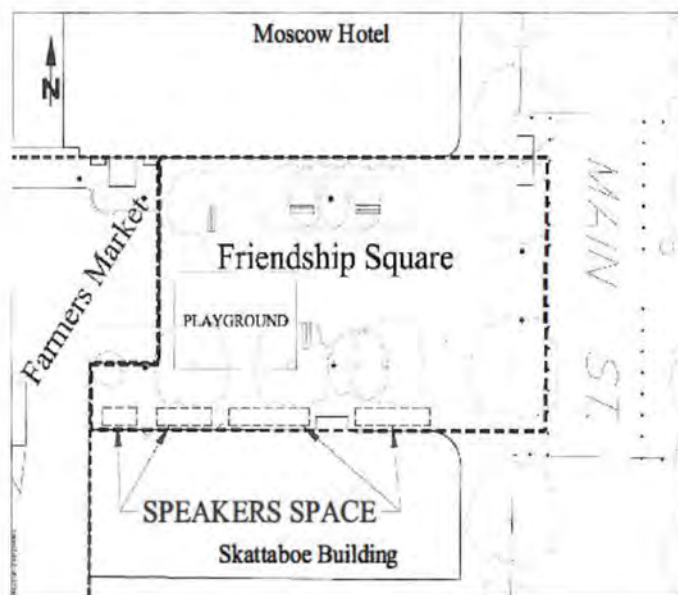
- D. Speakers' Activities. Within the Speakers Space, Speakers are allowed to offer information, answer questions, hand out materials, participate in discussions, and/or suggest ideas relative to their cause or message in whatever lawful manner they wish. Speakers may sell or give away promotional and other articles with the sponsoring individual or group's name, logo, cause, or graphic on them. The selling of raffle or other tickets for future local events (plays, concerts, charities, fundraisers, etc.); campaign and other political activities; solicitation and acceptance of donations; fundraising; food drives; and similar commercial speech and/or activities that do not compete with Market Vendors, are allowed in the Speakers Space during Market hours. Speakers may not sell, distribute, or give away any item that is available for purchase from a Vendor in the Market.

"For-profit" individuals and groups may use the Speakers Space if their presence is not intended to and does not result in on-site sales (other than those allowed Speakers by this Policy), taking orders for merchandise and/or for paid services. For-profit concerns may wish to contact the City for information on how to qualify as a Vendor in the Market.

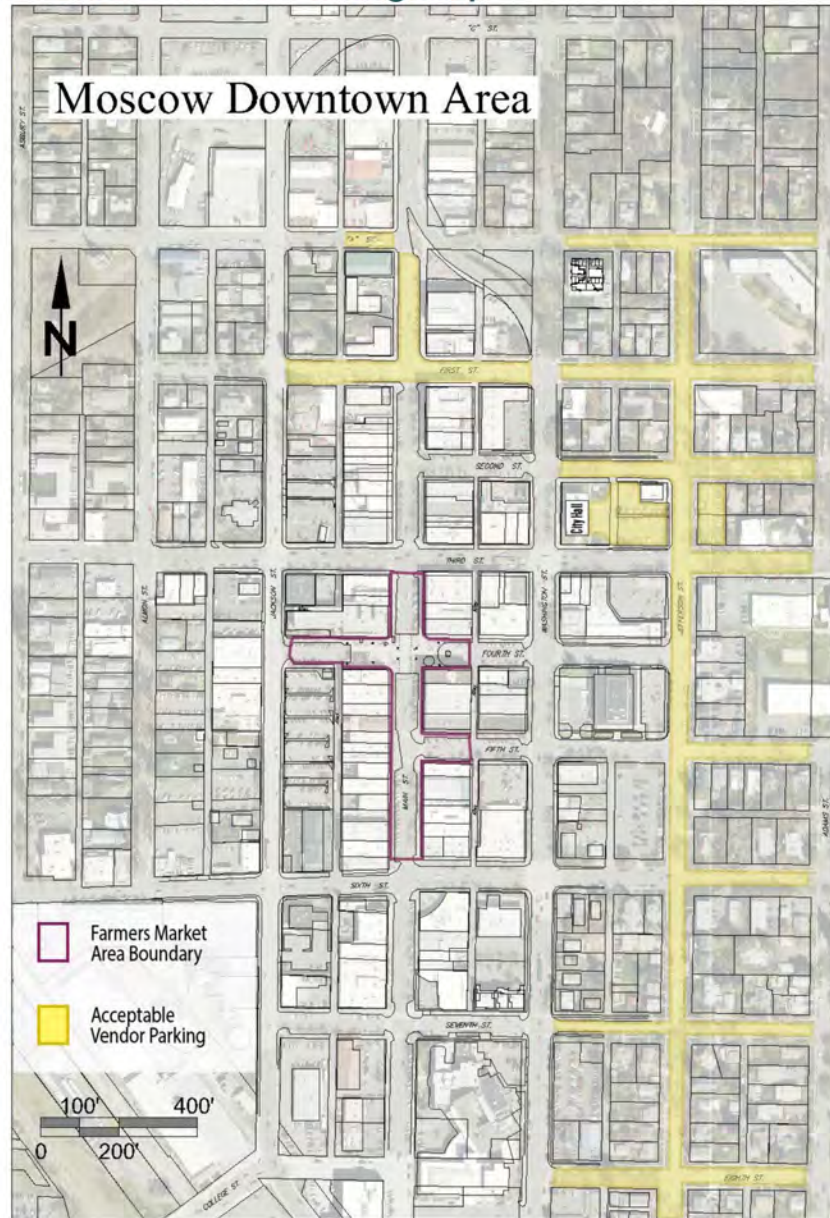
Any individual or group using all or part of the Speakers Space may also move freely within Friendship Square and within public spaces outside of the Market but such Speaker(s) may not conduct business, sales or Speakers activities within the Market. Speakers are allowed to place temporary structures in the Speakers Space (such as a piece of equipment, a table, or self-standing sign), so long as the structures are removed by 2:00 p.m. local time on Market day.

- E. The Speakers Space, identified in Attachment "A" attached to this Policy and fully incorporated herein by reference, is reserved for Speakers and Speakers activities during Market days, pursuant to this Policy.
- F. Alternatives to Speaker(s) Display in Friendship Square. If there is no Speakers Space available on a Market day pursuant to this Policy, the City may be contacted about using other public facilities and/or other venues or outlets for their messages, such as peaceful moving pickets or demonstrations on City sidewalks outside of the Friendship Square Speakers Space; the use of City parks and other public spaces, venues, and facilities; securing of a Vendor permit pursuant to Moscow City Code Title 9, Chapter 11; using Friendship Square during non-Market hours, etc.

ATTACHMENT "A"



Appendix 8 – Vendor Parking Map



XX

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, March 4, 2024



AGENDA ITEM TITLE

Assistance to Firefighters – Grant Application - Alisa Anderson / Brian Nickerson

RESPONSIBLE STAFF

Alisa Anderson, Grants Manager, Brian Nickerson, Fire Chief

ADDITIONAL PRESENTER(S)

DESCRIPTION

The Moscow Volunteer Fire Department (Department) is requesting to submit a funding request to the Assistance to Firefighters Grant (AFG) under the Operations and Safety (O&S) program which funds fire safety projects and equipment for first responders. The primary goal of the AFG is to meet the firefighting and emergency response needs of fire departments and non-affiliated emergency medical service organizations. Since 2001, AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training and other resources necessary for protecting the public and emergency personnel from fire and related hazards.

The proposed grant request is to purchase communications equipment to include 50 portable and 22 mobile all-band radio systems to include chargers, audio accessories, extended warranty and service agreement. Under the AFG O&S program, P25 compliant portable radios are considered “high priority” basic equipment. P25 is a suite of standards and specifications which enable interoperability among digital, two-way, land mobile radio communication products provided by multiple manufacturers to support the mission of critical public safety requirements. Under the O&S program, priority consideration is given to equipment that is frequently used, is an age considered for replacement (8-14 years), operationally benefits other jurisdictions, and will bring the Department into compliance with national recommended standards. Portable radio awards are made based on the number of “seated-riding positions” in the active firefighting/emergency medical service vehicle fleet and the Department has 50+ seated positions in the fleet.

The FY2023 AFG program is for the current fiscal year and this round of funding has \$324 million available with a projected number of awards to be 2,000. The required match for jurisdictions of 20,000 up to 1 million residents is 10% of the grant award. The total estimated cost for the proposed radios is \$460,000, which includes a 1% inflationary increase based on a current vendor quote. The grant application is due March 8, 2024. The anticipated award announcements will begin on April 30, 2024, and end no later than September 30, 2024. This was reviewed by the Administrative Committee on February 26, 2024, and recommended for approval.

REVIEWED BY

PROPOSED ACTIONS

ACTION: Approve the Moscow Volunteer Fire Department to submit a grant application to the FY2023 Assistance to Firefighters Grant program for an amount not to exceed \$460,000 for portable and mobile radio equipment.

STAFF RECOMMENDATION

Approve the Moscow Volunteer Fire Department to submit a grant application to the FY2023 Assistance to Firefighters Grant program in an amount not to exceed \$460,000 for portable and mobile radio equipment.

OTHER RESOURCES

N/A

FISCAL IMPACT

The AFG Program requires a 10% match. The maximum match based on an award of \$460,000 would be \$46,000, which is included in the FY2024 Fire Department equipment budget.

PERSONNEL IMPACT

Fire, Grants and Finance Departments

ATTACHMENTS

None

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, March 4, 2024



AGENDA ITEM TITLE

Task Order No. 22 Moscow Water Reclamation Facility – Intermediate Pump Station (IPS) Upgrade - Evan Timar

RESPONSIBLE STAFF

Evan Timar

ADDITIONAL PRESENTER(S)

DESCRIPTION

Task Order No.22, pursuant to the Master Agreement for Professional Services between City of Moscow and J-U-B Engineers, consists of design phase and bidding services for the replacement of the existing three Archimedes screw pumps, which are original to the 2002 Phase III facility upgrade. The IPS system is relied upon to maintain a seamless and consistent operation by moving all of Moscow’s wastewater to the peak of the Reclamation Facilities hydraulic grade line further distributing it to downstream treatment processes. On average, the IPS system pumps 650 million gallons of wastewater per year into the facility.

REVIEWED BY

This was reviewed by the Administrative Committee on February 26, 2024 and recommended for approval.

PROPOSED ACTIONS

ACTION: Approve Task order No. 22 with J-U-B Engineers in the amount of \$157,000.

STAFF RECOMMENDATION

Approve Task order No. 22 with J-U-B Engineers in the amount of \$157,000.

OTHER RESOURCES

FISCAL IMPACT

The funds of \$157,000 for Task Order No. 22 will come out of the sewer capital budget.

PERSONNEL IMPACT

ATTACHMENTS

1. TASK ORDER 22 Moscow WRF IPS Upgrade_final with attachment

TASK ORDER NO. 22

Pursuant to the

MASTER AGREEMENT FOR PROFESSIONAL SERVICES
(Categories 1a, 2a, 3a)
BETWEEN CITY OF MOSCOW, IDAHO AND
J-U-B ENGINEERS, INC.

This Task Order No. 22 is made this ____ day of _____, 2024, and entered into by and between the City of Moscow, Idaho, a municipal corporation of the State of Idaho (hereinafter “CITY”), and accepted by J-U-B Engineers, Inc. (hereinafter “ENGINEER”), pursuant to the mutual promises, covenants, terms and conditions contained in the Master Agreement (Categories 1a, 2a, 3a) Between City of Moscow, Idaho and J-U-B Engineers, Inc. dated the 21st day of January, 2024 (hereinafter “Agreement”). The Project Name for this Supplemental Task Order No. 22 is as follows:

CITY OF MOSCOW

MOSCOW WATER RECLAMATION FACILITY – INTERMEDIATE PUMP STATION UPGRADE

PART 1 - PROJECT UNDERSTANDING

The 2022 Water Reclamation Facility (WRF) Facility Plan completed by ENGINEER included a Capital Improvement Plan (CIP) that outlined a series of improvements for CITY to undertake at the WRF in the next 20 years, as shown in the attached Table 7-1. CITY has decided to implement the Intermediate Pump Station (IPS) replacement which was identified in the first phase of improvements and has requested that ENGINEER prepare this scope of work as a continuation of engineering services related to the WRF. The project generally includes design and bidding phase services to replace the existing three Archimedes screw pumps, including ancillary improvements as necessary to the structure and electrical systems. Prior to bidding, CITY is seeking to pre-qualify bidders.

PART 2 - SCOPE OF WORK

ENGINEER’s services under this Task Order are limited to the following tasks. Any other items necessary to plan and implement the Project, including but not limited to those specifically listed in “CITY Provided Work and Additional Services”, are the responsibility of CITY.

A. Task 100: Design Phase Services

1. Subtask 001 – Project Management
 - a. Project Initiation

- i. Set up project utilizing ENGINEER's financial and record keeping systems for document retention and project controls.
 - ii. Retain subconsultant services as necessary upon written approval by CITY and execute subconsultant invoices.
 - iii. Develop project schedule, intermediate milestones, and work plan.
 - iv. Communicate and coordinate ENGINEER team activities with kickoff and progress meetings as required.
 - v. Communicate and coordinate subconsultant activities under ENGINEER, as necessary.
 - vi. Assemble and disseminate background information to design team.
 - b. Administration
 - i. Regularly monitor project status, budget and schedule.
 - ii. During periods of project activity, provide a regular report by telephone or email to CITY on project status, budget and schedule.
 - iii. Provide a monthly invoice including budget status.
 - iv. Provide ongoing document handling and filing.
 - c. Kick-Off Meeting

Conduct a Kick-Off meeting on-site with CITY and operations staff to review existing operating conditions of the pumps, discuss background research completed by CITY to date, project schedule, and other project objectives.
 - d. Project Close Out
 - i. Archive paper and electronic files and records.
 - ii. Communicate the project completion to CITY, as required.
 - iii. Close financial billing and accounting records in ENGINEERS's financial and record-keeping systems.
2. Subtask 002 – Quality Control
- Conduct internal reviews at appropriate phases for quality control and assurance.
3. Subtask 003 – Issuing Deliverables
- Assemble and distribute Quality Control review sets, draft documents for CITY review, and final documents at each defined milestone.
4. Subtask 100 – Design
- a. 30% Design:
 - i. Review design and record drawing information, including original vendor operations and maintenance (O&M) data, to determine design criteria for the replacement pumps. It is assumed the new pumps will have the same discharge conditions, i.e., capacity will not be increased.
 - ii. Review preliminary selection, drawings, and specifications from Evoqua (formerly US Filter).
 - iii. Conduct a site visit in conjunction with the Kick-Off Meeting for the following:
 - (a) Collect field measurements and photographs of the existing IPS as deemed necessary for design purposes. Survey is not expected, but if considered

- necessary and subsequently authorized by CITY in writing, may be completed as an Additional Service.
- (b) Review existing structure condition, which will be limited to visual observations.
 - (c) Review existing electrical gear, power feed, and instrumentation associated with the pumps identified for replacement.
 - iv. Review vendor's hydraulic calculations; it is assumed that the design is limited to the IPS, i.e., from the influent Parshall flume through Distribution Box E.
 - v. Develop concept plans based on an Evoqua replacement pump and field measurements. Evaluation of alternate pump manufacturers is not included in the scope of work. No modifications to the Parshall flume (and upstream) and Distribution Box E (and downstream) are included in the scope of work.
 - vi. Prepare an Engineer's Opinion of Probable Construction Cost (OPCC) at 30% design; recommended minimum contingency is 20%.
 - vii. ENGINEER will contact the local IDEQ office and notify them of the design project, but no formal submittal is included in this scope of work.
 - viii. At conclusion of 30% Design, conduct a meeting with CITY at the WRF to review the design, identify project risk items, and confirm project direction.
 - ix. Deliverables:
 - (a) Concept Plans (unstamped)
 - (b) OPCC
 - b. 90% Design / CITY Review:
 - i. Given the project extents, an intermediate deliverable at 60% is not considered necessary. Design will therefore progress to 90% / CITY Review.
 - ii. Develop Contract Documents (plans and specifications) for replacing the three pumps assuming Evoqua is the basis of design (with potential or-equals listed but not evaluated during design) and pre-qualification of potential bidders (separate task). Specifications will include the following:
 - (a) ISPWC bidding, agreement, General Conditions, and related documents
 - (b) Owner's Supplementary General Conditions (based on CITY and CITY's legal counsel input)
 - (c) Technical specifications
 - iii. Prepare an Engineer's Opinion of Probable Construction Cost (OPCC) at 90% design; recommended minimum contingency is 10%.
 - iv. At conclusion of 90% Design, conduct a meeting with CITY at the WRF to review the project plans and specifications, as well as any remaining risk items.
 - v. Deliverables:
 - (a) 90% / CITY Review Plans and Specifications (unstamped)
 - (b) OPCC
 - c. Final Plans and Specifications:
 - i. Incorporate CITY comments from the 90% / CITY Review set and prepare final plans and specifications for competitive bidding purposes.
 - ii. Deliverables:
 - Plans and specifications (stamped).

5. Assumptions:

- a. ENGINEER reserves the right to reallocate funds amongst subtasks as necessary for budgetary purposes, provided the total contract amount is not changed.
- b. ENGINEER reserves the right to develop other subtasks as deemed necessary for internal project management and execution.
- c. Preliminary Engineering Report (PER): Since this project is a replacement / maintenance project, a PER will not be prepared.
- d. ENGINEER's Opinions of Probable Cost: Since ENGINEER has no control over the cost of labor, materials, equipment, or services furnished by others, or over the contractor(s) methods of determining process, or over competitive bidding or market conditions, ENGINEER's Opinions of Probable Cost are to be made in current year dollars and on the basis of ENGINEER's experience and qualifications and represent ENGINEER's best judgment as an experienced and qualified professional engineering firm familiar with the construction industry; but ENGINEER cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from the Opinions of Probable Cost prepared by ENGINEER. If CITY wishes assurance as to construction costs, CITY shall employ an independent cost estimator.
- e. Building Permit: It is assumed that CITY will apply for and pay for a building permit, if needed, for the Project.
- f. Plan development will be completed using AutoCAD, AutoCAD Civil 3D, REVIT, and/or other software as deemed appropriate by ENGINEER with all deliverables made in hard copy 11x17 plans and PDFs only. Source files will not be provided to CITY, bidders, contractors, or other entities.
- g. CITY will self-fund the project; therefore, coordination with funding agencies or inclusion of funding agency documents is not required.

B. Task 200: Bidding Phase Services

- 1. Subtask 210 – Pre-qualification of Bidders
 - a. ENGINEER will assist CITY with prequalification of potential bidders for the Project in accordance with the Category B requirements in Idaho Code § 67-2805.
 - b. Prequalification of potential general contractors is currently expected to require one prequalification package (prime bidders only) and includes the following:
 - i. Meet with CITY to develop draft criteria for prequalification of contractors for the Project.
 - ii. Develop draft Request for Proposal (RFP) for prequalification of contractors for CITY legal and staff review.
 - iii. Revise draft RFP document based on staff and legal input and prepare a final document for CITY's use. CITY will publicly advertise the final RFP.
 - c. Provide support during public advertising, including answering contractor questions, and issuing addenda as deemed necessary.
 - d. Review proposals for general conformance to the RFP requirements and provide a summary to CITY. CITY shall review the submittals, select those contractors that meet the prequalification standards, and issue necessary statement and response letters. This scope of work does not include support for challenges or protests by unsuccessful contractors during the prequalification process; if challenges or protests arise, the work is considered an Additional Service.

2. Subtask 220 – Bidding

- a. Prepare a bid advertisement for CITY to publish.
- b. Prepare electronic Bidding Documents for distribution to prequalified bidders through Quest CDN (or similar on-line bidding service). Hard copies of the Bidding Documents will only be prepared for CITY and IDEQ. Email prequalified bidders to notify them of the Project advertisement. The on-line bidding service will maintain a bidder's list throughout the bidding period.
- c. Receive and answer questions from bidders arising during the bidding period. A four-week bidding period is assumed for this Project.
- d. Prepare and issue addenda as necessary to clarify or amend provisions in the Bidding Documents. A total of two addenda are assumed for budgeting purposes.
- e. Review or-equal requests from interested pump suppliers. For scoping purposes, it is assumed that three vendors submit or-equal requests. Redesign to accommodate other pumps is not included in the scope, but may be provided as an Additional Service if authorized in writing by CITY.
- f. Conduct a pre-bid conference at the WRF. Questions arising from the pre-bid conference will be addressed through an addendum as necessary.
- g. Attend bid opening at the Haddock Building; bids to be received and opened by CITY. Review the bids received for general conformance with the bid requirements and summarize bid results for review by CITY and CITY's legal counsel.
- h. Prepare a summary letter of the bids to CITY. Discuss the bids and available budget with CITY. Based on direction received from CITY, prepare draft award documents for CITY's use in making a formal award to the successful bidder. In the event all bids are rejected and CITY decides to rebid the project in whole or in part, the work associated with redesigning, repackaging, and / or rebidding shall be considered an Additional Service.
- i. Coordinate with CITY and the successful bidder as both parties execute the construction Agreement.

C. Task 300: Construction Support

RESERVED – To be developed prior to completing the Design Phase Services and will be addressed in a subsequent Task Order, if needed.

D. Task 900: Management Reserve Fund

1. The Management Reserve Fund establishes a pre-authorized budget for additional tasks that may be requested by CITY's Authorized Representative and performed by ENGINEER upon mutual agreement of scope, budget, and schedule.
2. ENGINEER will not exceed the pre-authorized amount without CITY written approval.

PART 3 - CITY-PROVIDED WORK AND ADDITIONAL SERVICES

- A. **CITY-Provided Work** - CITY is responsible for completing or authorizing others to complete all tasks not specifically included above in PART 2 that may be required for the Project including, but not limited to:

1. Provide operating data; perform and pay for needed sampling and testing.
2. Provide copies of previous reports, record drawings, and planning studies.
3. Perform detailed analysis or stress-testing of existing processes, components, or subsystems, and corresponding analysis and evaluation.
4. Perform groundwater sampling and pay for testing, if required.
5. Negotiate and acquire all property, right-of-way, and easements (temporary, construction, permanent) as may be required.
6. Following the meeting between CITY and ENGINEER related to Subtask 100, 30% Design and 90% Design, where the Parties will review the design, identify project risk items, and confirm project direction, CITY will review the plans and provide written comments to ENGINEER.
7. Provide utility location services, if needed.
8. Legal counsel, including review and approval of any contract documents to be executed by CITY with contractor(s) or other third parties.
9. Securing funding for the project.
10. Environmental clearances, survey, permits, and mitigations plans such as for wetlands, wildlife, archeology, cultural, or historical.
11. Give prompt written notice to ENGINEER whenever CITY observes or otherwise becomes aware of any development that affects the scope or time of performance of ENGINEER's services, or any defect or nonconformance in ENGINEER's services, the Work, or in the performance of any Contractor.
12. Coordinate, evaluate, design, purchase, etc. public art as required.
13. Coordinate and manage project funding.
14. SCADA programming.

B. Additional Services - CITY reserves the right to add future tasks for subsequent phases or related work to the scope of services upon mutual written agreement of scope, additional fees, and schedule. These future tasks, to be added by amendment at a later date as Additional Services, may include:

1. Evaluating / undertaking alternative delivery approaches.
2. Separating the Project into multiple packages for bidding, except as noted above.
3. Incorporating outside funding sources; the Project is assumed to be funded entirely by the CITY.
4. Improvements to the IPS beyond the scope of replacing the pumps, e.g. handrailing, grating, gates, site improvements, utilities, site lighting, etc.
5. Surveying and/or LIDAR to collect detailed dimensional data of the existing components.
6. Evaluation of alternate pump manufacturers during the design phase.
7. Redesign to accommodate alternate pump manufacturers during bidding and/or construction.

PART 4 - TIME OF COMPLETION AND COMPENSATION SCHEDULE

A. CITY shall pay ENGINEER for the identified Services in PART 2 as follows:

1. The Not-To-Exceed amount to complete all services listed in this Task Order No. 22 is One Hundred Fifty-Seven Thousand 00/100 Dollars **(\$157,000.00)**.
2. For Time and Materials fees:

- a. For all services performed on the Project, CITY shall pay ENGINEER an amount equal to the cumulative hours charged to the Project by each class of ENGINEER's personnel times using ENGINEER's standard billing rates.
 - b. CITY shall pay ENGINEER for ENGINEER's Consultants' charges times a multiplier of 1.1.
3. ENGINEER may alter the distribution of compensation between individual tasks to be consistent with services actually rendered while not exceeding the total project amount.

B. Period of Services

1. If the planned period of service for the Tasks identified above extend more than one year, ENGINEER's billing rates and/or fees for remaining Tasks may be increased to account for direct labor cost, rate table adjustments, or other inflationary increases. If that occurs, an adjustment to the billing rates and/or Fee will be computed based on remaining scope amount times the specific rate increase.
2. If the period of service for the Tasks identified above is extended beyond 6 months or if the Project has stop/start iterations, the compensation amount for ENGINEER's services may be appropriately adjusted to account for salary adjustments, extended duration of Project management and administrative services, and/or costs related to stop/start cycles including necessary monitoring and communication efforts during inactive periods.

C. CITY acknowledges that ENGINEER will not be responsible for impacts to the schedule by actions of others over which ENGINEER has no control.

D. The following table summarizes the fees and anticipated schedule for the services identified in PART 2.

Task Number	Task Name	Fee Type	Amount	Anticipated Schedule
100	Design Phase Services	Time and Materials (Estimated Amount Shown)	\$93,400	• CITY Review documents 4 months after Notice to Proceed. • Final documents 30 days after receipt of comments from CITY.
200	Bidding Phase Services	Time and Materials (Estimated Amount Shown)	\$53,600	• Prequalification of Bidders: initiate after 30% plans are prepared; estimated at 2 months. • Bidding: estimated at 2 months
900	Management Reserve Fund	To Be Determined (Estimated Amount Shown)	\$10,000	As mutually agreed to by CITY and ENGINEER
Total:			\$157,000	

The Not-To-Exceed amount to complete all services listed above for this Task Order No. 22 is One Hundred Fifty-Seven Thousand 00/100 Dollars **(\$157,000.00)**. No compensation will be paid over the Not-To-Exceed amount without prior written approval by CITY in the form of a Change Order. Monthly invoices shall be billed as a percentage of work completed. Any and all travel will only be reimbursed if pre-approved by CITY, and only per CITY Travel Policy. Reimbursable expenses will be paid at cost and only if pre-approved by CITY, and accompanied by an itemized receipt. Any travel and/or reimbursables paid will be paid as part of the Not-To-Exceed Task Order Total per the Compensation and Completion Schedule above.

Except as expressly set forth in this Task Order No. 22, the Master Agreement otherwise is unmodified and remains in full force and effect following this Task Order No. 22.

APPROVALS AND ACCEPTANCE

Approval and Acceptance of this Scope of Work shall incorporate this Task Order No. 22 as part of the Agreement. ENGINEER is authorized to begin performance upon ENGINEER's receipt of a copy of the Task Order signed by CITY.

IN WITNESS WHEREOF, the Parties have executed this Task Order No. 22 as of the date last signed below.

I, Cory R. Baune, P.E., certify under penalty of perjury pursuant to the law of the State of Idaho, that I am an authorized agent to bind J-U-B Engineers, Inc. into this Task Order No. 22.

ENGINEER

J-U-B ENGINEERS, Inc.

Cory R. Baune, P.E., Executive Vice
President

Date

PM's Approval

CITY

City of Moscow, Idaho

Arthur D. Bettge, Mayor

Date

ATTEST:

Laurie M. Hopkins, City Clerk

ACKNOWLEDGMENT

STATE OF)
) ss.
COUNTY OF)

On this _____ day of _____, 2024, before me, a Notary Public in and for said State, appeared Cory R. Baune, known to me to be the person named above and acknowledged that they executed the foregoing document as the duly authorized representative of J-U-B Engineers, Inc.

Notary Public for the State of Idaho
Residing at _____
My commission expires _____

Table 7-1 – Proposed Phasing of Recommended Improvements

Process Area	Phase 1: 0 to 5 Years	Phase 2: 5 to 10 Years	Phase 3: 10 to 15 Years	Phase 4: 15 to 20 Years
Headworks		- Fine Screening - Modify Distribution Box A to divert flows to a new third screening channel. - Add a third screening channel north of the existing headworks building with a 10 mgd fine screen and washer/compactor. - Extend the existing headworks building north to enclose the third screening unit. - Recombine flow from the third channel with flow through the existing headworks prior to grit removal. - Grit Removal - Install a new 12 mgd vortex grit removal system and grit pump next to the existing grit chamber. - Replace the existing grit classifier due to the age and condition of the existing unit.	- Fine Screening - Replace the two existing fine screens and the washer/compactor. - Grit Removal - Replace the existing 7.1 mgd vortex PistaGrit components, including the grit pump.	
Intermediate Pump Station (IPS)	In-kind replacement of existing IPS pumps.			
Biological Treatment	- In-kind replacement of the following equipment: - Anaerobic basin mixer motors and gear boxes - In-kind replacement of axial flow (banana blade) mixers (the City has purchased this equipment and will install in 2022).	- In-kind replacement of the following equipment: - Anoxic basin mixer motors and gear boxes - Mixed-liquor internal recycle pump - Vary MLSS seasonally. - Increase MLSS to approximately 3,000 mg/L November through April to maintain sufficient nitrification. - Replace the existing 100 HP vertical turbine aerators with 125 HP vertical turbine aerators. - Add a walkway to provide access to the slide gate between the two anoxic basins.		Depending on loading conditions, the design and construction of Aeration Basin No. 1 may be necessary.
Secondary Clarification		In-kind replacement of one clarifier rake mechanism.	In-kind replacement of the second clarifier rake mechanism.	
Disinfection	- Replace the existing disinfection system with UV Disinfection - Construct a new building (approximately 45 ft. x 40 ft.) to house the UV system.			
Effluent Filtration	- Add security gates to the stairwells leading to the piping gallery/blower room. The City plans to perform this improvement in-house. - Relocate the control panel for the piping gallery/blower room sump pump. - New testing and analytical equipment. - Replace and rehabilitate existing equipment.	Replace and rehabilitate existing filter bank equipment.	Populate the remaining three banks.	

Process Area	Phase 1: 0 to 5 Years	Phase 2: 5 to 10 Years	Phase 3: 10 to 15 Years	Phase 4: 15 to 20 Years
Reaeration	Replace the existing aerator.		Replace or perform a structural re-build on the existing basin.	
Solids Handling and Dewatering	Upgrade the polymer system to 2,000-gallon capacity, thereby the enabling operation of two belt filter presses.	- Rebuilding second belt filter press. - In-kind replacement of the following equipment: - RAS and WAS pumps. - Scum Pumps for Aeration Basin and Secondary Clarifiers. - Belt filter press feed pumps. - Aerobic Solids Holding Basin blowers and diffusers.		
Utility Water and Plant Drain			In-kind replacement of existing pumps and controls.	
Electrical, Controls, and Utilidor			- Replace existing MCC, SCADA, and MSB. - Upsize HVAC system to meet NFPA requirements.	
Temperature Compliance	Implement Chillers.			
TOTAL (2022 Dollars)	\$15.8M	\$14.9M	\$8.2M	-

^(a) Detailed cost opinions, including associated assumptions, are included in **Appendix 6-B**.

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, March 4, 2024



AGENDA ITEM TITLE

Public Hearing: Ordinance Amending Moscow City Code Title 4, Chapter 3 Regarding Self-Storage Facilities (ACTION ITEM) - Mike Ray

RESPONSIBLE STAFF

Michael Ray, Assistant CD Director/Planning Manager

ADDITIONAL PRESENTER(S)

DESCRIPTION

Self-storage facilities are currently only permitted within certain commercial zoning districts in the City. The City continues to allow and encourage a range of different housing types, some of which are constructed on smaller lots which have limited storage space. In order to accommodate developments that allow for more efficient and innovative housing types, it will become increasingly imperative that an adequate number of storage options are available within the City. Therefore, the Planning and Zoning Commission has prepared an ordinance which would allow self-storage facilities within more residential and commercial zoning districts, subject to development standards to ensure compatibility with surrounding areas and minimize their impact on adjacent uses. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on January 11, 2023 and recommended approval to City Council. The Administrative Committee reviewed this item at their February 26, 2024 meeting.

REVIEWED BY

Planning and Zoning Commission

PROPOSED ACTIONS

PROPOSED ACTIONS: After considering public testimony, 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 such other action deemed appropriate.

STAFF RECOMMENDATION

After considering public testimony, 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.

OTHER RESOURCES

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Title 4 C03 - Self Storage Facilities_Final
2. mem- Self Storage Facilities

3. NPH Code Amendment - Self-Storage Facility Ordinance - CC 03-04-24
4. minPZC20230111

ORDINANCE NO. 2024 -

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTER 3, SECTION 3-4. AND ADDING SECTION 3-5. K.; PROVIDING FOR THE ALLOWANCE OF SELF-STORAGE FACILITIES IN RESIDENTIAL ZONES; PROVIDING FOR THE INSERTION OF SELF-STORAGE FACILITIES WITHIN THE SPECIFIC USE STANDARDS; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Self-storage facilities are currently only permitted within certain commercial zoning districts; and

WHEREAS, the City continues to allow and encourage a range of different housing types to be developed within the City, some of which are constructed on smaller lots which have limited storage space; and

WHEREAS, in order to accommodate developments that allow for more efficient and innovative housing types, it will become increasingly imperative that an adequate number of storage options are available within the City; and

WHEREAS, the City wishes to allow self-storage facilities within more residential and commercial zoning districts; and

WHEREAS, the City wishes to insert self-storage facility standards into the Zoning Code to ensure compatibility with the surrounding area and minimize their impacts on adjacent uses; and

WHEREAS, on January 11, 2023, the Planning and Zoning Commission conducted a public hearing upon the amendments contained herein and recommended approval to the City Council; and

WHEREAS, on _____, the City Council conducted a public hearing and considered and adopted the amendments contained herein;

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

SECTION 1: All matters stated above are found to be true and correct and are incorporated herein by reference as if copied in their entirety and shall be adopted with the following sections of this Ordinance.

SECTION 2: That Moscow City Code Title 4, Chapter 3, Section 3-4 be amended as follows:

...

Sec. 3-4. Land Use Table.

LAND USE TABLE																	
P = Permitted Use		PA = Permitted Accessory Use		C = Conditional Use Permit		Blank = Not Permitted											
RESIDENTIAL USES	NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Dwellings in Residential Zones²																	
Single Family (up to 4 unrelated individuals)		P	P	P	P	P	P	P									
Two Family							P	P									
Twinhome							P	P									
Townhouse ¹							P	P									
Single Family (up to 6 unrelated individuals)		C	C	C	C	C	C	P									
Multiple Family (3 or more units)								P									
Mobile Home Parks								P									
Dwellings in Commercial Zones																	
Above or behind a commercial use or on a secondary street frontage		See above, Dwellings in Residential Zones								P	P	P/C ³	P	P	PA ⁴	P/C ³	P
On the ground floor on primary street frontage										P	C		C	C	PA ⁴	C	P
Group Living																	
Boarding House (occupied by owner, up to 6 boarders)		P	C	C	C	C	C	P									
Dormitories																	P
Fraternity, Sorority, and Cooperative Houses	721310							C									P
Accessory Uses																	
Accessory Buildings or Structures (up to 1,000 sq ft)		PA	PA	PA	PA	PA	PA ¹⁵	PA ¹⁵	PA								
Accessory Buildings or Structures (1,001 to 1,500 sq ft)		C	C	C	C	C	C	C	C								
Accessory Buildings or Structures (no size limitation)										PA	PA	PA	PA	PA	PA	PA	PA
Accessory Dwelling Unit ¹		PA	PA	PA	PA	PA	PA	PA									
Accessory Home Occupations Type I ¹		PA	PA	PA	PA	PA	PA	PA	PA	PA		PA	PA	PA	PA	PA	PA
Accessory Home Occupations Type II ¹		C	C	C	C	C	C	C	PA	PA		PA	PA	PA	PA	PA	PA
Accessory Gardens		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
NON-RESIDENTIAL USES																	
Agricultural Uses																	
Agriculture, Animal Production	112	P/C ¹⁸	C ⁵														P
Agriculture, Crop Production	111	P															P
Animals and Fowl (as permitted by City Code Title 10)		PA	PA	PA	PA	PA	PA	PA	PA								
Animal Slaughtering and Processing	31161	C													P		P
Gardens (Market and Community) no on-site retail sales ¹		P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
With on-site retail sales ¹		P	P	C	C	C	C	C	P	P		P	P	P	P	P	P
Sawmills	321113	C													C		
Amusement and Recreation Facilities																	
Archery/Shooting Ranges (indoor only)	713990											P	P	P	P	P	P
Bowling Centers	713950											P	P	P		P	P
Dance Halls	713990											P	P	P		P	P
Fitness Centers	713940									P		P	P	P		P	P
Golf Courses and Country Clubs	713910	C	C	C	C	C	C	C	C								P
Miniature Golf Facilities	713990											P	P	P		P	P
Movie Theaters	512131											P	P	P		P	P
Riding Stables	713990	C										P	P	P	P	P	P
Stadiums and Sports Arenas (Ice/Roller Rinks, Gymnasiums, Ballfields)	713940						C	C				P	P	P		P	P
Animal-Related Business																	
Veterinary Services	541940	C	C						P	P			P	P	P		
Pet Care Services ¹	812910	C	C							P ¹⁰				P	P		
Financial, Technology, and Professional Services																	
Agencies, Brokerages and Other Insurance Related Activities	5242							P ⁶	P	P	P	P	P	P		P	
Broadcasting Studios	515										P	P	P	P		P	
Business, Professional, Political, Social Advocacy, Grantmaking, and Similar Organizations	8132/8133/8139	C	C					P ⁶	P	P	P	P	P	P		P	
Commercial Banking, Credit Unions, and Savings Institutions	522110/120/130											P	P	P			
Construction Contractor Services	238											P	P	P	P	P	
Data Processing, Hosting, and Related Services	518								P	P	P	P	P	P	P	P	P
Professional, Scientific, and Technical Services	541							P ⁶	P	P	P ¹¹	P ¹¹	P	P	P	P ¹¹	P
Publishing Industries (except Internet)	511										P	P	P	P	P	P	P
Real Estate Services	531							P ⁶	P	P	P	P	P	P		P	
Securities, Commodity Contracts, and Other Financial Investments	523							P ⁶	P	P	P	P	P	P		P	
Software Publishers	5112							P ⁶	P	P	P	P	P	P	P	P	
Food and Beverage Service																	
Coffee/Espresso Stand										P		C	C	P		C	P
Drinking Places (Alcoholic Beverages)	722410											P	P	P		P	P
Restaurants	72251								P ⁹	P		P	P	P		P	P

NON-RESIDENTIAL USES	NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Manufacturing																	
Beverage Manufacturing	3121									C		P	P	P	P	P	
Manufacturing, Heavy															C		
Manufacturing, Light													C	P	P	C	
Aerospace Product and Parts Manufacturing	3364										P		C	P	P	C	
Computer and Electronic Product Manufacturing	334										P		C	P	P	C	
Electrical Equipment, Appliance, and Component Manufacturing	335										P		C	P	P	C	
Medical Equipment and Supplies Manufacturing	3391										P		C	P	P	C	
Pharmaceutical and Medicine Manufacturing	3254										P		C	P	P	C	
Public/Institutional Uses																	
Antenna Towers (new)		C	C	C	C	C	C	C	C	C		C	C	C	C	C	C
Co-Location ¹⁴		P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
Cemeteries	812220	C	C	C	C	C	C	C	C						C		
Child Day Care Services ¹																	P
Family, 5 or fewer children		PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	P	
Group, 6 to 12 children		P	P	P	P	P	P	P	P	P	C	C	C	C	C	P	
Small, 13 to 20 children		C	C	C	C	C	P	P	P	P	C	C	C	C	C	P	
Large, 21 or more children		C	C	C	C	C	C	C	C	P	C	C	C	C	C	C	
Civic and Social Organizations	813410											P	P	P		C	P
Community/Neighborhood Center		C	C	C	C	C		C	P	P		P	P	P			P
Correctional Institutions	922140														C	C	
Educational Services																	
Elementary and Secondary Schools ¹	6111	C	C	C	C	C	C	C	C	C			C	C	C	C	P
Colleges, Universities, and Professional Schools	6112/6113							C	C	C			C	C	C	C	P
All Other Schools and Instruction	6114-6117								C	C	C ¹⁶	C	C	P	C	C	P
Fairgrounds		C	C	C	C	C	C	C	C						C		
Funeral Homes and Funeral Services	81221							C	C	P		C	P	P			
Government Office Buildings		C	C	C	C	C	C	C	C	P		P	P	P	P	P	P
Health Care Services (Ambulatory) (excluding 624410)	621							P ⁶	P	P	P ⁸	P	P	P	P	P	P
Hospitals	622											C	P	C			P
Museums and Art Galleries	712110							C	C	P		P	P	P		P	P
Nursing and Residential Care Facilities	623			C	C	C	C	C	C				P	P			
Public Parks & Recreational Facilities (operated by local government) ⁷		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Service and Utility Facilities		C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P
Religious Facilities	813110	C	C	C	C	C	C	C	C	P		P	P	P	C	C	P
Telecommunications Services ¹	517							P ⁶	P	P	P	P	P	P	P	P	
Retail and Personal Services																	
Consumer Goods Rental	5322									P		P	P	P	P	P	P
Laundries and Drycleaners	812310/ 812320									P		P	P	P	P	P	P
Personal Care Services	8121								P	P		P	P	P	P	P	P
Retail Sales (excluding 4411, 444, 447, & 453930)	44-45								PA	P	PA	P	P	P	P	P	P
Large Retail Establishment ¹														P	P		
NON-RESIDENTIAL USES	NAICS 2012 Code No.	AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Storage Services																	
Self-Storage Facilities	531130	C	C				P ¹	P ¹	P ¹	P ¹				P	P		
Warehousing and Storage	493											PA ¹²			C	P	
Wholesale Uses	423											PA ¹²			C	P	
Temporary Uses¹													P	P	P	P	
Vehicles and Equipment																	
Automobile and RV Dealers	4411											C	C	P	P		
Automotive Repair and Maintenance	8111											C	C	P	P		
Building Material Sales & Garden Equipment/Supplies	444													P	P		
Commercial and Industrial Machinery and Equipment Repair and Maintenance	811310													C	P		
Electronic and Precision Equipment Repair and Maintenance	8112								P	P		P	P	P	P		
Gasoline Stations	447											C	C	P	P		
Heavy Equipment Sales (manufactured home dealers, farm and garden equipment)	453930 423820													C	P		
Off-Street Parking Areas		PA	PA	PA	PA	PA	PA	PA/C	P	P	PA	PA	P	P	P	P	P
Parking Lots and Garages	812930								P	P		C	P	P	P	P	P
Personal and Household Goods Repair and Maintenance	8114									P		P	P	P	P	P	
Railroad Yards and General Freight Trucking	488210/4841														P		
Rental and Leasing Services (excluding 5322)	532											C	C	P	P		
Scrap Yards/Material Recycling	423930														C		
Visitor Accommodations																	
Bed and Breakfast Inns		P	P	C	C	C	C	P	P	P		P	P	P		P	
Hotels and Motels	721110											P	P	P		P	P
RV Parks and Campgrounds	721211	C	C					C					P	P	P		P

USE ELEMENTS & EXCEEDANCES TO BULK & DIMENSIONAL REQUIREMENTS		AF	FR	SR	R-1	R-2	R-3	R-4	RO	NB	RTO	CB	GB	MB	I	UMC	U
Drive-Through Facilities ¹												P/C ¹³	C	P		C	
Exceedance of maximum building height (for permitted non-residential uses)		C	C	C	C	C	C	C	C	C	C	C	C			C ¹⁷	

NOTES

- ¹ Subject to Specific Use Standards within Section 4-3-4 of this Zoning Code
- ² Only one principal dwelling permitted per building lot in AF, FR, SR, R-1, and R-2 Zones
- ³ Residential dwellings located on ground floor on secondary street frontages require a Conditional Use Permit in CB and UMC Zone
- ⁴ One dwelling unit per lot is allowed where accessory to a permitted principal use
- ⁵ Feedlots must be on at least 20 acres of land and associated buildings must be set back at least 500 ft from the nearest property line
- ⁶ Use shall not exceed 2,000 sq ft of office space
- ⁷ Including all public facilities operated by local government (including but not limited to parks, recreational facilities, and recycling centers)
- ⁸ Excluding Outpatient Care Centers, Home Health Care Services, and Other Ambulatory Health Care Services (NAICS 6214, 6216, and 6219)
- ⁹ Restaurants shall not exceed 1,500 sq ft in the RO Zone
- ¹⁰ Indoor kennels only
- ¹¹ Excluding Veterinary Services
- ¹² Indoor storage only
- ¹³ Drive-up windows permitted for financial institutions only, Conditional Use Permit is required for drive-up windows associated with all other uses in the CB Zone
- ¹⁴ Antenna shall not extend more than 18 ft above, and shall not project more than 8 ft horizontally away from the existing tower or support structure
- ¹⁵ Or 600 sq ft per dwelling unit in R-3 and R-4 Zones
- ¹⁶ Business Schools and Computer and Management Training, and Technical and Trade Schools only, as defined by NAICS code number 6114 and 6115, and excluding aviation and flight training instruction schools, modeling schools, nursing schools, cosmetology schools, and truck driving schools
- ¹⁷ Residential or commercial uses may obtain a Conditional Use Permit for exceedance of the maximum building height in the UMC Zone
- ¹⁸ Feedlots with up to 20 animals are permitted by right. Feedlots between 20 and 200 animals require a Conditional Use Permit

...

SECTION 3: That Moscow City Code Title 4, Chapter 3, Section 3-5. be amended by adding Section 3-5. K. as follows:

...

Sec. 3-5. Specific Use Standards.

...

K. Self-Storage Facilities.

1. Applicability and Purpose. The following standards are intended to ensure that the design and operation of self-storage facilities that are located in certain zoning districts are compatible with the surrounding area and minimize their impacts on adjacent uses.

2. Development Standards. Self-storage facilities shall comply with the following design standards and requirements:

a. Minimum Property Size. The minimum parcel size of a self-storage facility development shall be one-half (1/2) acre.

b. Property Setbacks. Front and street side setbacks shall be twenty (20) feet. Rear and side yard setbacks shall be ten (10) feet. These setback requirements shall supersede the corresponding requirements of the zoning district which the property is located within.

c. Building Orientation. The access doors of individual storage units shall face the interior of the site. This shall not apply to storage units that are accessed within an enclosed structure.

d. Building Height. The height of self-storage buildings shall be limited to fourteen (14) feet at the eaves.

e. Hours of Access. The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.

f. Landscaping. A Type A Landscape Buffer as defined in **City Code Section 4-6-5**, shall be installed and maintained around the perimeter of the entire site.

g. Interior Access. Vehicular travel aisles that are used for internal circulation within a self-storage facility development shall not be less than twenty (20) feet in width and shall meet the paving standards of **City Code Section 4-6-2**.

- h. Indoor Storage. The storage of **personal property** within the enclosed individual storage bays of a self-storage facility. For the purposes of this Section, **personal property** shall be defined as **goods, wares, merchandise, motor vehicles, watercrafts and household items and furnishings.**
- i. Outdoor Storage. The storage of **personal property** outside of the enclosed individual storage bays of a self-storage facility shall not be permitted with the exception of **Recreational Vehicle (RV), as defined by Idaho Code Section 39-4201(2), and boat storage.** RV and boat storage must be located at the interior of the site and **shall not be** visible from any adjacent streets or properties. In order to achieve proper screening of outdoor storage areas, self-storage facility buildings at the exterior of the site shall include a shed roof design that slopes to the exterior of the site. The building walls that face the interior of the site shall be fourteen (14) feet in height and the building walls that face the exterior of the site shall be ten (10) feet in height.
- j. Architectural Standards. The use of reflective, bright, or metallic colors on buildings or structures associated with a self-storage facility development is prohibited.
- k. Lighting. All outdoor lighting shall **meet the requirements contained in City Code Section 4-6-9 and shall be subject to full cut-off as defined in City Code Section 4-6-9.** Freestanding lights shall not exceed fourteen (14) feet in height.
- l. Proximity to Residential Zones. No property boundary of any self-storage facility shall be located within three hundred (300) feet of any property within the SR, R-1, or R-2 Zones.
- m. Fencing. The perimeter of the self-storage facilities shall be fenced, walled, or enclosed and screened from public view and shall meet the standards of **City Code Section 4-6-8.**
- 3. Restrictions on Use. Self-storage facilities shall only permit personal property to be stored as authorized in this Section. Self-storage facilities shall also comply with the restrictions contained in Idaho Code Title 55, Chapter 23 for self-service storage facilities.**

...

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. The remaining Chapters and Sections of Title 4 shall be in full force and effect.

SECTION 5: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of the City of Moscow, Idaho Municipal Code, the definition contained within those portions of the Moscow Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 6: EFFECTIVE DATE. This Ordinance shall be effective upon its passage, approval, and publication according to law.

PASSED on Motion by the Following Vote:

	Aye	Nay	Abstain	Absent
Hailey Lewis	_____	_____	_____	_____
Drew Davis	_____	_____	_____	_____

Sandra Kelly

Gina Taruscio

Julia Parker

Bryce Blankenship

ADOPTED by the City Council of the City of Moscow, Idaho and **APPROVED** by the Mayor of the City of Moscow this ____ day of _____, 2024.

Arthur D. Bettge, Mayor

CERTIFICATION and ATTESTATION. I hereby certify that the above is a true copy of an Ordinance passed at a regular meeting of the City Council, City of Moscow, held on _____, 2024 and attest to the Mayor's signature.

Laurie M. Hopkins, City Clerk

Memo

To: Mayor and City Council
From: Mike Ray, AICP - Planning Manager
Date: February 20, 2024
Re: Amendment of Title 4, Chapters 3 of Moscow City Code Regarding the Amendment of the Use Table to allow Self-Storage Facilities in more Zoning Districts, subject to Development Standards

The City continues to allow and encourage a range of different housing types to be developed within the City, some of which are constructed on smaller lots which have limited storage space. In order to accommodate developments that allow for more efficient and innovative housing types, it will become increasingly imperative that an adequate number of storage options are available within the City. Self-storage facilities are currently only permitted within certain commercial zoning districts, which limits the locations within the City where self-storage facilities can be located. Therefore, the Planning and Zoning Commission has been working to update the Zoning Code to allow self-storage facilities within more residential and commercial zoning districts, subject to development standards to ensure compatibility with surrounding areas and minimize their impact on adjacent uses.

Self-storage facilities are defined within the Zoning Code as, “establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods.” The self-storage facilities currently within the City are typically on larger lots and comprised of a number of rows of single-story metal buildings with individual storage rooms. Currently the only zoning districts where self-storage facilities are permitted are the Motor Business (MB) and Industrial (I) Zoning Districts. Self-storage facilities are a conditional use within the Agriculture Forestry (AF) and Farm Ranch (FR) Zoning Districts.

As part of this project, the Planning and Zoning Commission researched the self-storage facility development standards and permitted locations in nine other municipalities across the United States. Since the Commission was focused on reviewing standards for self-storage facilities that were within residential and mixed-use zoning districts, the Commission needed to review ordinances from communities outside of the Palouse region to find examples. The Commission reviewed the following jurisdictions: Vancouver, WA; Bonner County, ID; Nampa, ID; Pasco County, FL; Grants Pass, OR; Arvada, CO; Centennial, CO; Ada County, ID; and

Meridian, ID. In general, there were common development standards contained within the codes of each of the jurisdictions reviewed. There were specific standards for landscaping, setbacks, minimum and/or maximum facility size, building height, required fencing, limited hours of access, and certain building materials. The Commission then developed self-storage facility standards that were appropriate for Moscow and recommended that self-storage facilities should be a permitted use within the Medium Density Residential (R-3), Multiple Family Residential (R-4), Residential Office (RO), and Neighborhood Business (NB) Zones, subject to the development standards.

The Commission is recommending the following development standards be included within the self-storage facilities ordinance:

- a. **Minimum Property Size.** The minimum parcel size of a self-storage facility development shall be one-half (1/2) acre.

Commentary: The minimum property size of self-storage facilities was a commonly observed requirement within the other jurisdictions that were researched. Since self-storage facilities are proposed to be permitted in residential zones, the minimum property size requirement ensures that the facilities won't be constructed upon smaller lots within subdivisions. The minimum lot size also ensures that the properties will be large enough to accommodate all of the development standards and allow for proper separation between adjacent properties.

- b. **Property Setbacks.** Front and street side setbacks shall be twenty (20) feet. Rear and side yard setbacks shall be ten (10) feet. These setback requirements shall supersede the corresponding requirements of the zoning district which the property is located within.

Commentary: Setbacks within residential zones have been reduced in most circumstances to promote walkable neighborhood-oriented development and more efficient use of land. In order to provide sufficient buffering and to be as least obtrusive as possible, standard larger setbacks are proposed as part of this proposed amendment.

- c. **Building Orientation.** The access doors of individual storage units shall face the interior of the site. This shall not apply to storage units that are accessed within an enclosed structure.

Commentary: When access doors are located towards the interior of the sites, there is less likelihood of nuisances to adjacent properties with drive aisles and access doors being located facing the interior of the site.

- d. **Building Height.** The height of self-storage buildings shall be limited to fourteen (14) feet at the eaves.

Commentary: The residential zones where self-storage facilities are proposed have a maximum building height ranging between 35 and 40 feet. The Commission felt that it was not appropriate to have multi-story self-storage facilities within residential zones, so the height has been limited to 14 feet at the eaves, which is consistent with the wall height for accessory structures.

- e. **Hours of Access.** The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.

Commentary: The proposal is to limit the hours of operation of self-storage facilities within residential zones to prevent nuisances to the neighborhood and adjacent properties.

- f. **Landscaping.** A Type A Landscape Buffer as defined in City Code Section 4-6-5, shall be installed and maintained around the perimeter of the entire site.

Commentary: A landscape buffer is a common requirement among other jurisdictions and is typical when needing to mitigate the impact of commercial uses adjacent to residential properties. The Type A buffer is 10 feet wide and contains a certain number of trees and shrubs.

- g. **Interior Access.** Vehicular travel aisles that are used for internal circulation within a self-storage facility development shall not be less than twenty (20) feet in width and shall meet the paving standards of City Code Section 4-6-2.

Commentary: Since the internal drive aisles within self-storage facilities are not necessarily a parking lot, the Commission wanted to be explicitly clear that they are to be paved to City standards and meet the two-way travel and Fire Code requirements.

- h. **Indoor Storage.** The storage of personal property within the enclosed individual storage bays of a self-storage facility. For the purposes of this Section, personal property shall be defined as goods, wares, merchandise, motor vehicles, watercrafts and household items and furnishings.

Commentary: The Commission wanted to make it clear that the storage within self-storage facilities in residential zones shall be limited to personal property. Within self-storage facilities in commercial zones there is sometimes storage associated with a business use or hazardous materials, and the Commission wanted to make sure that didn't occur within residential zones.

- i. **Outdoor Storage.** The storage of personal property outside of the enclosed individual storage bays of a self-storage facility shall not be permitted with the exception of Recreational Vehicle (RV), as defined by Idaho Code Section 39-4201(2), and boat storage. RV and boat storage must be located at the interior of the site and shall not be visible from any adjacent streets or properties. In order to achieve proper screening of outdoor storage areas, self-storage facility buildings at the exterior of the site shall include a shed roof design that slopes to the exterior of the site. The building walls that face the interior of the site shall be fourteen (14) feet in height and the building walls that face the exterior of the site shall be ten (10) feet in height.

Commentary: After a long discussion, the Commission wanted to allow outdoor RV and boat storage, but wanted to have that type of storage screened from view of adjacent properties or streets. In order to accomplish that, the RV and boat storage is required to be located on the interior of the site and the exterior buildings need to be a certain height.

- j. **Architectural Standards.** The use of reflective, bright, or metallic colors on buildings or structures associated with a self-storage facility development is prohibited.

Commentary: In order to fit in with the character of residential areas, the Commission felt that the use of reflective, bright, or metallic colors to draw attention to the facility should not be allowed.

- k. **Lighting.** All outdoor lighting shall meet the requirements contained in City Code Section 4-6-9 and shall be subject to full cut-off as defined in City Code Section 4-6-9. Freestanding lights shall not exceed fourteen (14) feet in height.

Commentary: Residential zones allow lighting options that are not entirely full cut-off, so the Commission wanted to specify that self-storage facilities will need to meet the full cut off-requirement and also be limited to 14 feet in height.

- l. **Proximity to Residential Zones.** No property boundary of any self-storage facility shall be located within three hundred (300) feet of any property within the SR, R-1, or R-2 Zones.

Commentary: A common requirement within other codes was a separation between self-storage facilities and other residential zones of a lesser intensity. The Commission wanted to require the separation of 300 feet between any facility and the SR, R-1, and R-2 Zones.

- m. **Fencing.** The perimeter of the self-storage facilities shall be fenced, walled, or enclosed and screened from public view and shall meet the standards of City Code Section 4-6-8.

Commentary: Most self-storage facilities are fenced for security purposes, but the Commission wanted to require that they provide screening and also meet the fence requirements of the Zoning Code.

On January 11, 2023, the Planning and Zoning Commission conducted a public hearing upon the proposed ordinance and recommended approval to City Council. The proposed ordinance has been scheduled for a public hearing before City Council at the Council's upcoming March 4, 2024 meeting.

NOTICE OF PUBLIC HEARING

Legislative Hearing Providing for the Amendment of Title 4, Chapter 3 of Moscow City Code Regarding Self Storage Facilities

A public hearing at which you may be present and speak will be conducted before the Moscow City Council at which time the following proposal will be considered:

Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 3; Providing for the Amendment of the Use Table to allow Self-Storage Facilities in more Zoning Districts, subject to Development Standards.

The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed ordinance on January 11, 2023 and recommended approval to City Council.

HEARING DATE: Monday, March 4, 2024

HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur later in the meeting.

The file containing information on this matter is available for public review at the Community Development Department located in the Haddock Building at 504 South Washington Street, Moscow, Idaho. Call 208-883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. You may obtain further information about the public hearing process and procedures on the City's Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>

Laurie M. Hopkins, Moscow City Clerk



Jennifer R. Fleischman, Deputy City Clerk

Published: Saturday, February 17, 2024

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting
~Minutes~

Mike Ray
Staff Liaison
208.883.7008

<https://www.ci.moscow.id.us/457/Planning-Zoning-Commission>

Wednesday
January 11, 2023

7:00 PM

Council Chambers
206 E Third Street

Parish called the meeting to order at 6:59 PM

MEMBERS PRESENT: Robb Parish, Chair; Rich Beebe, Scott Gropp, Joel Hamilton, Cole Mize, Nels Reese, Victoria Seever, Dennis Wilson
STAFF: Jennifer Fleischman, Mike Ray

REGULAR AGENDA

1. Approval of November 16, 2022 Minutes (ACTION ITEM)

Seever for approval of the minutes as written, seconded by Gropp. Roll Call Vote; Ayes: Beebe, Gropp, Mize, Parish, Reese, Seever, Wilson (7). Nays: None. Abstentions: Hamilton (1). Motion carried.

2. Public Comment

Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

None.

3. Public Hearing: Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 6 Regarding Self-Storage Facilities (ACTION ITEM)

Self-storage facilities are currently only permitted within certain commercial zoning districts in the City. The City continues to allow and encourage a range of different housing types to be developed within the City, some of which are constructed on smaller lots which have limited storage space. In order to accommodate developments that allow for more efficient and innovative housing types, it will become increasingly imperative that an adequate number of storage options are available within the City. Therefore, staff has prepared an ordinance which would allow self-storage facilities within more residential and commercial zoning districts, subject to development standards to ensure compatibility with surrounding areas and minimize their impact on adjacent uses.

Ray presented the proposed amendment as described above. The self-storage facility on Rodeo Drive is located in a Motor Business zone. A full cut-off fixture means that no light projects above the horizontal.

Public Hearing opened at 7:09 PM

No comments.

Public Hearing closed at 7:09 PM

Seever moved to recommend approval of the proposed amendment to City Council, seconded by Wilson. Roll Call Vote; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

4. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)

Proposal for a Comprehensive Plan Land Use Designation, Zoning Designation, and Preliminary Subdivision Plat for an approximately 2.50-Acre Property Proposed to be Annexed into the City of Moscow and Generally Located East of the Current Terminus of Wildrose Drive and South of Flomer Lane.

Wilson moved to approve the Reasoned Statement of Relevant Criteria and Standards for the proposed Rezone, Comp Plan Designation, and Preliminary Plat, seconded by Seever. Roll Call Vote; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

5. Election of Officers (ACTION ITEM)

Seever nominated Parish for Chair, who accepted. There was talk about rolling the same Officers from 2022 into 2023. Hamilton nominated Wilson for Vice Chair, and Beebe as Second Vice Chair, who both accepted.

Reese seconded the motion to elect Robb Parish as Chair, Dennis Wilson as Vice Chair, and Rich Beebe as Second Vice Chair for the Planning & Zoning Commission. Roll Call Vote; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission meeting report.

The January Transportation Commission regular meeting was cancelled.

Staff provided a brief report on the Gateway on Sixth Planned Unit Development (PUD) project and the Legacy Crossing project.

ANNOUNCEMENTS

Commissioners agreed that there was not a whole lot of applicable information in the continuing education magazine that was handed out at the previous meeting and decided not to schedule a discussion on it.

There will be an open house at a recent residential build on the corner of Third Street and Hayes Street.

The Fort Russell Historic District street signs have been installed.

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting is scheduled for January 25, 2023.

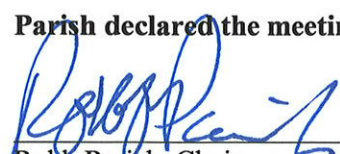
There will be an upcoming joint meeting with City Council, planned for in the spring time. Staff will provide an update at next meeting. One of the topics should be a discussion about the zoning code in regards to affordable housing. The Commission discussed at length about affordable housing and some of the solutions that have been implemented or proposed.

A continuing education article was sent out for the Commission to review and a discussion will be added to a future agenda in about 3 to 4 months, along with another presentation and conversation with Nils Peterson.

The Commission would like to invite PBAC back to do another presentation and discussion about water conservation.

The Commission also requested a joint meeting with Latah County about the Area of City Impacts and other general discussion items.

Parish declared the meeting adjourned at 7:34 PM


Robb Parish, Chair

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, March 4, 2024



AGENDA ITEM TITLE

City Council Resolution Supporting the Latah County Library District (ACTION ITEM) - Bill Belknap

RESPONSIBLE STAFF

Bill Belknap, City Supervisor

ADDITIONAL PRESENTER(S)

DESCRIPTION

In response to recently proposed legislation, the cities of Blackfoot, Shelley, Firth and Aberdeen and the Bingham County Commissioners recently passed a resolution expressing their confidence in the ability of the Board of Trustees and Library Directors of the public libraries in Bingham County to exercise their statutory duties to establish policies and practices to provide appropriate access to print and electronic materials to their patrons. Moscow City Council leadership requested staff to prepare a similar resolution expressing the Moscow City Council's support of the Latah County Library District. Staff has prepared a draft resolution for the Council's consideration.

REVIEWED BY

Legal Department

PROPOSED ACTIONS

PROPOSED ACTIONS: Approve the proposed Resolution or take other action as deemed appropriate.

STAFF RECOMMENDATION

Approve the proposed Resolution or take other action as deemed appropriate.

OTHER RESOURCES

None.

FISCAL IMPACT

PERSONNEL IMPACT

None.

ATTACHMENTS

1. Resolution 2024 Library_final

RESOLUTION 2024-__

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO PROVIDING FOR THE SUPPORT OF THE LATAH COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES AND DIRECTORS IN THEIR STATUTORILY CREATED INDEPENDENT CAPACITY OF PROVIDING APPROPRIATE ACCESS TO LIBRARY MATERIALS FOR THE COMMUNITY; AND PROVIDING THIS RESOLUTION SHALL BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, one of the first public libraries in America was created in 1790 in Franklin, Massachusetts, United States of America, through a collection of books donated by Benjamin Franklin¹; and

WHEREAS, the first free public Library that was supported by taxation was the Peterborough, New Hampshire Town Library, which was founded on April 19, 1833²; and

WHEREAS, public libraries were established as a means for people to access and borrow books to enhance knowledge and to be able to attain and read books for pleasure and for the pursuit of knowledge; and

WHEREAS, we believe it is a First Amendment right to have free and unfettered access to books in our Public Libraries that meet the cultural and social needs of all patrons; and

WHEREAS, Idaho Code Title 33, Chapters 26 and 27 allow Library Trustees and Library Directors to operate and manage independently of direct supervision of City Council and County Commissioners; and

WHEREAS, Idaho Code § 33-2607(9), grants the board of trustees of each city library the power and duty “to establish policies for the purchase and distribution of library materials”; and

WHEREAS, Idaho Code § 33-2607(12), grants the board of trustees of each city library the power and duty “to exercise such other powers, not inconsistent with law, necessary for the orderly and efficient management of the library”; and

WHEREAS, Idaho Code §50-302, grants Cities the authority to enact resolutions not inconsistent with the laws of the state of Idaho to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry; and

WHEREAS, the Mayor and City Council of the City of Moscow, Idaho hereby provides its support and full confidence in the Board of Trustees and Library Director of the Latah County Library District to exercise its statutorily granted powers and duties to establish policies and to provide appropriate access to print and electronic reading materials suitable to patrons regardless of age;

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

Section 1: All matters stated above are true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2: That the City of Moscow values public libraries which serve our communities in providing free and open access to print and digital books in support of all society members who seek knowledge and information in pursuit of learning and recreation. We particularly recognize the role of a Public Library in the introduction of children to books and storytelling, to encouraging early literacy, to social interaction, and in teaching responsibility for the care of property.

Section 3: That the City of Moscow supports the Board of Trustees and Library Director of the Latah County Library District to exercise its statutorily granted powers and duties to establish policies and to provide appropriate access to print and electronic reading materials suitable to patrons regardless of age.

Section 4: That this Resolution shall be effective upon its passage and approval.

PASSED on Motion by the Following Vote:

	Aye	Nay	Abstain	Absent
Hailey Lewis	_____	_____	_____	_____
Drew Davis	_____	_____	_____	_____
Sandra Kelly	_____	_____	_____	_____
Gina Taruscio	_____	_____	_____	_____
Julia Parker	_____	_____	_____	_____
Bryce Blankenship	_____	_____	_____	_____

ADOPTED by the City Council of the City of Moscow, Idaho and **APPROVED** by the Mayor of the City of Moscow, this _____ day of _____, 2024.

Arthur D. Bettge, Mayor

CERTIFICATION and ATTESTATION. I hereby certify that the above is a true copy of the Resolution passed at a regular meeting of the City Council, City of Moscow, held on _____, 2024 and attest to the Mayor's signature.

Laurie M. Hopkins, City Clerk

1. A History of America's First Public Library at Franklin, MA Bicentennial Commemorative Edition (1990) <http://www.franklinma.gov/franklin-public-library/pages/history-americas-first-public-library-franklin-ma>. Accessed February 28, 2024.
2. First Public Libraries, Digital Public Library of America. <https://dp.la/exhibitions/history-us-public-libraries/beginnings/first-public-libraries>. Accessed February 28, 2024.

DRAFT