

Public Works / Finance Committee



Regular Meeting ~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday, July 8, 2024

4:00 PM

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

The Moscow Mayor, City Council and Staff welcome you to today's meeting. 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 and limitations may be placed on the time allowed for comments. If you plan to address the Committee, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Please note that Committee meetings are televised, videotaped and/or recorded. Links to view the Committee meeting live can be found on the City website, YouTube, Facebook and Spectrum Cable 1301. Thank you for your interest in City government.

REGULAR AGENDA

1. Approval of Public Works/Finance Committee June 10, 2024 Minutes (ACTION ITEM) - Laurie M. Hopkins

2. Disbursement Report June 2024 (ACTION ITEM) - Sarah Decker

Presentation of the Accounts Payable Report for the month ending June, 2024.

ACTION: Approve and authorize the use of digital signatures to sign the Disbursements Report for the month of June 2024.

3. Third Quarter Financial Report April 1, 2024 to June 30, 2024 for FY2024 (ACTION ITEM) - Sarah Decker

Presentation of the financial report for the third quarter of Fiscal Year 2024 (April 1, 2024 to June 30, 2024).

PROPOSED ACTIONS: Approve the FY2024 Third Quarter Financial Report, or provide staff with further direction.

4. Moscow City Code Towing of Motor Vehicles Ordinance (ACTION ITEM) - Anthony Dahlinger / Mia Bautista

Idaho Code authorizes state police to establish and maintain an authorized tow list for the removal and storage of vehicles removed from a highway or private property. The Moscow Police Department maintains an authorized tow list and desires to screen operators via background checks to determine the suitability of the drivers, similar to the process of the Idaho State Police, in order to provide for the protection of the public interest as it relates to circumstances where MPD needs to dispatch the towing of a vehicle as authorized by law.

PROPOSED ACTIONS: Recommend approval of the proposed ordinance allowing MPD to conduct background checks on tow operators and drivers; or provide staff further direction.

5. Proposed Lot Line Adjustment at 1020 Palouse River Drive (ACTION ITEM) - Aimee Hennrich

The applicant, Shelley Bennett, is requesting a lot line adjustment between a parcel located at 1020 Palouse River Drive and a portion of the parcel located adjacent to the north and west owned by the Thompson Family LTD Partnership. The proposed lot line adjustment would

increase 1020 Palouse River Drive from 8.92 acres to 9.75 acres and decrease the Thompson Family parcel from 12.42 acres to 11.59 acres. The Thompson parcel is currently vacant land and 1020 Palouse River Drive contains a single-family dwelling. Both properties are within the Farm Ranch and Outdoor Recreation (FR) Zoning District. Within the FR Zoning District, the minimum lot area is 3 acres and the minimum lot width is 125 feet. The proposed lot line adjustment meets all zoning code requirements including building setbacks.

PROPOSED ACTIONS: Recommend approval of the lot line adjustment request; or recommend approval of the lot line adjustment request with conditions; or recommend denial of the lot line adjustment request; or provide staff with further direction.

6. U of I Dedications for the Home Depot Project (ACTION ITEM) - Todd Drage

Home Depot U.S.A., Inc. has been approved to construct an approximately 137,000 square foot home improvement store along with an associated surface parking lot. The development is proposed to be located on a portion of property owned by the University of Idaho behind the Palouse Empire Mall at the southwest corner of the City's A Street and Farm Road Intersection. In addition to the construction of the retail store and parking lot, the project will extend A Street and City utilities from their current terminus at Farm Road to the west along the development's property boundary. With the extension of A Street, new street right-of-way is being created. Additionally, a separate parcel to accommodate A Street stormwater detention is being created as well. In order for this property to be transferred from the University of Idaho to the City, property dedications for the A Street ROW and the stormwater parcel are required. Both Deeds of Dedication to do so, which includes a record of survey for each dedication, have been included in this packet.

PROPOSED ACTIONS: Recommend approval of both Deeds of Dedications, or provide staff with further direction.

7. "A" Street Reconstruction Project Change Order #2 (ACTION ITEM) - Bob Buvel

On April 1st, 2024, City Council approved the award of the "A" Street Reconstruction Project Contract to LaRiviere Inc. in the amount of \$1,008,734.25, and authorized staff approval of construction change orders in an amount not to exceed 10% of the contract amount. In June 2024, it was determined that the City of Moscow still had approximately \$150,000 of ARPA funding left to spend on the storm water infrastructure. Staff concluded the most feasible and appropriate way to utilize this funding would be to add Alternate C "Remove and Replace Existing Storm Sewer" which was not awarded with the original bid award, to the "A" street project. The contractor has confirmed that they can complete the scope of work included in Alternate C, and they would be able to honor the bid price except for the precast materials required for items C3 Storm Manhole (4' Diameter) and C4 Storm Sewer Catch Basin. The price change has been addressed in the draft of Change Order #2. After execution of Change Order #2, the project expenditure amount would increase from \$1,008,734.25 to \$1,155,095.25, or a 14.5% increase.

PROPOSED ACTIONS: Recommend approval of Change Order #2 with LaRiviera Inc. to increase the contract amount by \$146,361.00 to \$1,155,095.25, and authorize staff approval of construction change orders in an amount not to exceed 10% of the adjusted contract amount, or provide staff further direction.

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.

Public Works / Finance Committee



Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday, June 10, 2024

4:00 PM

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

The meeting was called to order at 4:00 PM

PRESENT: Hailey Lewis, Gina Taruscio, Bryce Blankenship

OTHERS: Council Member Julia Parker

STAFF: Cody Riddle, Laurie Hopkins, Sarah Decker, Amanda Argona, Brian Nickerson, Mia Bautista, Alisa Anderson, Todd Drage

REGULAR AGENDA

1. Approval of Public Works/Finance Committee May 13, 2024 Minutes (ACTION ITEM) - Laurie M. Hopkins

The minutes were approved as presented.

2. Disbursement Report May 2024 (ACTION ITEM) - Sarah Decker

Presentation of the Accounts Payable Report for the month ending May, 2024.

ACTION: Approve and authorize the use of digital signatures to sign the Disbursements Report for the month of May 2024.

Decker introduced the item and provided the major expenditures including an equipment purchase for underground pipeline inspections, a DEQ water loan payment, sewer construction on Brent Drive, City Shop design services, and second half of the City's insurance premium. The Committee approved and authorized the use of digital signatures to sign the Disbursements Report for the month of May 2024.

3. Rendezvous in the Park Alcohol Use Request in East City Park (ACTION ITEM) - Amanda Argona

Rendezvous in Moscow, Inc. is hosting its annual music and arts festival, Rendezvous in the Park, on July 19-20, 2024, in East City Park. The festival features live, family-friendly concerts in the evenings, a two-day arts festival for children during the mornings, food vendors, and one licensed beer/wine vendor. Following standard operating procedures for events with alcohol within a City Park, Rendezvous in Moscow, Inc. is requesting the allowance of attendees to possess and consume alcoholic beverages within the event footprint during the hours of 4:30 p.m. and 10 p.m. during the aforementioned dates. Per Moscow City Code, Section 5-13-4, a draft resolution has been prepared by the Community Events Division and reviewed by the Legal Department for the Council's consideration.

PROPOSED ACTIONS: Recommend approval of the resolution allowing for the possession and consumption of alcoholic beverages in East City Park within the event footprint of Rendezvous in the Park during the listed times and dates of the event; or provide staff further direction.

Argona introduced the item as written above. Having no questions, the Committee recommended approval and that it be placed on the Council consent agenda.

4. Pour Company Keg, Cork & Fork Fest Alcohol Use Request in Entertainment District (ACTION ITEM) - Amanda Argona

Pour Company is hosting Keg, Cork & Fork Fest on Saturday, July 13 from 4 to 8 pm on Sixth Street between Deakin Avenue and Asbury Street. This event was previously hosted annually at the Latah County Fairgrounds under the moniker Artisan Grains Beer Fest. This is Pour Company's second event utilizing this section of Moscow's Entertainment District. The applicant is anticipating up to six beer vendors, four wine vendors, and three food trucks. Live music is scheduled to be a part of the festivities. In similar fashion to other approved Entertainment District events, alcohol is not permitted outside the approved event footprint, and a check-i.d. station will be utilized for the distribution of wristbands and event containers to participants 21 years of age or older. This event has been reviewed and approved as of May 23, 2024. Following standard operating procedures for events with alcohol that are within the Entertainment District boundaries, Keg, Cork & Fork is requesting a temporary suspension of the open container law by resolution. Per Moscow City Code, Section 10-1-12; a draft resolution has been prepared for Council's consideration.

PROPOSED ACTIONS: Recommend approval of the resolution allowing for the temporary suspension of the open container law within the event footprint of Keg, Cork & Fork for the duration of the event; or provide staff with further direction.

Argona introduced the item as written above. Patty's Kitchen isn't open on Saturday's so won't be affected by the closure and Taco Time is outside the street closure. Staff is in contact with the University in regards to their HR parking lot. The Committee recommended approval and that it be placed on the Council consent agenda.

5. MoscAuto Festival Alcohol Use Request in Entertainment District (ACTION ITEM) - Amanda Argona

Northwest Wado-ryu LLC is hosting MoscAuto Festival on Sunday, July 14 from 9:30 am to 3:30 pm on Main Street between 3rd and 6th Streets, and portions of 4th and 5th Streets. This event, which is stylized as a classic car and motorcycle show, is a new event to the Entertainment District, with the applicant intending for the event to be hosted annually. The applicant is anticipating up to four licensed beer and/or wine vendors, three food trucks, and a variety of automobiles and vehicles. Live music is scheduled to be a part of the festivities in the form of a band or DJ. This event has been reviewed and approved as of June 3, 2024. Following standard operating procedures for events with alcohol that are within the Entertainment District boundaries, MoscAuto Festival is requesting a temporary suspension of the open container law by resolution. Per Moscow City Code, Section 10-1-12; a draft resolution has been prepared for Council's consideration.

PROPOSED ACTIONS: Recommend approval of the resolution allowing for the temporary suspension of the open container law within the event footprint of MoscAuto Festival for the duration of the event; or provide staff with further direction.

Argona introduced the item as written above. This will be the first time closing a street on a Sunday. Lewis asked if there was any concern about events on Saturday and Sunday of the same weekend. Argona responded if there wasn't enough staff, the Streets Division wouldn't have approved. Chris Schwartz, event representative explained there is a registration page for those wanting to enter a car. The Committee recommended approval and that it be placed on the Council consent agenda.

6. Indian Hills II Apartments Development Agreement (ACTION ITEM) - Todd Drage

Blum Enterprises - 4 LLC. is in the process of the development of a 10.5 acre parcel at the northwest corner of the intersection of Palouse River Drive and Mountain View Road. The Project will develop the parcel into 15 separate apartment buildings which collectively total 240 individual 1, 2, and 3 bedroom units. The Project includes the installation of public utilities to serve the development and

half-width frontage improvements along Palouse River Drive and Mountain View Road. For the project, a development agreement is necessary to address construction of public improvements, project warranty, securities, and as-constructed drawings. The agreement included in the packet covers these items.

PROPOSED ACTIONS: Recommend approval of the Development Agreement with Blum Enterprises - 4 LLC. Inc., or provide staff with further direction.

Drage introduced the item as written about. It is a standard development agreement with the addition of upsizing the watermain to support future growth in the southwest area and City to reimburse \$42,200 when completed. Also added is the requirement of a traffic impact study to evaluate the intersections around the development which did not show any necessary mitigation needed with phase 1, 2, or 3. The study did show future potential for a light at Highway 8 and Mountain View Road. The study provided a trip projection and per trip cost analysis. With that information the City recommended that the development per trip cost be included in the agreement. Taruscio likes the additional requirements as it looks into the future. In answer to a question by Lewis, parkland dedication is not required as this isn't a subdivision. The Committee recommended approval and that it be placed on the Council consent agenda.

7. Indian Hills II Apartments Right-of-Way Dedication (ACTION ITEM) - Todd Drage

The Indian Hills II Apartment Project consists of the development of a 10.5 acre parcel at the northwest corner of the intersection of Palouse River Drive and Mountain View Road. The Project will develop the parcel into 15 separate apartment buildings which collectively total 240 individual 1, 2, and 3 bedroom units. Additionally, the Project will complete half-width frontage improvements to include asphalt pavement widening (which include a 5' bike lane), curb and gutter, greenstrip, and a 6' wide sidewalk along approximately 800 linear feet of Palouse River Drive and, 560 linear feet of Mountain View Road. Per the City's Thoroughfare Plan, both Palouse River Drive and Mountain View Road are designated as minor arterials which, per City Standard Drawing 1f, require a half road right-of-way width of 45 feet. Currently, neither road's half width ROW totals 45 feet. As a result, the dedication of additional ROW for the portions of the Project adjacent to both streets is necessary. The Deed of Dedication to do so, which includes a record of the survey, has been included in this packet.

PROPOSED ACTIONS: Recommend approval of the Deed of Dedication, or provide staff with further direction.

Drage introduced the item as written above. The corner is secured for a future round about. Lewis was concerned about hodge-pod sidewalks but the street will be deadened until there is more development. The Committee recommended approval and that it be placed on the Council consent agenda.

8. Conestoga Street Extension Right-of-Way Dedication (ACTION ITEM) - Todd Drage

During the development of the Edington 1st Addition Subdivision, Conestoga Street was extended through City Park Property from its intersection with Palouse River Drive south to the subdivision. Conestoga was extended as a 70-foot wide collector street per the City's Thoroughfare Plan to accommodate public travel and other secondary street purposes such as the extension of utilities. As the subdivision nears completion, it is necessary to transfer the ownership from the City as park property to the City as public right-of-way. The Deed of Dedication to do so, which includes a record of the survey, has been included in the packet.

PROPOSED ACTIONS: Recommend approval of the Deed of Dedication, or provide staff with further direction.

Drage introduced the item as written above adding this is the portion south of Palouse River Drive and wasn't dedicated during the plat process. The street name will be Conestoga Street and that will be

corrected in the documents. The Committee recommended approval and that it be placed on the Council consent agenda.

9. Dominion Way Street Name Approval (ACTION ITEM) - Todd Drage

On June 6, 2016, Faith Ministries Inc. (DBA Logos School) filed an application for a Conditional Use Permit (CUP) to construct a school and church on a 30-acre property located at 1515 N. Mountain View Road. The Moscow Board of Adjustment approved the CUP in August of 2016. The CUP detailed that the project would include the construction of public improvements to support the development. The associated public improvements include the construction of a new public street adjacent to the development. The City's standard process for the creation of street names is for Council to approve them with the approval of a Final Plat. As this street is being created through right-of-way dedication, the street name was not approved through the platting process. This agenda item is being presented to request Council officially approve the street name "Dominion Way", as requested by the project proponent. A location figure and plan view figures from the Project's civil plan set have been included in this packet.

PROPOSED ACTIONS: Recommend approval of the street name Dominion Way, or provide staff with further direction.

Drage introduced the item as written above and provided the guidelines for naming streets. The proposed name meets the guidelines. Because Mountain View Road turns 90 degrees from east to the north, the name would not continue south. Riddle said staff is discussing having the Planning and Zoning Commission review the guidelines for possible codification. Blankenship said he was uncomfortable with the weight of the word and shared the definitions of the word dominion. Although Dominion Way meets a lot of the requirements, he would rather seek direction. He also reviewed the street directory and no other streets have a name with the weight of dominion. He doesn't want to recommend approval. Lewis agreed, she wants to presenting a more unified Moscow and names have power. Appreciates staff recommendat6ion as it meets the guidelines but would like to see other names by the applicant. Taruscio doesn't agree that just because we don't like the name doesn't mean we should not approve it when the name meets the guidelines. The Committee forwarded the item to the full Council for discussion. They asked staff to invite the applicant to the meeting.

10. Idaho Fire Fighter's License Plate Grant Program (ACTION ITEM) - Alisa Anderson / Brian Nickerson

The Idaho Fire Chief's Association (IFCA) sponsors the Fire Fighter License Plate (FFLP) grant program on an annual basis. Grant requests must comply with the legislated guidelines to be used "exclusively for fire safety education" of firefighters, fire chiefs, and the general public. Grants are general capped at a maximum possible award of \$2,500 to \$3,500. The Moscow Volunteer Fire Department (MVFD) conducts 15-20 fire extinguisher classes per year to the community to include the University of Idaho (UI) Greek housing. Training conducted off-site from a firehouse is accomplished with the use of a LP gas fire prop and 2.5-gallon water extinguishers. The MVFD is requesting to submit a grant request to purchase six (6) 2.5 Gallon Amerex Brand water extinguishers estimated to cost \$190.00 each. The MVFD is also requesting to purchase fire prevention materials to be distributed to the community at trainings estimated to cost \$500. The total grant request will not exceed \$1,800.00. The grant application is due June 28, 2024. No match is required for this request.

PROPOSED ACTIONS: Recommend approval for the MVFD to submit a grant application to the Idaho Fire Chief's Association Fire Fighter License grant program in an amount not to exceed \$1,800 for the purchase of six (6) 2.5 Gallon Amerex Brand water extinguishers and community training materials, or provide staff further direction.

Anderson introduced the item as written above. Chief Nickerson explained the water extinguishers are

used quite a lot. They have been awarded throughout the years, two for Moscow and a joint grant last year. Nickerson said the Idaho Fire Chiefs Association primarily runs the program and receive about \$85,000 per year in grant money. The Committee recommended approval and that it be placed on the Council consent agenda.

11. Firehouse Subs Grant Application (ACTION ITEM) - Alisa Anderson / Brian Nickerson

The Moscow Volunteer Fire Department (MVFD) is requesting to submit a grant application to the Firehouse Subs Public Safety Foundation (Foundation). This Foundation assists first responders and public safety organizations by providing lifesaving equipment and needed resources to help them be better prepared to save lives in the communities they serve. The funding request to Firehouse Subs is for the purchase of new extraction equipment used to cut through tough materials, helping to open tight spaces and provide stabilization. The MVFD is requesting to submit a grant request in an amount not to exceed \$30,000.

PROPOSED ACTIONS: Recommend approval for the MVFD to submit a grant application to Firehouse Subs Foundation in an amount not to exceed \$30,000 for extraction equipment or, or provide staff further direction.

Anderson introduced the item as written above. Nickerson said this equipment will replace some of the hydraulic tools. One set was purchased for Rescue 24 with the general fund. The battery operated is more powerful. The plan is to purchase two pieces, the spreader and the cutter, with the grant then budget for the third, which is a ram. The Committee recommended approval and that it be placed on the Council consent agenda.

ADJOURN

The meeting concluded at 4:45 p.m.

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 8, 2024



AGENDA ITEM TITLE

Disbursement Report June 2024 (ACTION ITEM) - Sarah Decker

RESPONSIBLE STAFF

Sarah Decker, Director of Finance & Employee Services

ADDITIONAL PRESENTER(S)

DESCRIPTION

Accounts Payable Report for the month ending June 30, 2024. A summary of the major expenditures has been approximated by category and represents 97% of the total expenditure of \$3,366,638.76

Payroll	\$1,349,809.00
Professional Services	\$48,899.00
Sanitation	\$362,679.00
Capital Outlay - Improvement	\$21,956.00
Capital Outlay - Buildings	\$51,298.00
Minor Equipment	\$8,229.00
Supplies	\$51,587.00
Utilities	\$89,338.00
Contractual Payments	\$1,240,093.00
ACH Wells Fargo	\$28,602.00
Total	\$3,252,490.00

REVIEWED BY

PROPOSED ACTIONS

ACTION: Approve and authorize the use of digital signatures to sign the Disbursements Report for the month of June 2024.

STAFF RECOMMENDATION

Approve the disbursement report and use of digital signatures to sign the Disbursements Report for the month of June 2024.

OTHER RESOURCES

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. June Revenue Report 2024
2. Cash & Investments Balances - June 2024
3. Disbursement Report - June 2024
4. Major Expenditures Report - June 2024

RECEIPTS REPORT FOR JUNE 2024

	FUND NAME	Taxes	Franchise Fees	Licenses & Permits	Intergovernmental	Charges for Services	Fines & Penalties	Investment Income	Refunds & Reimbursements	Contributions & Donations	Other	Grand Total
Fund #												
101	GENERAL	284,327.49	137,100.72	378,156.05	0.00	143,931.00	5,934.11	283,612.29	70,837.38	0.00	4,965.42	1,308,864.46
105	STREETS	36,205.56	0.00	0.00	0.00	0.00	0.00	0.00	1,358.30	0.00	0.00	37,563.86
120	RECREATION AND CULTURE	0.00	0.00	0.00	0.00	185,607.05	0.00	0.00	469.51	1,301.00	1.98	187,379.54
121	MSD COMMUNITY PLAY FIELDS	0.00	0.00	0.00	8,091.01	0.00	0.00	0.00	0.00	0.00	0.00	8,091.01
123	1912 CENTER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
128	TRANSIT CENTER	0.00	0.00	0.00	0.00	1,671.12	0.00	0.00	0.00	0.00	0.00	1,671.12
220	WATER	0.00	0.00	0.00	0.00	689,143.43	0.00	1,533.02	240.00	0.00	0.00	690,916.45
230	SEWER	0.00	0.00	0.00	0.00	696,899.87	0.00	1,935.70	765.73	0.00	0.00	699,601.30
235	STORMWATER	0.00	0.00	0.00	0.00	-77,685.30	0.00	0.00	0.00	0.00	0.00	-77,685.30
240	SANITATION	0.00	0.00	0.00	0.00	492,705.79	0.00	0.00	0.00	0.00	0.00	492,705.79
290	FLEET	0.00	0.00	0.00	0.00	80,171.54	0.00	0.00	0.00	0.00	0.00	80,171.54
295	INFORMATION SYSTEMS	0.00	0.00	0.00	0.00	147,205.27	0.00	0.00	0.00	0.00	0.00	147,205.27
320	WATER CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
330	SEWER CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
335	STORMWATER CAPITAL FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
340	SANITATION CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
350	CAPITAL PROJECTS	0.00	0.00	500.00	0.00	0.00	0.00	31,195.92	0.00	0.00	0.00	31,695.92
355	LID CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
380	HAMILTON P&R	0.00	0.00	0.00	0.00	0.00	0.00	3,269.43	0.00	0.00	0.00	3,269.43
590	BOND & INTEREST	40,980.37	0.00	0.00	0.00	0.00	0.00	2,503.93	0.00	0.00	0.00	43,484.30
595	LID FUNDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	TOTAL	361,513.42	137,100.72	378,656.05	8,091.01	2,359,649.77	5,934.11	324,050.29	73,670.92	1,301.00	4,967.40	3,654,934.69

City of Moscow Cash and Investments Balances as of 6/30/2024		
Fund	Year to Date Balance	
General Fund	\$	6,571,927.62
Street Fund	\$	2,257,656.96
Recreation & Culture	\$	1,541,749.73
MSDCP	\$	127,533.75
1912 Fund	\$	68,785.63
Transit Center	\$	71,227.18
Water Fund	\$	3,316,903.62
Sewer Fund	\$	3,870,057.89
Stormwater	\$	341,099.70
Sanitation Fund	\$	3,883,404.89
Fleet Fund	\$	6,768,916.78
Information Systems	\$	5,838,171.99
Water Capital	\$	5,902,659.97
Sewer Capital	\$	21,424,011.12
Stormwater Capital	\$	333,842.05
Capital Projects	\$	11,475,988.14
Sanitation Capital	\$	8,195,704.81
LID Construction	\$	218.29
Hamilton	\$	791,522.75
Bond & Interest	\$	1,101,285.18
LID Funds	\$	35,611.11
Payroll Service	\$	1,218,530.46
Total Cash & Investments	\$	85,136,809.62

DISBURSEMENTS REPORT FOR JUNE 2024											
DATE	FUND NAME	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	ACCOUNTS PAYABLE	WELLSFARGO CC ACH	ACCOUNTS PAYABLE ACH	VOID CHECKS	PAYROLL	PAYROLL	GRAND TOTALS
BATCH #		6/6/2024	6/13/2024	6/20/2024	6/27/2024	6/18/2024 7/3/2024 AP 6.14.2024 AP 6.28.2024	6/20/2024 AP 6.21.2024		6/14/2024 PR 103 PR 104 PR 105	6/28/2024 PR 106	
CHECK #'s		109265-109351	109352-109426	109427-109472	109473-109539	June's CC ACH's	June's ACH's		21620	21621	
Fund #											
101	ACH for Wells Fargo to be Imported										
105	GENERAL	1,222,506.22	4,766.75	12,024.73	8,799.77	6,482.03			357,805.21	376,914.22	1,989,298.93
120	STREETS	22,961.47	1,249.42	6,613.24	2,215.40	95.63			28,887.45	29,708.89	91,731.50
121	RECREATION AND CULTURE	27,754.93	14,624.03	5,242.33	19,045.99	15,899.67			91,701.38	131,648.67	305,917.00
123	MSD COMM. PLAY FIELDS	1,582.46	71.31						1,833.76	1,851.53	5,339.06
128	1912 CENTER	10,750.00									10,750.00
220	TRANSIT CENTER	941.44	68.08								1,009.52
230	WATER	34,095.12	8,556.50	2,997.10	20,978.83	1,824.01			55,668.93	56,664.05	180,784.54
235	SEWER	36,167.02	21,480.48	299.62	14,773.93	2,622.11	20,697.72		48,164.37	50,224.06	194,429.31
240	STORMWATER	1,645.56	199.50	250.24	801.49	171.61			18,211.32	18,505.69	39,785.41
290	SANITATION	135,422.39	107.21	748.15		68.74	206,819.14		8,479.16	8,571.61	360,216.40
295	FLEET	2,647.13	11,861.53	5,763.80	547.32	95.63			13,200.07	14,077.74	48,193.22
320	INFORMATION SYSTEMS	25,100.00		152.05		1,342.84			18,003.23	19,687.68	64,285.80
330	WATER CAPITAL PROJECTS			611.90			1,795.41				2,407.31
335	SEWER CAPITAL PROJECTS			21,955.50			1,795.41				23,750.91
340	STORWATER CAPITAL PROJ										0.00
350	SANITATION CAPITAL PROJ										0.00
355	CAPITAL PROJECTS	200.00	665.74	167.43			47,706.68				48,739.85
380	LID CONSTRUCTION										0.00
590	HAMILTON - PARKS & REC										0.00
	BONDS & INTEREST										0.00
	TOTAL	1,521,773.74	63,650.55	56,826.09	67,162.73	28,602.27	278,814.36	0.00	641,954.88	707,854.14	3,366,638.76

Gina Taruscio

Hailey Lewis

Bryce Blankenship

Sarah L. Decker, Director of Finance & Employee Services

<u>Sanitation</u>		<u>Utilities</u>				
Finley Buttes Landfill	\$	134,929.03	\$	89,337.70		
Garbage for May 2024			Avista Utilities			
Finley Buttes Landfill	\$	232.95	May 2024	\$	89,337.70	
Fuel Relief for May 2024						
Latah Sanitation (ACH Payment)	\$	227,516.86	<u>Payroll</u>		\$	1,349,809.02
Monthly LSI Billing for May 2024						
	\$	362,678.84				
<u>Supplies</u>		<u>Contractual Payments</u>				
Idaho Beverages, Inc.	\$	2,631.80	Heart of the Arts	\$	10,750.00	
HLAC drink start up for season			Humane Society of the Palouse	\$	4,705.00	
Pioneer Manufacturing Company	\$	6,171.70	Moscow Volunteer Fire Department	\$	1,750.00	
Paint			Infosend, Inc.	\$	3,794.42	
US Foods, Inc.	\$	3,743.31	City of Pullman	\$	1,000,000.00	
HLAC concession opening of pool start up food			Motorola Solutions, Inc.	\$	24,875.00	
Coleman Oil Co.	\$	8,065.57	Whitcom 911	\$	194,218.50	
Diesel fuel (3,000gals @ \$2.69/ea)						
Oxarc, Inc.	\$	4,831.58			\$	1,240,092.92
Chlorine, SO2						
R.J Thomas MFG. Co., Inc.	\$	4,561.00	<u>ACH Wells Fargo</u>			
Parts for the Parks			Commercial Card Expense - June 7th	\$	3,249.34	
Rainbow EcoScience	\$	5,131.57	Commercial Card Expense - June 14th	\$	8,216.14	
Arbotech 20-S Dutch Elm Disease Management			Commercial Card Expense - June 21st	\$	5,315.40	
Thatcher Company of Montana	\$	9,851.80	Commercial Card Expense - June 28th	\$	11,821.39	
Aluminum Sulfate						
Ennis-Flint, Inc.	\$	3,740.00				
Yellow and White paint for pavement markings						
US Foods, Inc.	\$	2,858.45			\$	28,602.27
HLAC concessions supplies, sauces						
	\$	51,586.78	<u>Capital Outlay- Improvements</u>			
<u>Minor Equipment</u>			J-U-B Engineers, Inc.	\$	21,955.50	
Knox Company	\$	3,506.54	WRRF Facility Improvements - IPS Replacement - Task #22 May 2024			
3 new knox key secure systems #INV-KA-297871					\$	21,955.50
Stalker Radar	\$	4,722.50				
Two new radars from STEP Grant						
	\$	8,229.04				

Total: \$ 1,292,346.50

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 8, 2024



AGENDA ITEM TITLE

Third Quarter Financial Report April 1, 2024 to June 30, 2024 for FY2024 (ACTION ITEM) - Sarah Decker

RESPONSIBLE STAFF

Sarah Decker, Director of Finance & Employee Services

ADDITIONAL PRESENTER(S)

DESCRIPTION

Presentation of the financial report for the third quarter of Fiscal Year 2024 (April 1, 2024 to June 30, 2024).

REVIEWED BY

PROPOSED ACTIONS

PROPOSED ACTIONS: Approve the FY2024 Third Quarter Financial Report, or provide staff with further direction.

STAFF RECOMMENDATION

Approve the third quarter financial report of Fiscal Year 2024 (April 1, 2024 to June 30, 2024).

OTHER RESOURCES

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Quarterly Financials - June 2024 - Council Report
2. Quarterly Financials - June 2024 - Summary

City of Moscow
QUARTERLY FINANCIAL REPORT
Budget For Fiscal Year Ending 9/30/2024
SUMMARY FINANCIAL REPORT BY FUND - BUDGET AND ACTUAL

		Original	Final	June-24	Percent of Year 75% Budget to Actual To Date
Fund		Budget	Budget	YTD	
101	General Fund Revenues	22,621,729	22,621,729	13,798,900	61.00%
	Salaries & Benefits	11,336,239	11,336,239	7,306,585	64.45%
	Operations	6,506,833	6,506,833	5,449,467	83.75%
	Capital Outlay	31,150	31,150	31,150	100.00%
	Transfers	4,747,507	4,747,507	3,407,622	71.78%
	Total General Fund Expenditures	22,621,729	22,621,729	16,194,823	71.59%
105	Street Department Revenues	4,465,855	4,465,855	2,050,728	45.92%
	Salaries & Benefits	1,014,059	1,014,059	605,945	59.75%
	Operations	1,395,243	1,395,243	732,570	52.50%
	Capital Outlay	0	0	0	0.00%
	Transfers	2,056,553	2,056,553	1,043,901	50.76%
	Total Street Fund Expenditures	4,465,855	4,465,855	2,382,416	53.35%
120	Recreation & Culture Revenues	3,881,145	3,881,145	2,485,660	64.04%
	Salaries & Benefits	2,361,049	2,361,049	1,318,568	55.85%
	Operations	1,403,971	1,403,971	782,542	55.74%
	Capital Outlay	0	0	0	0.00%
	Debt Service	0	0	0	0.00%
	Transfers	116,125	116,125	116,125	100.00%
	Total Parks & Rec Expenditures	3,881,145	3,881,145	2,217,235	57.13%
121	MSD Community Playfields Revenues	251,483	251,483	151,152	60.10%
	Salaries & Benefits	73,458	73,458	37,002	50.37%
	Operations	114,576	114,576	45,014	39.29%
	Transfers	63,449	63,449	49,592	78.16%
	Total MSD Community Playfields	251,483	251,483	131,609	52.33%
123	1912 Center Revenues	156,440	156,440	98,655	63.06%
	Operations	138,500	138,500	98,971	71.46%
	Capital Outlay	17,940	17,940	0	0.00%
	Total 1912 Center Expenditures	156,440	156,440	98,971	63.26%
128	Transit Center Revenues	43,050	43,050	36,894	85.70%
	Operations	43,050	43,050	16,349	37.98%
	Transfers	0	0	0	0.00%
	Total Transit Center Fund	43,050	43,050	16,349	37.98%
220	Water Fund Revenues	9,221,800	9,221,800	5,230,169	56.72%
	Salaries & Benefits	1,592,529	1,592,529	1,036,947	65.11%
	Operations	2,454,891	2,454,891	1,147,934	46.76%
	Capital Outlay	490,000	490,000	150,368	30.69%
	Debt Service	268,222	268,222	268,222	100.00%
	Transfers	4,416,158	4,416,158	3,438,967	77.87%
	Total Water Fund Expenditures	9,221,800	9,221,800	6,042,439	65.52%
230	Sewer Fund Revenues	10,253,082	10,253,082	7,114,463	69.39%
	Salaries & Benefits	1,559,157	1,559,157	1,041,874	66.82%
	Operations	2,569,045	2,569,045	1,579,544	61.48%
	Capital Outlay	160,000	160,000	86,503	54.06%
	Debt Service	401,500	401,500	381,867	95.11%
	Transfers	5,563,380	5,563,380	4,282,649	76.98%
	Total Sewer Fund Expenditures	10,253,082	10,253,082	7,372,436	71.90%

City of Moscow
QUARTERLY FINANCIAL REPORT
Budget For Fiscal Year Ending 9/30/2024
SUMMARY FINANCIAL REPORT BY FUND - BUDGET AND ACTUAL

				Percent of Year 75% Budget to Actual To Date	
	Fund	Original Budget	Final Budget	June-24 YTD	
235	Stormwater Fund Revenues	1,237,166	1,237,166	824,490	66.64%
	Salaries & Benefits	546,676	546,676	348,776	63.80%
	Operations	364,784	364,784	153,908	42.19%
	Capital Outlay	25,000	25,000	827	3.31%
	Debt Service	0	0	0	0.00%
	Transfers	300,706	300,706	237,378	78.94%
	Total Stormwater Fund Expenditures	1,237,166	1,237,166	740,889	59.89%
240	Sanitation Fund Revenues	7,625,202	7,625,202	5,119,452	67.14%
	Salaries & Benefits	243,715	243,715	168,109	68.98%
	Operations	5,661,549	5,661,549	3,917,881	69.20%
	Capital Outlay	0	0	0	0.00%
	Transfers	1,719,938	1,719,938	857,691	49.87%
	Total Sanitation Fund	7,625,202	7,625,202	4,943,681	64.83%
290	Fleet Management Revenues	5,369,512	5,369,512	2,417,933	45.03%
	Salaries & Benefits	384,073	384,073	235,002	61.19%
	Operations	4,611,439	4,611,439	350,736	7.61%
	Capital Outlay	374,000	374,000	817,913	218.69%
	Debt Service	0	0	0	0.00%
	Transfers	0	0	74,830	0.00%
	Total Fleet Management Expenditures	5,369,512	5,369,512	1,478,480	27.53%
295	Information Systems	6,143,215	6,143,215	1,535,845	25.00%
	Salaries & Benefits	592,190	592,190	348,423	58.84%
	Operations	3,199,452	3,199,452	710,403	22.20%
	Capital Outlay	2,346,573	2,346,573	12,912	0.55%
	Transfers	5,000	5,000	193,760	3875.20%
	Total Information Systems Expenditures	6,143,215	6,143,215	1,265,498	20.60%
	Revenue for Miscellaneous Funds				
320	Water Construction Fund	9,709,996	9,709,996	2,659,441	27.39%
330	Sewer Construction Fund	19,801,854	19,801,854	3,808,007	19.23%
335	Stormwater Capital Fund	308,939	308,939	196,651	63.65%
340	Sanitation Construction Fund	8,048,986	8,048,986	908,253	11.28%
350	Capital Projects Fund	10,485,470	10,485,470	5,014,075	47.82%
355	LID Construction Fund	0	0	5	0.00%
380	Hamilton P & R	32,000	32,000	26,519	82.87%
590	Bond & Interest Debt Service Fund	1,054,750	1,054,750	663,131	62.87%
595	LID Bonded Debt Service Fund	35,611	35,611	0	0.00%
	Total Miscellaneous Fund Revenue	49,477,606	49,477,606	13,276,081	26.83%
	Expenses for Miscellaneous Funds				
320	Water Construction Fund	9,709,996	9,709,996	2,311,934	23.81%
330	Sewer Construction Fund	19,801,854	19,801,854	648,468	3.27%
335	Stormwater Capital Fund	308,939	308,939	9,632	3.12%
340	Sanitation Constructiton Fund	8,048,986	8,048,986	0	0.00%
350	Capital Projects Fund	10,485,470	10,485,470	598,936	5.71%
355	LID Construction Fund	0	0	0	0.00%
380	Hamilton P & R	32,000	32,000	24,000	75.00%
590	Bond & Interest Debt Service Fund	1,054,750	1,054,750	110,300	10.46%
595	LID Bonded Debt Service Fund	35,611	35,611	0	0.00%
	Total Miscellaneous Fund Expenses	49,477,606	49,477,606	3,703,270	7.48%
	Total City Revenue (1)	120,747,285	120,747,285	54,140,424	44.84%
	Total City Expenses	120,747,285	120,747,285	46,588,096	38.58%

Note: Citizens are invited to inspect the detailed supporting records of the above financial statements.

(1) Revenues do not include beginning fund balance as a resource available in this report

City of Moscow

QUARTERLY FINANCIAL REPORT

Budget For Fiscal Year Ending 9/30/2024

SUMMARY FINANCIAL REPORT BY FUND - BUDGET AND ACTUAL

	Original Budget	Final Budget	June-24 YTD	Percent of Year 75% Budget to Actual To Date
General Fund				
Revenues	22,621,729	22,621,729	13,798,900	61.00%
Salaries & Benefits	11,336,239	11,336,239	7,306,585	64.45%
Operations	6,506,833	6,506,833	5,449,467	83.75%
Capital Outlay	31,150	31,150	31,150	100.00%
Transfers	4,747,507	4,747,507	3,407,622	71.78%
Total General Fund Expenditures	22,621,729	22,621,729	16,194,823	71.59%
Bond & Interest Debt Service Revenue	1,090,361	1,090,361	663,131	60.82%
Bond & Interest Debt Service Expenditures	1,090,361	1,090,361	110,300	10.12%
Other Governmental Funds				
Revenues	8,797,973	8,797,973	4,823,090	54.82%
Salaries & Benefits	3,448,566	3,448,566	1,961,514	56.88%
Operations	3,095,340	3,095,340	1,675,446	54.13%
Capital Outlay	17,940	17,940	0	0.00%
Transfers	2,236,127	2,236,127	1,209,618	54.09%
Debt Service	0	0	0	0.00%
Total Other Governmental Expenditures	8,797,973	8,797,973	4,846,579	55.09%
All Capital Projects Funds				
Revenues	48,387,245	48,387,245	12,612,950	26.07%
Capital Outlay	48,387,245	48,387,245	3,592,970	7.43%
Total Capital Projects Expenditures	48,387,245	48,387,245	3,592,970	7.43%
Enterprise Funds				
Revenues	28,337,250	28,337,250	18,288,574	64.54%
Salaries & Benefits	3,942,077	3,942,077	2,595,706	65.85%
Operations	11,050,269	11,050,269	6,799,267	61.53%
Capital Outlay	675,000	675,000	237,698	35.21%
Debt Service	669,722	669,722	650,089	97.07%
Transfers	12,000,182	12,000,182	8,816,685	73.47%
Total Enterprise Fund Expenditures	28,337,250	28,337,250	19,099,445	67.40%
Internal Service Funds				
Revenues	11,512,727	11,512,727	3,953,778	34.34%
Salaries & Benefits	976,263	976,263	583,425	59.76%
Operations	7,810,891	7,810,891	1,061,139	13.59%
Capital Outlay	2,720,573	2,720,573	830,824	30.54%
Debt Service	0	0	0	0.00%
Transfers	5,000	5,000	268,590	5371.80%
Total Fleet & IS Expenditures	11,512,727	11,512,727	2,743,978	23.83%
Total City Revenue (1)	120,747,285	120,747,285	54,140,424	44.84%
Total City Expenses	120,747,285	120,747,285	46,588,096	38.58%

Note: Citizens are invited to inspect the detailed supporting records of the above financial statements.

(1) Revenues do not include beginning fund balance as a resource available in this report

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 8, 2024



AGENDA ITEM TITLE

Moscow City Code Towing of Motor Vehicles Ordinance (ACTION ITEM) - Anthony Dahlinger / Mia Bautista

RESPONSIBLE STAFF

Anthony Dahlinger, Police Chief, Mia Bautista, City Attorney

ADDITIONAL PRESENTER(S)

DESCRIPTION

Idaho Code authorizes state police to establish and maintain an authorized tow list for the removal and storage of vehicles removed from a highway or private property. The Moscow Police Department maintains an authorized tow list and desires to screen operators via background checks to determine the suitability of the drivers, similar to the process of the Idaho State Police, in order to provide for the protection of the public interest as it relates to circumstances where MPD needs to dispatch the towing of a vehicle as authorized by law.

REVIEWED BY

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend approval of the proposed ordinance allowing MPD to conduct background checks on tow operators and drivers; or provide staff further direction.

STAFF RECOMMENDATION

Recommend approval of the proposed ordinance allowing MPD to conduct background checks on tow operators and drivers.

OTHER RESOURCES

None

FISCAL IMPACT

None

PERSONNEL IMPACT

None

ATTACHMENTS

1. Ordinance 2024 - MCC T09C13 - Towing and Storage of Motor Vehicles_Revised_v3_final

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 09, BY THE ADDITION OF CHAPTER 13, TOWING AND STORAGE OF MOTOR VEHICLES; ESTABLISHING A SYSTEM FOR MOSCOW POLICE DEPARTMENT TO CREATE AN AUTHORIZED TOW LIST AND TO DETERMINE THE SUITABILITY OF APPLICANTS FOR INCLUSION ON THE AUTHORIZED TOW LIST UTILIZING THE SAME PROCESS OUTLINED IN IDAHO CODE 49-1807B; PROVIDING FOR TOWING REGULATIONS; PROVIDING FOR THE ENFORCEMENT OF THIS CHAPTER; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; APPROVING THE PUBLICATION OF A SUMMARY OF THE ORDINANCE WITH THE FULL TEXT AVAILABLE AT CITY HALL; 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, Idaho Code Title 49, Chapter 18 governs the towing and storage of motor vehicles; and

WHEREAS, pursuant to Idaho Code § 49-1804, Moscow Police Department (MPD) officers are authorized to have an abandoned vehicle removed from a highway or from public or private property to a garage or nearest place of safety; and

WHEREAS, pursuant to Idaho Code § 49-1803A, MPD officers are authorized to dispatch a call to a tow truck operator to remove a vehicle under authority of Chapter 18, Title 49 of the Idaho Code, or of the provisions of Idaho Code § 49-662, as the result of an accident, the driver being arrested or extraordinary circumstances; and

WHEREAS, Idaho Code § 49-1807B authorizes state police to establish and maintain an authorized tow list. The Idaho Code also authorizes the state police to perform background checks on those individuals operating the tow business or vehicles; and

WHEREAS, MPD maintains an authorized tow list and desires to screen operators via background checks to determine the suitability of the drivers, similar to the process of the Idaho State Police; and

WHEREAS, the City of Moscow desires to provide for the protection of the public interest as it relates to the towing of vehicles from public and private property when circumstances arise where MPD needs to dispatch the towing of a vehicle as authorized by law;

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 a new Chapter 13, entitled Towing and Storage of Motor Vehicles is hereby added to Title 09 of the Moscow City Code as follows:

TOWING AND STORAGE OF MOTOR VEHICLES

Sec. 13-1:	Intent and Scope
Sec. 13-2:	Definitions
Sec. 13-3:	Authorized Tow List Regulations
Sec. 13-4:	Authorized Tow List Application Procedure
Sec. 13-5:	Background Check Required
Sec. 13-6:	Requirements and Responsibilities of Companies on the Authorized Tow List
Sec. 13-7:	Required Records
Sec. 13-8:	Denial, Suspension or Removal of Tow Company from Authorized Tow List
Sec. 13-9:	Towing Regulations
Sec. 13-10:	Removal of Vehicles from Public Streets and Property
Sec. 13-11:	Administration and Enforcement

Sec. 13-1. Intent and Scope

- A. It shall be the policy of the City to establish and maintain an Authorized Tow List utilized by Moscow Police Department that requires the submittal of fingerprints of the Owners and Drivers of the Authorized Tow Companies which is necessary to conduct a background check to obtain criminal history information from the Idaho State Police Bureau of Criminal Identification and the Federal Bureau of Investigation. The City has an interest to provide for the protection of the public as it relates to the towing of vehicles from public or private property with or without the consent of the vehicle owner or vehicle operator, pursuant to the laws of the state of Idaho and of the City of Moscow.
- B. Nothing in this chapter shall be construed to grant an Authorized Tow Company or an Owner or Driver a property right or interest in conducting non-consent tows. The person or entity requesting a non-consent tow retains full authority to select the Tow Company of their choice to perform this service.

Sec. 13-2. Definitions.

For purposes of this Chapter, the following terms and acronyms shall have the meaning herein set forth. When consistent with the context, words used in the present tense include the future, words in the plural include words in the singular. The word “shall” is always mandatory and not merely directory. When a word is not defined, it shall be given its plain meaning.

- A. *Abandoned*: A vehicle left on private property without permission of the persons with possessory interest, or on a highway or other property open to the public for purposes of vehicular traffic or parking, or upon or within the right-of-way of any highway, for forty-eight (48) hours or longer.
- B. *Applicant*: The tow company owner or authorized representative who submits to the City an application or renewal to be placed on the Authorized Tow List to provide tow services.
- C. *Authorized Driver*: A Driver of an Authorized Tow Company that meets the qualifications, regulations and requirements provided in this Chapter.
- D. *Authorized Representative*: A person who has legal authority to act on behalf of the Owner.

- E. *Authorized Tow Company*: Tow Company that meets the qualifications, regulations and requirements provided in this Chapter to be placed on the Authorized Tow List.
- F. *Authorized Tow List*: A list of Authorized Tow Companies to be utilized by the Moscow Police Department.
- G. *DOT*: Department of Transportation.
- H. *Driver*: A person authorized by a tow company to drive, operate or be in actual physical control of a company tow vehicle.
- I. *Fire Lane*: An area on public or private property reserved for providing Fire Department access to structures, firefighting fixtures or equipment, and clearly marked with such designation.
- J. *Junked*: Vehicles that are extensively damaged, to include, but not limited to, broken windows and/or windshield or missing parts integral to physical operation of the vehicle, such as tires, motor or transmission; vehicles that pose a safety risk, such as those with leaking fluids; and vehicles that otherwise cannot be legally driven on the roadway in the condition in which they are found.
- K. *Law Enforcement Personnel*: Employees of a law enforcement agency, to include civilians as well as sworn officers.
- L. *Owner*: A person who has legal rights to the tow company.
- M. *Tow Company*: Any business, firm, corporation, agency, sole proprietorship, partnership, or company operating a towing business.
- N. *VIN*: Vehicle identification number, consisting of numbers and letters, placed on a vehicle by the manufacturer for the purpose of identifying the vehicle.

Sec. 13-3. Authorized Tow List Regulations.

All Tow Companies that desire to be on the Moscow Police Department Authorized Tow List, shall follow the application process as determined by authorized law enforcement personnel at the Moscow Police Department, shall sign a Moscow Police Department towing policy and agreement and shall follow the regulations contained within the towing policy, agreement, this Chapter, the Idaho Code and any other state and federal regulations governing the towing of vehicles.

Sec. 13-4. Authorized Tow List Application Procedure.

- A. *Information Required*: Written application to be placed on the Authorized Tow List shall be completed upon the form provided by the Moscow Police Department, signed by the Applicant, and shall be filed with the Moscow Police Department and accompanied by the required administrative fee, that will be set by Resolution, to cover the cost of the background check. The following information shall be contained in the application and shall be verifiable at the time of the application review:
 - 1. The business name, address and telephone number of the Tow Company requesting to be placed on the Authorized Tow List.
 - 2. The full name, address, telephone number and date of birth of the Tow Company Owner(s).
 - 3. The full name, date of birth, date of hire and driver's license number for all Drivers that will be utilized by the Tow Company pursuant to this Chapter.
 - 4. A notarized signature of the Applicant attesting that the listed Owners and Drivers meet all license qualifications outlined in this Chapter.
- B. *Applicant Owner or Representative*: The Applicant shall be a tow company owner or authorized representative.

- C. Fingerprinting; Background Check: All Owners and Drivers listed on the application shall submit to a background check as set forth in Section 13-5 of this Chapter.
- D. Term of Placement on Authorized Tow List; Renewal: Initial placement on the Authorized Tow List is for a five (5) year term, in which case the Tow Company shall renew its request to remain on the Authorized Tow List and shall complete the application procedure and background checks pursuant to this Chapter.
- E. Police Department Review: Once the Moscow Police Department has verified that the Owners and Drivers meet all applicable requirements and pass the Background Check, the Tow Company will be added to the Authorized Tow List, subject to the Tow Company meeting all other regulations and requirements provided in this Chapter.
- F. Notification of Changes: Tow Companies on the Authorized Tow List shall notify the Moscow Police Department in writing within ten (10) days of any changes to the information contained on the application. Failure to make proper notifications under this section may result in the removal of the Tow Company from the Authorized Tow List. Additional named Drivers and Owners shall be provided to the Moscow Police Department in order to have the additional named Drivers and Owners submit to fingerprinting and be subject to criminal background checks as described in Section 13-5 of this Chapter.

Sec. 13-5. Background Check Required.

Before any Tow Company is placed on the Authorized Tow List, the City shall complete a background check of every Owner and Driver listed on the application, and the City shall complete a background check of every Owner and Driver upon receipt of the authorized fee. Such background check may utilize the fingerprints submitted. Any background check requests made to the Federal Bureau of Investigation shall be conducted pursuant to applicable law, including but not limited to, Idaho Code §67-3008, as amended. The background check may be submitted to the statewide criminal identification bureau; the Federal Bureau of Investigation criminal history; the statewide child abuse registry; and other inquiries as deemed necessary to carry out the intent of this Chapter. New fingerprints are required every five (5) years.

- A. Requirements. To determine the suitability of a Tow Company to be placed on the Authorized Tow List, the Moscow Police Department shall require each Owner and Driver of the prospective Tow Company to provide information and fingerprints necessary to obtain criminal history information from the Idaho State Police and the Federal Bureau of Investigation. Pursuant to Idaho Code §67-3008, and congressional enactment Public Law 92-544, the Moscow Police Department shall submit the required fees and a set of fingerprints obtained from the Owners and Drivers to the Idaho State Police, Bureau of Criminal Identification, for a criminal records check of State and National databases per Public Law 92-544. The submission of fingerprints and information required by this section shall be on forms prescribed by the Idaho State Police. The Moscow Police Department is authorized to receive criminal history information from the Idaho State Police and from the Federal Bureau of Investigation for the purpose of evaluating the fitness of Tow Companies to be included on the Authorized Tow List. As required by state and federal law, further dissemination or other use of the criminal history information is prohibited. Owners and Drivers shall authorize the use of Federal Bureau of Investigation records for the screening process.
- B. Background Check Guidelines. All background checks require a complete set of fingerprints; a signed statement that contains the Owner's and Driver's name, address, and date of birth

appearing on a valid identification document issued by a governmental entity, as well as furnishing if such Owner and Driver has or has not been convicted of a crime, and the particulars and description of the same.

Sec. 13-6. Requirements and Responsibilities of Companies on the Authorized Tow List.

- A. Availability; Base Station: Each Authorized Tow Company shall maintain a twenty-four (24) hour towing service, available seven (7) days per week, with the dispatch of such service to be from base stations or an answering service.
- B. Maintenance of Trucks and Equipment: All tow trucks and required accompanying equipment used pursuant to being placed on the Authorized Tow List shall be maintained in good working order and meet all applicable DOT requirements at all times.
- C. Identification of Trucks: All tow trucks used pursuant to being placed on the Authorized Tow List shall be readily identifiable by conspicuous permanent painting or lettering with the name of the Tow Company.
- D. Public Listing: Each Tow Company placed on the Authorized Tow List shall maintain an entry for a 24-hour contact number in a local phone book, website or other publicly available listing under the operating name of the Tow Company.
- E. Licenses Required: All Drivers for Tow Companies on the Authorized Tow List shall maintain a current and valid driver's license, and shall carry said license on their person, along with a copy of the insurance which covers the vehicle they are operating, at all times when operating the tow truck on public roadways or while engaged in the act of towing or otherwise moving a vehicle pursuant to being dispatched by the Moscow Police Department.
- F. Prohibited Persons: No Driver shall be eligible to be an Authorized Driver for a Tow Company placed on the Authorized Tow List under this Chapter who has:
 - 1. Been found guilty of, plead guilty to, received a withheld judgment, or admitted to the elements of any offense involving neglect or any physical injury to or other abuse of a child, any of the crimes enumerated in Idaho Code § 39-1113(2), Idaho Code § 18-4116 Indecent Exposure, or any substantially similar provision in another jurisdiction, notwithstanding the form of judgment(s).
 - 2. Been classified as a voluntary patient or involuntary patient pursuant to Chapter 3, Title 66, Idaho Code, or similar provision in another jurisdiction, unless:
 - a. Such person has been released from, and is no longer under, any form of treatment in relation to such classification, and
 - b. Such person has been examined by at least one (1) professional licensed to evaluate mental health and such professional certifies that the person is no longer mentally ill and presents no threat or danger to any child. Such examination shall not be at City's expense.
 - 3. Been found guilty of, plead guilty to, or received a withheld judgment, or admitted to the elements of any of the crimes enumerated in Idaho Code § 39-1113(3), the following enumerated crimes, or any substantially similar provision in another jurisdiction, notwithstanding the form of judgment(s) for a period of five (5) years immediately preceding the date of application or renewal:
 - a. Any felony violation of the Uniform Controlled Substances Act, Chapter 27, Title 37, Idaho Code.
 - b. Grand theft, Idaho Code § 18-2407(1).

- c. Disseminating obscene material to minors, as defined in Idaho Code § 18-1513 through 18-1515.
- d. Arson, as defined in Idaho Code § 18-801 through 18-804.
- e. Driving under the influence of alcohol, drugs, or other intoxicating substances, Idaho Code § 18-8004.
- f. Aggravated driving while under the influence of alcohol, drugs, or any other intoxicating substances, Idaho Code § 18-8006.
- g. Reckless driving, Idaho Code § 49-1401(1).
- h. Any crime of physical violence against persons, other than those listed in Section F.1 hereinabove.
- i. Attempt, Idaho Code § 18-306, conspiracy, Idaho Code § 18-1701, or accessory after the fact, Idaho Code § 18-205 to commit any of the crimes designated in this subsection.
- G. Changes to Business: The Moscow Police Department shall be notified in writing within ten (10) days of any change, either wholly or in part, of the ownership of the Tow Company on the Authorized Tow List or any change of address or business name of the licensed entity, along with any changes to the Tow Company's Authorized Drivers.
- H. Impound Lot; Operational Requirements: Each Tow Company on the Authorized Tow List shall have a secure storage yard within Moscow City Limits.
- I. Liability Insurance: Each Tow Company shall procure and maintain while on the Authorized Tow List a commercial general liability insurance policy, naming the City as an additional insured, in an amount not less than one million dollars (\$1,000,000.00) and a current copy of such shall be filed with the Moscow Police Department. In addition, each tow truck operated under a towing license shall be insured pursuant to Idaho Code Title 49, with proof of such insurance to be located within each vehicle.
- J. Professional Conduct: All Authorized Tow Companies and Authorized Drivers shall conduct themselves in a professional manner at all times when dealing with members of the public. Verbal and/or physical abuse towards citizens will not be acceptable and may be grounds for suspension or removal of the Tow Company from the Authorized Tow List, such determination shall be made by the Chief of Police or designee.

Sec. 13-7. Required Records.

- A. Information Required: An Authorized Tow Company conducting a tow as a result of being dispatched by the Moscow Police Department, shall maintain a record of the tow to include the following information:
 - 1. The person or business authorizing the tow;
 - 2. The location of the tow;
 - 3. The date and time of the tow;
 - 4. The color, make, model and year of the vehicle towed;
 - 5. A description of any personal property located within the towed vehicle if known to the Authorized Driver;
 - 6. An itemized statement of services provided and fees owed; and
 - 7. The final disposition of the vehicle after the tow, to include whether it was claimed by the owner or agent of the owner, disposed as low value or auctioned. If auctioned or disposed as low value, detailed statement of the revenue received for the vehicle, including any parts of the vehicle sold or auctioned as separate parts.

- B. Copy Available Upon Request: Upon request of the Moscow Police Department, the registered owner of a towed vehicle, or the owner's legal representative, the Authorized Tow Company responsible for the tow shall provide a copy of the record of the tow, as defined in subsection A of this Section, at no cost.

Section 13-8. Denial, Suspension or Removal of Tow Company from Authorized Tow List.

- A. Denial; Conditions: Authorized Law Enforcement Personnel may deny an application to be added to the Authorized Tow List under this Chapter, or suspend or remove a previously Authorized Tow Company upon notice of a failure to meet, maintain or follow all qualifications, regulations and requirements of this Chapter and, in addition, for the following reasons:
 - 1. Making of any false statement in the application or renewal, or in a hearing regarding the application.
 - 2. Allowing unauthorized Drivers to conduct tows.
 - 3. Operating a tow truck in a manner contrary to the terms of this Chapter or in violation of any City ordinance, State law, regulation or statute.
 - 4. Three (3) or more previous violations of the provisions of this Chapter.
- B. Request for Hearing: Upon notice of a denial, suspension or removal of a Tow Company from the Authorized Tow List under this Chapter, the Applicant may request a hearing. Such request shall be in writing and mailed to the Moscow Police Department no later than ten (10) days from receipt of the notice of denial, suspension or removal.
- C. Hearing Examiner: Upon receipt of the request for hearing, the Police Chief shall appoint a hearing examiner to take testimony and other evidence, and issue a finding as to whether there is good cause for the denial, suspension or removal of the Tow Company from the Authorized Tow List. Such finding shall be in writing and submitted to the Police Chief.
- D. Appeal to City Council: If the denial, suspension or removal is upheld by the hearing examiner, the Applicant may appeal the decision to the City Council by sending written notice to the Moscow Police Department within ten (10) days of receipt of the findings of the hearing examiner.
- E. City Council Hearing: The Moscow Police Department shall be responsible for noticing a hearing before the City Council by which objection to the hearing examiner's findings can be made. The City Council may hear argument but shall not take additional evidence. The City Council may adopt the findings of the hearing examiner or may issue an amended finding. The decision of the City Council shall be final and conclusive.

Section 13-9. Towing Regulations.

It shall be a violation under this Chapter for any Authorized Driver to tow a vehicle or otherwise act in contravention of the following regulations:

- A. Use of Emergency Lights: Tow trucks shall utilize their overhead emergency lights, required to be on all tow trucks authorized by this Chapter, while standing on a roadway for the purpose of conducting a tow, and while actively engaged in the preparation for towing and transportation of a towed vehicle. These lights shall be amber in color unless the tow truck is actively engaged in the recovery of a motor vehicle and is blocking one or more lanes of travel, at which time red lights are authorized.
- B. Clean up of Debris at Scene of Collision: Authorized Drivers are required to remove all collision debris from the roadway when towing a vehicle away from the scene of a collision.

Authorized Drivers shall also clean up roadway debris caused by the removal of an abandoned vehicle.

- C. Release of Vehicle: Vehicle owners shall have access to retrieve their vehicles during regular business hours, which are defined herein as 9:00 a.m. to 5:00 p.m. Monday through Friday.

Section 13-10. Removal of Vehicles from Public Streets and Property.

- A. Unlawful Standing or Parking of Vehicles: Any police officer shall be authorized to direct the removal of a vehicle stopped or parked upon a street, roadway or public place in violation of any of the provisions of Idaho Code Title 49.
- B. Vehicle Operator Arrested: Any police officer shall be authorized to direct the removal of a vehicle from which the operator has been arrested or otherwise taken into lawful custody. Exceptions to this authorization are vehicles parked on private property with the express permission of the property owner or owner representative and vehicles which are owned by a person other than the arrested operator and the owner is available to remove the vehicle upon direction by a police officer in a reasonable and timely manner. Removal of vehicles under this section shall be considered lawful law enforcement impounds.
- C. Any law enforcement personnel, including code enforcement officers and parking enforcement specialists, shall be authorized to direct the removal of vehicles that are abandoned, unlicensed, wrecked, junked or hazardously parked at or upon any street, roadway or public place. In addition, any police officer shall be authorized to direct the removal of vehicles from any place, public or private, which is parked in a designated fire lane or for which there is probable cause to believe it is stolen, constitutes evidence of a crime, or contains evidence of a crime.

Section 13-11. Administration and Enforcement.

- A. Authorized Fee for VIN Inspection: Law enforcement personnel are authorized to collect a fee in such amount as established by Resolution through the City Council for VIN inspection from the party requesting the inspection to cover administrative expenses.
- B. Compliance Checks: Law enforcement personnel are authorized to conduct compliance checks of any and all requirements contained in this Chapter. Failure to allow law enforcement personnel to verify compliance may result in suspension, denial, or revocation of being placed on the Authorized Tow List pursuant to this Chapter.

SECTION 3. EFFECT ON OTHER ORDINANCES. To the extent any provision of this Ordinance is inconsistent with any other City ordinance or resolution enacted prior to the date of this Ordinance, this Ordinance shall control.

SECTION 4. ENFORCEMENT. The adoption of this Ordinance shall not, in any manner, affect any prosecution for violation of any other ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any other ordinance, or in any manner affect the validity of any action heretofore taken by the City of Moscow City Council, or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this Ordinance.

SECTION 5. SEVERABILITY. The provisions of this Ordinance shall be deemed severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity,

unconstitutionality or inapplicability shall not affect or impair the validity of any of the remaining provisions, clauses, sentences, subsections, words or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part, had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable, had been specifically exempt therefrom.

SECTION 6. EFFECTIVE DATE. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Moscow, and upon such publication shall be in full force and effect. 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 the ____ day of _____, 2024.

Laurie M. Hopkins, City Clerk

COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 8, 2024



AGENDA ITEM TITLE

Proposed Lot Line Adjustment at 1020 Palouse River Drive (ACTION ITEM) - Aimee Hennrich

RESPONSIBLE STAFF

Aimee Hennrich, Planner I

ADDITIONAL PRESENTER(S)

DESCRIPTION

The applicant, Shelley Bennett, is requesting a lot line adjustment between a parcel located at 1020 Palouse River Drive and a portion of the parcel located adjacent to the north and west owned by the Thompson Family LTD Partnership. The proposed lot line adjustment would increase 1020 Palouse River Drive from 8.92 acres to 9.75 acres and decrease the Thompson Family parcel from 12.42 acres to 11.59 acres. The Thompson parcel is currently vacant land and 1020 Palouse River Drive contains a single-family dwelling. Both properties are within the Farm Ranch and Outdoor Recreation (FR) Zoning District. Within the FR Zoning District, the minimum lot area is 3 acres and the minimum lot width is 125 feet. The proposed lot line adjustment meets all zoning code requirements including building setbacks.

REVIEWED BY

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend approval of the lot line adjustment request; or recommend approval of the lot line adjustment request with conditions; or recommend denial of the lot line adjustment request; or provide staff with further direction.

STAFF RECOMMENDATION

Recommend approval of the lot line adjustment with no conditions.

OTHER RESOURCES

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Application
2. Exhibits
3. Legal Desc

May 15, 2024

Mayor Art Bettge
Moscow City Council Members
206 East Third Street
Moscow, ID 83843

Dear Mr. Mayor and City Council Members:

Please accept this letter as a formal request for a lot line adjustment for a parcel of Thompson Family Limited Partnership property, which lies adjacent to the north boundary of our family property (RPM00000179525A). We want to adjust the boundaries, as shown in the attached exhibits.

Surveys and legal descriptions are attached.

Respectfully submitted

DocuSigned by:
Shelley L Bennett

4C84F58D9AB240F...
Shelley L. Bennett

Frank R Bennett Family Trust

RECORD OF SURVEY

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER
OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN,
CITY OF MOSCOW, LATAH COUNTY, IDAHO

RECORDER'S CERTIFICATE:

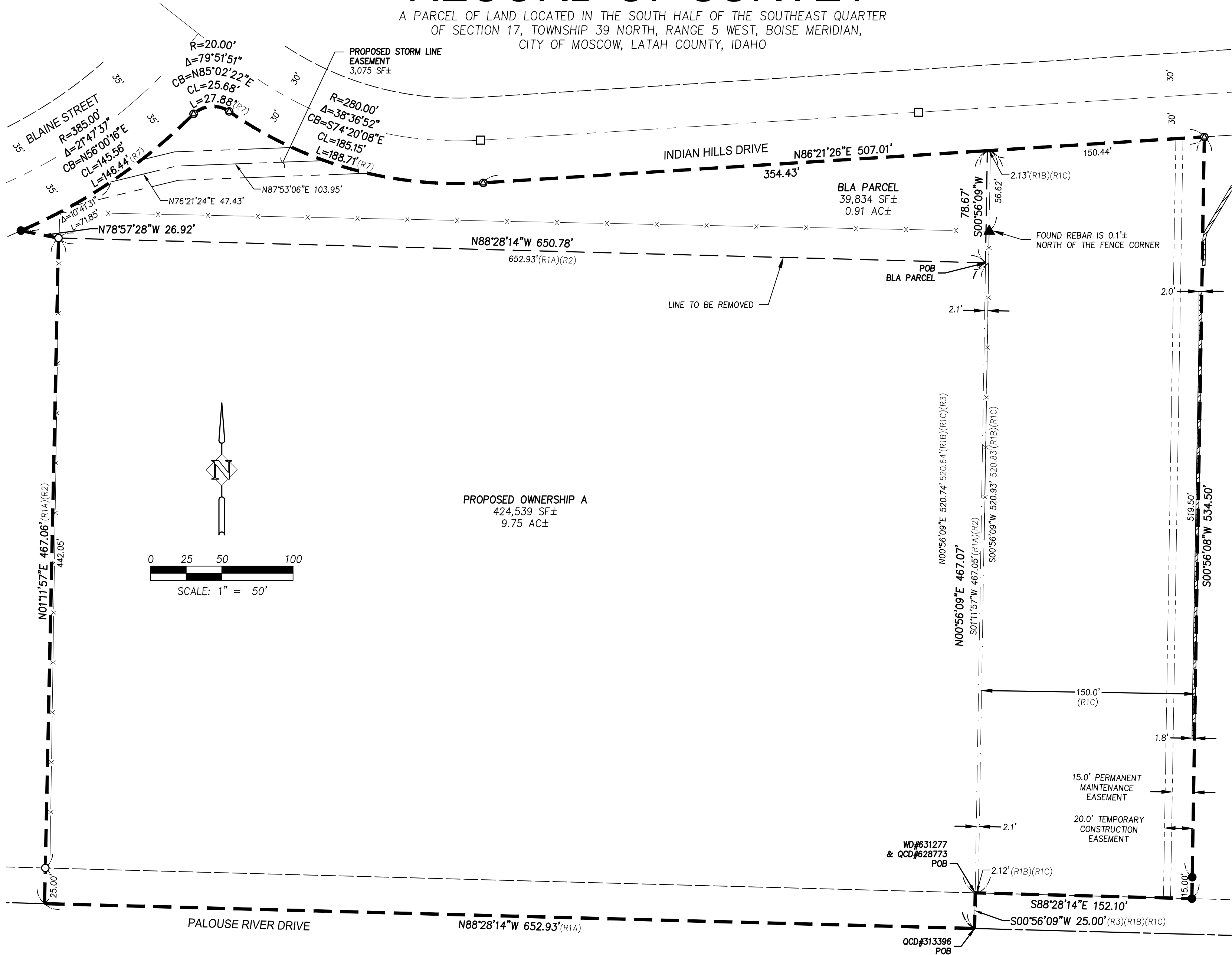
FILED FOR RECORD THIS _____ DAY OF _____ 20____
AT _____M. IN BOOK _____ OF _____
AT PAGE _____ INSTRUMENT NUMBER _____
AT THE REQUEST OF _____

LATAH COUNTY RECORDER

DEPUTY

LEGEND:

- PROPOSED PROPERTY LINE
- PROPERTY LINE
- PROPERTY LINE TO BE REMOVED
- SECTION LINE
- 1/4 SECTION LINE
- EXISTING CENTERLINE
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINE
- EXISTING DEEDED LOT LINE
- EXISTING EASEMENT LINE
- EXISTING WOOD FENCE
- EXISTING ECOLOGY BLOCK WALL
- SECTION CORNER AS NOTED
- 1/4 SECTION CORNER AS NOTED
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, IN CITY OF MOSCOW MONUMENT CASE, MARKED "HEDCO INC., PE/LS 2102"
- FOUND 1" COPPER PLUG MARKED, "PE/LS, 2102"
- FOUND 5/8" REBAR WITH NO CAP
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED, "HEDCO ID, 2102"
- SET 5/8" REBAR WITH ORANGE PLASTIC CAP MARKED "VONLINDERN, PLS 19293"
- CALCULATED ANGLE POINT, NOTHING SET
- RECORD INFORMATION SEE OFFICIAL DOCUMENTS
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- QCD QUITCLAIM DEED
- WD WARRANTY DEED



	By	Date	Scale: 1"=50'
Surveyed	ATG	05/24	Date: Jun. 3, 2024
Drawn	MWS	05/24	Drawing Name
Checked	TMH	05/24	MSP-269--ROS.DWG
Approved	JMV	05/24	
Accepted			Sheet 3 of 3

SYNTIER
Engineering, Inc.
405 SE Brelsford Drive, Suite C
Pullman, WA 99163
www.SynTierEngr.com 509.339.6187

For:
SHELLEY BENNETT
1020 EAST PALOUSE RIVER DRIVE,
MOSCOW, IDAHO 83843

RECORD OF SURVEY
A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER
OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN,
CITY OF MOSCOW, LATAH COUNTY, IDAHO



BEFORE DESCRIPTIONS

RPM00000179525 (QCD #313396, QCD #628773, WD #631277)

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, WHICH POINT IS LOCATED 1007.02 FEET N. 89°40' (88°28'14") W. OF THE SOUTHEAST CORNER OF SAID SECTION 17;

THENCE N. 89°40' (88°28'14") W. 652.93 FEET ON SAID SOUTH LINE OF SECTION 17;

THENCE NORTH (01°11'57" EAST) 467.00 FEET ON A LINE PARALLEL TO THE EAST LINE OF SECTION 17;

THENCE S. 89°40' (88°28'14") E. 652.93 FEET ON A LINE PARALLEL TO SAID SOUTH LINE OF SECTION 17;

THENCE SOUTH (01°11'57" EAST) 467.0 FEET ON A LINE PARALLEL TO SAID EAST LINE OF SECTION 17 TO THE **POINT OF BEGINNING**.

A PARCEL OF LAND, LOCATED IN THE SE1/4 SE1/4 OF SECTION 17, T.39N., R.5W., BOISE MERIDIAN, LATAH COUNTY, MOSCOW, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE OF SECTION 17 LOCATED AT THE INTERSECTION OF PALOUSE RIVER DRIVE AND MOUNTAIN VIEW ROAD;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 17 N88°28'12" (88°28'14")W 1007.02 FEET;

THENCE N00°56'00" (01°11'57")E 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE AND THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION.

THENCE N00°56'00" (01°11'57")E 520.64 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIAN HILLS DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N86°22'38" (86°21'26")E 2.13 FEET;

THENCE S00°56'00" (01°11'57")W 520.83 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N88°28'12" (88°28'14")W 2.12 FEET TO THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION.

THE WEST 150 FEET OF A PARCEL OF LAND IN THE SE1/4 OF THE SE1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, LATAH COUNTY, MOSCOW, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 17 LOCATED AT THE INTERSECTION OF PALOUSE RIVER DRIVE AND MOUNTAIN VIEW ROAD; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 17, N. 88°28'12" (88°28'14")W. 1007.02 FEET;

THENCE N. 0°56'00" (00°56'09")E. 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE AND THE **TRUE POINT OF BEGINNING**;

THENCE N. 0°56'00" (00°56'09")E. 520.64 (520.74) FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIAN HILLS DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 86°22'38" (86°21'26")E. 248.50 (248.36) FEET TO A POINT OF CURVATURE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE 114.74 (115.83) FEET WHICH IS A CURVE TO THE RIGHT HAVING A RADIUS OF 1470.00 FEET, A CENTRAL ANGLE OF 4°28'19", AND CHORD LENGTH OF 114.71 (115.80) FEET BEARING N. 88°36'47" (88°36'52")E.;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S. 89°09'03" (89°07'42")E. 614.64 (613.30) FEET A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MOUNTAIN VIEW ROAD;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S. 0°56'00" (00°53'07")W. 556.10 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 88°28'12" (88°28'14")W. 977.02 FEET TO THE **TRUE POINT OF BEGINNING**.

EXCEPTING THEREFROM THE FOLLOWING PARCEL OF LAND LOCATED IN THE SE1/4 OF THE SE1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, B.M., LATAH COUNTY, MOSCOW, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17 LOCATED AT THE INTERSECTION OF PALOUSE RIVER DRIVE AND MOUNTAIN VIEW ROAD;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 17 N. 88°28'12" (88°28'14")W., 1007.02 FEET;

THENCE N. 0°56'00" (00°56'09")E. 25.00 FEET TO THE POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE AND THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE N. 0°56'00" (00°56'09")E. 520.64 (520.74) FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIAN HILLS DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 86°22'38" (86°21'26")E. 2.13 FEET;

THENCE S. 0°56'00" (00°56'09")W. 520.83 (520.93) FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 88°28'12" (88°28'14")W. 2.12 FEET TO THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION.

RPM00000179255 (QCD #400472)

A PARCEL OF LAND LOCATED IN THE SE1/4 SW1/4 AND IN THE SW1/4 SE1/4 OF SECTION 17 T39N R5W BM AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THE SW1/4 OF SECTION 17 AND THE **TRUE POINT OF BEGINNING**.

THENCE N89°30'47" (88°28'23")W, 495.00 FEET ALONG THE SOUTH LINE OF THE SW1/4 OF SECTION 17;

THENCE LEAVING SAID SOUTH LINE N0°15'07" (00°37'41")W, 675.44 FEET TO THE SOUTHWEST CORNER OF INDIAN HILLS 2ND ADDITION;

THENCE S66°51'00" (65°44'57")E, 326.28 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID INDIAN HILLS 2ND ADDITION;

THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY S75°58'30" (74°52'28")E, 210.04 FEET TO THE SOUTHEAST CORNER OF INDIAN HILLS 2ND ADDITION;

THENCE NORTH (01°06'02" EAST) 20.83 FEET ALONG THE EAST LINE OF SAID INDIAN HILLS 2ND ADDITION TO THE SOUTHWEST CORNER OF INDIAN HILLS 3RD ADDITION;

THENCE (SOUTH 88°53'58") EAST 312.22 FEET TO THE SOUTHEAST CORNER OF INDIAN HILLS 3RD ADDITION;

THENCE N2°41'36" (01°35'34")W, 92.06 FEET ALONG THE EAST LINE OF SAID ADDITION TO THE SOUTHWEST CORNER OF INDIAN HILLS 5TH ADDITION;

THENCE N89°05'58" (89°48'00")E, 300.00 FEET TO THE SOUTHEAST CORNER OF SAID 5TH ADDITION;

THENCE N2°41'36" (01°35'34")W, 438.93 FEET ALONG THE EAST LINE OF SAID 5TH ADDITION;

THENCE N61°58'04" (63°04'06")E, 124.00 FEET TO THE SOUTHWEST CORNER OF INDIAN HILLS 4TH ADDITION;

THENCE N79°36'00" (80°42'02")E, 438.32 FEET TO THE SOUTHEAST CORNER OF SAID INDIAN HILLS 4TH ADDITION AND THE EASTERLY RIGHT-OF-WAY OF BLAINE STREET;

THENCE N10°24'00" (09°17'58")W, 70.00 FEET ALONG SAID EASTERLY RIGHT-OF-WAY TO THE SOUTHWEST CORNER OF TIDYMAN'S LEASE PARCEL;

THENCE S82°04'26" (80°58'24")E, 322.66 FEET;

THENCE N21°51'40" (22°57'42")E, 499.43 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN RAILWAY;

THENCE S67°57'46" (66°51'44")E, 867.72 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY TO A POINT OF CURVE TO THE LEFT AT RAILROAD STATION 4601+87.30;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY 238.23 (239.29) FEET ALONG SAID CURVE TO THE LEFT TO A POINT OF INTERSECTION WITH THE EAST LINE OF SECTION 17 AT RAILROAD STATION 4604+19.44. CURVE HAVING A DELTA=6°58'56" (07°00'48"), RADIUS= 1954.88, CHORD=238.08 (239.14), CHORD BEARING S71°27'14" (70°29'51")E;

THENCE LEAVING SAID RIGHT-OF-WAY S0°07'50" (00°53'47")E, 1303.89 FEET ALONG THE EAST LINE OF SECTION 17 TO THE SOUTHEAST CORNER OF SAID SECTION 17;

THENCE N89°29'37" (88°28'14")W, 1007.02 FEET ALONG THE SOUTH LINE OF SAID SECTION 17;

THENCE LEAVING SAID SOUTH LINE N0°10'23" (01°11'57")E, 467.00 FEET;

THENCE N89°29'37" (88°28'14")W, 652.93 FEET;

THENCE S0°10'23" (01°11'57")W, 467.00 FEET TO A POINT ON THE SOUTH LINE OF SECTION 17;

THENCE N89°29'37," (88°28'14")W, 999.71 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF THE SW1/4 OF SECTION 17 AND THE **TRUE POINT OF BEGINNING**.

AFTER DESCRIPTIONS**PROPOSED OWNERSHIP A**

A PARCEL OF LAND, LOCATED IN THE SE1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, LATAH COUNTY, MOSCOW, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, WHICH POINT IS LOCATED 1007.02 FEET N. 89°40' (88°28'14") W. OF THE SOUTHEAST CORNER OF SAID SECTION 17;

THENCE N. 89°40' (88°28'14") W. 652.93 FEET ON SAID SOUTH LINE OF SECTION 17;

THENCE NORTH (01°11'57" EAST) 467.00 FEET ON A LINE PARALLEL TO THE EAST LINE OF SECTION 17;

THENCE S. 89°40' (88°28'14") E. 652.93 FEET ON A LINE PARALLEL TO SAID SOUTH LINE OF SECTION 17;

THENCE SOUTH (01°11'57" EAST) 467.0 FEET ON A LINE PARALLEL TO SAID EAST LINE OF SECTION 17 TO THE **POINT OF BEGINNING**.

TOGETHER WITH A PARCEL OF LAND, LOCATED IN THE SE1/4 SE1/4 OF SECTION 17, T.39N., R.5W., BOISE MERIDIAN, LATAH COUNTY, MOSCOW, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE OF SECTION 17 LOCATED AT THE INTERSECTION OF PALOUSE RIVER DRIVE AND MOUNTAIN VIEW ROAD;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 17 N88°28'12" (88°28'14")W 1007.02 FEET;

THENCE N00°56'00" (00°56'09")E 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE AND THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION.

THENCE N00°56'00" (00°56'09")E 520.64 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIAN HILLS DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N86°22'38" (86°21'26")E 2.13 FEET;

THENCE S00°56'00" (00°56'09")W 520.83 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N88°28'12" (88°28'14")W 2.12 FEET TO THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION.

TOGETHER WITH THE WEST 150 FEET OF A PARCEL OF LAND IN THE SE1/4 OF THE SE1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, LATAH COUNTY, MOSCOW, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 17 LOCATED AT THE INTERSECTION OF PALOUSE RIVER DRIVE AND MOUNTAIN VIEW ROAD; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 17, N. 88°28'12" (88°28'14")W. 1007.02 FEET;

THENCE N. 0°56'00" (00°56'09")E. 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE AND THE **TRUE POINT OF BEGINNING**;

THENCE N. 0°56'00" (00°56'09")E. 520.64 (520.74) FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIAN HILLS DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 86°22'38" (86°21'26")E. 248.50 (248.36) FEET TO A POINT OF CURVATURE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE 114.74 (115.83) FEET WHICH IS A CURVE TO THE RIGHT HAVING A RADIUS OF 1470.00 FEET, A CENTRAL ANGLE OF 4°28'19", AND CHORD LENGTH OF 114.71 (115.80) FEET BEARING N. 88°36'47" (88°36'52")E.;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S. 89°09'03" (89°07'42")E. 614.64 (613.30) FEET A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MOUNTAIN VIEW ROAD;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S. 0°56'00" (00°53'07")W. 556.10 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 88°28'12" (88°28'14")W. 977.02 FEET TO THE **TRUE POINT OF BEGINNING**.

EXCEPTING THEREFROM THE FOLLOWING PARCEL OF LAND LOCATED IN THE SE1/4 OF THE SE1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, B.M., LATAH COUNTY, MOSCOW, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17 LOCATED AT THE INTERSECTION OF PALOUSE RIVER DRIVE AND MOUNTAIN VIEW ROAD;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 17 N. 88°28'12" (88°28'14")W., 1007.02 FEET;

THENCE N. 0°56'00" (00°56'09")E. 25.00 FEET TO THE POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE AND THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE N. 0°56'00" (00°56'09")E. 520.64 (520.74) FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIAN HILLS DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 86°22'38" (86°21'26")E. 2.13 FEET;

THENCE S. 0°56'00" (00°56'09")W. 520.83 (520.93) FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PALOUSE RIVER DRIVE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 88°28'12" (88°28'14")W. 2.12 FEET TO THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION.

TOGETHER WITH THAT A PORTION OF THE PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED INSTRUMENT NUMBER 400472, RECORDS OF LATAH COUNTY, SITUATE IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF MOSCOW, LATAH COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17, SAID POINT ALSO BEING IN THE CENTERLINE OF PALOUSE RIVER DRIVE;

THENCE ALONG THE SOUTH LINE OF SAID SECTION 17 AND THE CENTERLINE OF SAID PALOUSE RIVER DRIVE NORTH 88°28'14" WEST A DISTANCE OF 1007.02 FEET TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED INSTRUMENT NUMBER 313396, RECORDS OF LATAH COUNTY;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL NORTH 00°56'09" EAST A DISTANCE OF 467.07 FEET TO THE **POINT OF BEGINNING**;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID PARCEL NORTH 88°28'14" WEST A DISTANCE OF 650.78 FEET TO THE NORTHWEST CORNER OF SAID PARCEL;

THENCE NORTH 78°57'28" WEST A DISTANCE OF 26.92 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY (ROW) LINE OF BLAINE STREET AND TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE ALONG SAID ROW LINE AND SAID NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS THAT BEARS NORTH 23°05'56" WEST A DISTANCE OF 385.00 FEET, A CENTRAL ANGLE OF 21°47'37", THE CHORD OF WHICH BEARS NORTH 56°00'16" EAST FOR A DISTANCE OF 145.56 FEET, AN ARC DISTANCE OF 146.44 FEET TO THE BEGINNING OF A REVERSE CURVE;

THENCE ALONG SAID REVERSE CURVE TO THE RIGHT, WITH A RADIUS THAT BEARS SOUTH 44°53'33" EAST A DISTANCE OF 20.00 FEET, A CENTRAL ANGLE OF 79°51'51", THE CHORD OF WHICH BEARS NORTH 85°02'22" EAST FOR A DISTANCE OF 25.68 FEET, AN ARC DISTANCE OF 27.88 FEET TO THE BEGINNING OF A REVERSE CURVE, SAID POINT ALSO BEING ON THE SOUTHERLY ROW LINE OF INDIAN HILLS DRIVE;

THENCE ALONG SAID ROW LINE THE FOLLOWING TWO (2) COURSES:

- 1) ALONG SAID REVERSE CURVE TO THE LEFT, WITH A RADIUS THAT BEARS NORTH 34°58'18" EAST A DISTANCE OF 280.00 FEET, A CENTRAL ANGLE OF 038°36'52", THE CHORD OF WHICH BEARS SOUTH 74°20'08" EAST FOR A DISTANCE OF 185.15 FEET, AN ARC DISTANCE OF 188.71 FEET;
- 2) NORTH 86°21'26" EAST A DISTANCE OF 354.43 FEET TO THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED INSTRUMENT NUMBER 628773, RECORDS OF LATAH COUNTY;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID PARCEL SOUTH 00°56'09" WEST A DISTANCE OF 78.67 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 424,539 SQUARE FEET OR 9.75 ACRES OF LAND, MORE OR LESS.

SUBJECT TO: ANY AND ALL EXISTING EASEMENTS, RIGHT-OF-WAY, RESERVATIONS, RESTRICTIONS, COVENANTS, CONDITIONS AND ENCUMBRANCES OF RECORD.

PREPARED BY SYNTIER ENGINEERING, INC.

06/28/2024



PROPOSED OWNERSHIP B

A PARCEL OF LAND LOCATED IN THE SE1/4 SW1/4 AND IN THE SW1/4 SE1/4 OF SECTION 17 T39N R5W BM AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THE SW1/4 OF SECTION 17 AND THE **TRUE POINT OF BEGINNING**.

THENCE N89°30'47" (88°28'23")W, 495.00 FEET ALONG THE SOUTH LINE OF THE SW1/4 OF SECTION 17;

THENCE LEAVING SAID SOUTH LINE N0°15'07" (00°37'41")W, 675.44 FEET TO THE SOUTHWEST CORNER OF INDIAN HILLS 2ND ADDITION;

THENCE S66°51'00" (65°44'57")E, 326.28 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID INDIAN HILLS 2ND ADDITION;

THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY S75°58'30" (74°52'28")E, 210.04 FEET TO THE SOUTHEAST CORNER OF INDIAN HILLS 2ND ADDITION;

THENCE NORTH (01°06'02" EAST) 20.83 FEET ALONG THE EAST LINE OF SAID INDIAN HILLS 2ND ADDITION TO THE SOUTHWEST CORNER OF INDIAN HILLS 3RD ADDITION;

THENCE (SOUTH 88°53'58") EAST 312.22 FEET TO THE SOUTHEAST CORNER OF INDIAN HILLS 3RD ADDITION;

THENCE N2°41'36" (01°35'34")W, 92.06 FEET ALONG THE EAST LINE OF SAID ADDITION TO THE SOUTHWEST CORNER OF INDIAN HILLS 5TH ADDITION;

THENCE N89°05'58" (89°48'00")E, 300.00 FEET TO THE SOUTHEAST CORNER OF SAID 5TH ADDITION;

THENCE N2°41'36" (01°35'34")W, 438.93 FEET ALONG THE EAST LINE OF SAID 5TH ADDITION;

THENCE N61°58'04" (63°04'06")E, 124.00 FEET TO THE SOUTHWEST CORNER OF INDIAN HILLS 4TH ADDITION;

THENCE N79°36'00" (80°42'02")E, 438.32 FEET TO THE SOUTHEAST CORNER OF SAID INDIAN HILLS 4TH ADDITION AND THE EASTERLY RIGHT-OF-WAY OF BLAINE STREET;

THENCE N10°24'00" (09°17'58")W, 70.00 FEET ALONG SAID EASTERLY RIGHT-OF-WAY TO THE SOUTHWEST CORNER OF TIDYMAN'S LEASE PARCEL;

THENCE S82°04'26" (80°58'24")E, 322.66 FEET;

THENCE N21°51'40" (22°57'42")E, 499.43 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN RAILWAY;

THENCE S67°57'46" (66°51'44")E, 867.72 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY TO A POINT OF CURVE TO THE LEFT AT RAILROAD STATION 4601+87.30;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY 238.23 (239.29) FEET ALONG SAID CURVE TO THE LEFT TO A POINT OF INTERSECTION WITH THE EAST LINE OF SECTION 17 AT RAILROAD STATION 4604+19.44. CURVE HAVING A DELTA=6°58'56" (07°00'48"), RADIUS= 1954.88, CHORD=238.08 (239.14), CHORD BEARING S71°27'14" (70°29'51")E;

THENCE LEAVING SAID RIGHT-OF-WAY $S0^{\circ}07'50''$ ($00^{\circ}53'47''$)E, 1303.89 FEET ALONG THE EAST LINE OF SECTION 17 TO THE SOUTHEAST CORNER OF SAID SECTION 17;

THENCE $N89^{\circ}29'37''$ ($88^{\circ}28'14''$)W, 1007.02 FEET ALONG THE SOUTH LINE OF SAID SECTION 17;

THENCE LEAVING SAID SOUTH LINE $N0^{\circ}10'23''$ ($01^{\circ}11'57''$)E, 467.00 FEET;

THENCE $N89^{\circ}29'37''$ ($88^{\circ}28'14''$)W, 652.93 FEET;

THENCE $S0^{\circ}10'23''$ ($01^{\circ}11'57''$)W, 467.00 FEET TO A POINT ON THE SOUTH LINE OF SECTION 17;

THENCE $N89^{\circ}29'37''$ ($88^{\circ}28'14''$)W, 999.71 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF THE SW1/4 OF SECTION 17 AND THE **TRUE POINT OF BEGINNING**.

EXCEPT THAT PART OF THE AFORE DESCRIBED PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SAID SECTION 17.

ALSO EXCEPT INDIAN HILLS 6TH ADDITION TO THE CITY OF MOSCOW, AS RECORDED ON THE PLAT THEREOF, INSTRUMENT NUMBER 522797, LATAH COUNTY RECORDS.

ALSO EXCEPT ALTURAS BUSINESS PARK TO THE CITY OF MOSCOW, AS RECORDED ON THE PLAT THEREOF, INSTRUMENT NUMBER 424777, LATAH COUNTY RECORDS.

ALSO EXCEPT ALTURAS BUSINESS PARK 2 TO THE CITY OF MOSCOW, AS RECORDED ON THE PLAT THEREOF, INSTRUMENT NUMBER 504085, LATAH COUNTY RECORDS.

ALSO EXCEPT THOSE PARCELS OF LAND DESCRIBED IN WARRANTY DEEDS FILED UNDER INSTRUMENT NUMBERS 508822, 509144, 509665, 628772, AND 631277, AND THAT QUITCLAIM DEED FILED UNDER INSTRUMENT NUMBER 628773, LATAH COUNTY RECORDS.

ALSO EXCEPT THAT PARCEL OF LAND DESCRIBED IN THE DEED OF DEDICATION FILED UNDER INSTRUMENT NUMBER 521544.

ALSO EXCEPT THAT PORTION OF THE AFORE DESCRIBED PARCEL OF LAND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17, SAID POINT ALSO BEING IN THE CENTERLINE OF PALOUSE RIVER DRIVE;

THENCE ALONG THE SOUTH LINE OF SAID SECTION 17 AND THE CENTERLINE OF SAID PALOUSE RIVER DRIVE NORTH $88^{\circ}28'14''$ WEST A DISTANCE OF 1007.02 FEET TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED INSTRUMENT NUMBER 313396, RECORDS OF LATAH COUNTY;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL NORTH $00^{\circ}56'09''$ EAST A DISTANCE OF 467.07 FEET TO THE **POINT OF BEGINNING**;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID PARCEL NORTH $88^{\circ}28'14''$ WEST A DISTANCE OF 650.78 FEET TO THE NORTHWEST CORNER OF SAID PARCEL;

THENCE NORTH $78^{\circ}57'28''$ WEST A DISTANCE OF 26.92 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY (ROW) LINE OF BLAINE STREET AND TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE ALONG SAID ROW LINE AND SAID NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS THAT BEARS NORTH $23^{\circ}05'56''$ WEST A DISTANCE OF 385.00 FEET, A CENTRAL ANGLE OF $21^{\circ}47'37''$, THE CHORD

OF WHICH BEARS NORTH 56°00'16" EAST FOR A DISTANCE OF 145.56 FEET, AN ARC DISTANCE OF 146.44 FEET TO THE BEGINNING OF A REVERSE CURVE;

THENCE ALONG SAID REVERSE CURVE TO THE RIGHT, WITH A RADIUS THAT BEARS SOUTH 44°53'33" EAST A DISTANCE OF 20.00 FEET, A CENTRAL ANGLE OF 79°51'51", THE CHORD OF WHICH BEARS NORTH 85°02'22" EAST FOR A DISTANCE OF 25.68 FEET, AN ARC DISTANCE OF 27.88 FEET TO THE BEGINNING OF A REVERSE CURVE, SAID POINT ALSO BEING ON THE SOUTHERLY ROW LINE OF INDIAN HILLS DRIVE;

THENCE ALONG SAID ROW LINE THE FOLLOWING TWO (2) COURSES:

- 1) ALONG SAID REVERSE CURVE TO THE LEFT, WITH A RADIUS THAT BEARS NORTH 34°58'18" EAST A DISTANCE OF 280.00 FEET, A CENTRAL ANGLE OF 38°36'52", THE CHORD OF WHICH BEARS SOUTH 74°20'08" EAST FOR A DISTANCE OF 185.15 FEET, AN ARC DISTANCE OF 188.71 FEET;
- 2) NORTH 86°21'26" EAST A DISTANCE OF 354.43 FEET TO THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED INSTRUMENT NUMBER 628773, RECORDS OF LATAH COUNTY;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID PARCEL SOUTH 00°56'09" WEST A DISTANCE OF 78.67 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 11.59 ACRES OF LAND, MORE OR LESS.

SUBJECT TO: ANY AND ALL EXISTING EASEMENTS, RIGHT-OF-WAY, RESERVATIONS, RESTRICTIONS, COVENANTS, CONDITIONS AND ENCUMBRANCES OF RECORD.

PREPARED BY SYNTIER ENGINEERING, INC.

06/28/2024



LAND TO BE TRANSFERRED

A PARCEL OF LAND LOCATED IN PART OF THE SOUTHWEST AND SOUTHEAST QUARTERS OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF MOSCOW, LATAH COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17, SAID POINT ALSO BEING IN THE CENTERLINE OF PALOUSE RIVER DRIVE;

THENCE ALONG THE SOUTH LINE OF SAID SECTION 17 AND THE CENTERLINE OF SAID PALOUSE RIVER DRIVE NORTH 88°28'14" WEST A DISTANCE OF 1007.02 FEET TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED INSTRUMENT NUMBER 313396, RECORDS OF LATAH COUNTY;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL NORTH 00°56'09" EAST A DISTANCE OF 467.07 FEET TO THE **POINT OF BEGINNING**;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID PARCEL NORTH 88°28'14" WEST A DISTANCE OF 650.78 FEET TO THE NORTHWEST CORNER OF SAID PARCEL;

THENCE NORTH 78°57'28" WEST A DISTANCE OF 26.92 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY (ROW) LINE OF BLAINE STREET AND TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE ALONG SAID ROW LINE AND SAID NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS THAT BEARS NORTH 23°05'56" WEST A DISTANCE OF 385.00 FEET, A CENTRAL ANGLE OF 21°47'37", THE CHORD OF WHICH BEARS NORTH 56°00'16" EAST FOR A DISTANCE OF 145.56 FEET, AN ARC DISTANCE OF 146.44 FEET TO THE BEGINNING OF A REVERSE CURVE;

THENCE ALONG SAID REVERSE CURVE TO THE RIGHT, WITH A RADIUS THAT BEARS SOUTH 44°53'33" EAST A DISTANCE OF 20.00 FEET, A CENTRAL ANGLE OF 79°51'51", THE CHORD OF WHICH BEARS NORTH 85°02'22" EAST FOR A DISTANCE OF 25.68 FEET, AN ARC DISTANCE OF 27.88 FEET TO THE BEGINNING OF A REVERSE CURVE, SAID POINT ALSO BEING ON THE SOUTHERLY ROW LINE OF INDIAN HILLS DRIVE;

THENCE ALONG SAID ROW LINE THE FOLLOWING TWO (2) COURSES:

- 1) ALONG SAID REVERSE CURVE TO THE LEFT, WITH A RADIUS THAT BEARS NORTH 34°58'18" EAST A DISTANCE OF 280.00 FEET, A CENTRAL ANGLE OF 38°36'52", THE CHORD OF WHICH BEARS SOUTH 74°20'08" EAST FOR A DISTANCE OF 185.15 FEET, AN ARC DISTANCE OF 188.71 FEET;
- 2) NORTH 86°21'26" EAST A DISTANCE OF 354.43 FEET TO THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED INSTRUMENT NUMBER 628773, RECORDS OF LATAH COUNTY;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID PARCEL SOUTH 00°56'09" WEST A DISTANCE OF 78.67 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 39,834 SQUARE FEET OR 0.91 ACRES OF LAND, MORE OR LESS.

SUBJECT TO: ANY AND ALL EXISTING EASEMENTS, RIGHT-OF-WAY, RESERVATIONS, RESTRICTIONS, COVENANTS, CONDITIONS AND ENCUMBRANCES OF RECORD.

PREPARED BY SYNTIER ENGINEERING, INC.

06/28/2024



COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 8, 2024



AGENDA ITEM TITLE

U of I Dedications for the Home Depot Project (ACTION ITEM) - Todd Drage

RESPONSIBLE STAFF

Todd Drage, Civil Engineer

ADDITIONAL PRESENTER(S)

DESCRIPTION

Home Depot U.S.A., Inc. has been approved to construct an approximately 137,000 square foot home improvement store along with an associated surface parking lot. The development is proposed to be located on a portion of property owned by the University of Idaho behind the Palouse Empire Mall at the southwest corner of the City's A Street and Farm Road Intersection. In addition to the construction of the retail store and parking lot, the project will extend A Street and City utilities from their current terminus at Farm Road to the west along the development's property boundary. With the extension of A Street, new street right-of-way is being created. Additionally, a separate parcel to accommodate A Street stormwater detention is being created as well. In order for this property to be transferred from the University of Idaho to the City, property dedications for the A Street ROW and the stormwater parcel are required. Both Deeds of Dedication to do so, which includes a record of survey for each dedication, have been included in this packet.

REVIEWED BY

Legal

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend approval of both Deeds of Dedications, or provide staff with further direction.

STAFF RECOMMENDATION

Recommend approval of both Deeds of Dedication.

OTHER RESOURCES

n/a

FISCAL IMPACT

n/a

PERSONNEL IMPACT

n/a

ATTACHMENTS

1. Deed of Dedication - U of I-A Street Extension_final with attachment
2. Deed of Dedication - U of I - A St Det Pond_final with attachment

DEED OF DEDICATION

THIS DEED OF DEDICATION is made this ____ day of _____, 2024 by BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO, a body politic and corporate organized and existing under the laws and constitution of the State of Idaho, 875 Perimeter Drive MS 3168, Moscow Idaho, 83844-3168 (hereinafter "GRANTOR") to CITY OF MOSCOW, IDAHO, a municipal corporation of the State of Idaho, 206 East Third Street, Moscow, Idaho, 83843 (hereinafter "GRANTEE").

GRANTOR, for value received, does hereby convey and dedicate unto GRANTEE, for public streets, public utilities and customary related public uses, the following described real property situated in the County of Latah, State of Idaho, legal description and record of survey is attached as Attachment "1" and incorporated herein by this reference, to-wit:

A Right of Way Dedication being all that certain real property situate in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 12, Township 39 North, Range 6 West, Boise Meridian, City of Moscow, Latah County, Idaho, being more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 12 (from which the East Quarter Corner of said Section 12 bears North 01°01'01" East, 2635.75 feet distant); Thence North 01° 01' 01" East, 2292.19 feet (formerly described as 2291.59 feet) on the east line of said section 12 to a point on the southerly right of way of West A Street, as same is described in Quitclaim Deed 405510, recorded June 16, 1994, Latah County Records; Thence continuing North 01° 01' 01" East on the east boundary of said Section 12, 73.53 feet to a point common with the northerly right of way of West A Street per said Quitclaim Deed, said point being a point of curvature and the **POINT OF BEGINNING**:

Thence the following twelve (12) courses on the exterior boundary of the right of way described in said Quitclaim Deed 405510:

Thence 147.70 feet on the arc of a curve to the right, having a radius of 565.00 feet, a central angle of 14° 58' 39", and whose chord bears North 62° 28' 29" West, 147.28 feet to a point of curvature;

Thence 50.78 feet on the arc of a curve to the right, having a radius of 30.00 feet, a central angle of 96° 58' 44", and whose chord bears North 06° 29' 49" West, 44.93 feet;

Thence North 41° 59' 32" East, 31.04 feet;

Thence North 48° 00' 28" West, 70.00 feet;

Thence South 41° 59' 32" West, 31.04 feet to a point of curvature;

Thence 50.78 feet on the arc of a curve to the right, having a radius of 30.00 feet, a central

angle of 96° 58' 44", and whose chord bears North 89° 31' 07" West, 44.93 feet to a point of curvature;

Thence 25.35 feet on the arc of a curve to the right, having a radius of 565.00 feet, a central angle of 02° 34' 15", and whose chord bears North 39° 44' 38" West, 25.35 feet;

Thence South 51° 32' 29" West, 70.00 feet to a point of curvature;

Thence 43.67 feet on the arc of a curve to the left, having a radius of 635.00 feet, a central angle of 03° 56' 25", and whose chord bears South 40° 25' 43" East, 43.66 feet to a point of curvature;

Thence 44.19 feet on the arc of a curve to the right, having a radius of 30.00 feet, a central angle of 84° 23' 30", and whose chord bears South 00° 12' 11" East, 40.30 feet;

Thence South 41° 59' 32" West, 157.04 feet to a point of curvature;

Thence 149.16 feet on the arc of a curve to the left, having a radius of 445.00 feet, a central angle of 19° 12' 19", and whose chord bears South 32° 23' 22" West, 148.46 feet to a 5/8" rebar with a yellow plastic cap marked "INLOES PLS 20888", hereinafter described as "a set monument";

Thence leaving the exterior boundary of said right of way, North 67° 12' 47" West, 10.00 feet to a set monument, said point being a point of curvature;

Thence 152.51 feet on the arc of a curve to the right, having a radius of 455.00 feet, a central angle of 19° 12' 19", and whose chord bears North 32° 23' 22" East, 151.80 feet to a set monument;

Thence North 41° 59' 32" East, 121.61 feet to a set monument, said point being a point of curvature;

Thence 84.76 feet on the arc of a curve to the left, having a radius of 60.00 feet, a central angle of 80° 56' 24", and whose chord bears North 01° 31' 20" East, 77.89 feet to a set monument;

Thence North 38° 58' 23" West, 12.08 feet to a set monument, said point being a point of curvature;

Thence 141.91 feet on the arc of a curve to the right, having a radius of 645.00 feet, a central angle of 12° 36' 20", and whose chord bears North 32° 08' 49" West, 141.62 feet to a set monument, said point being a point of curvature;

Thence 110.24 feet on the arc of a curve to the left, having a radius of 272.00 feet, a central angle of 23° 13' 14", and whose chord bears North 37° 27' 16" West, 109.48 feet to a set monument;

Thence North 49° 03' 53" West, 168.50 feet to a set monument, said point being a point of curvature;

Thence 187.63 feet on the arc of a curve to the left, having a radius of 272.00 feet, a central angle of 39° 31' 27", and whose chord bears North 68° 49' 36" West, 183.93 feet to a set monument;

Thence North 88° 35' 20" West, 86.53 feet to a set monument;

Thence North 01° 24' 40" East, 90.00 feet to a set monument;

Thence South 88° 35' 20" East, 86.53 feet to a set monument, said point being a point of curvature;

Thence 249.72 feet on the arc of a curve to the right, having a radius of 362.00 feet, a central angle of 39° 31' 27", and whose chord bears South 68° 49' 36" East, 244.80 feet to a set monument;

Thence South 49° 03' 53" East, 168.50 feet to a set monument, said point being a point of curvature;

Thence 146.71 feet on the arc of a curve to the right, having a radius of 362.00 feet, a central angle of 23° 13' 14", and whose chord bears South 37° 27' 16" East, 145.71 feet to a set monument, said point being a point of curvature;

Thence 80.45 feet on the arc of a curve to the left, having a radius of 555.00 feet, a central angle of 08° 18' 21", and whose chord bears South 29° 59' 49" East, 80.38 feet to a set monument, said point being a point of curvature;

Thence 57.48 feet on the arc of a curve to the left, having a radius of 325.14 feet, a central angle of 10° 07' 43", and whose chord bears South 48° 16' 50" East, 57.40 feet to a set monument;

Thence South 54° 04' 46" East, 6.83 feet to a set monument, said point being a point of curvature;

Thence 22.85 feet on the arc of a curve to the left, having a radius of 20.13 feet, a central angle of 65° 02' 47", and whose chord bears South 85° 27' 04" East, 21.64 feet to a set monument, said point being a point of curvature;

Thence 51.38 feet on the arc of a curve to the left, having a radius of 182.92 feet, a central angle of 16° 05' 36", and whose chord bears North 55° 44' 57" East, 51.21 feet to a set monument;

Thence South 48° 00' 28" East, 78.51 feet to a set monument;

Thence South 41° 25' 40" West, 17.13 feet to a set monument, said point being a point of curvature;

Thence 39.40 feet on the arc of a curve to the left, having a radius of 182.82 feet, a central angle of 12° 20' 47", and whose chord bears South 35° 59' 17" West, 39.32 feet to a set monument, said point being a point of curvature;

Thence 22.78 feet on the arc of a curve to the left, having a radius of 20.00 feet, a central angle of 65° 15' 24", and whose chord bears South 02° 48' 46" East, 21.57 feet to a set monument, said point being a point of curvature;

Thence 40.84 feet on the arc of a curve to the left, having a radius of 183.92 feet, a central angle of 12° 43' 23", and whose chord bears South 41° 48' 10" East, 40.76 feet to a set monument;

Thence South 58° 38' 09" East, 49.75 feet to a set monument;

Thence South 63° 13' 33" East, 52.08 feet to a set monument;

Thence South 69° 11' 18" East, 13.54 feet to a set monument, said point being common with the east boundary of said Section 12;

Thence South 01° 01' 01" West, on the east boundary of said Section 12, 1.09 feet to the **POINT OF BEGINNING.**

The above described Right of Way Dedication contains 1.737 acres (75,652 sq.ft.), more or less.

Pursuant to Idaho Code § 50-1313, the City Council accepted and confirmed this Deed of Dedication on the ____ day of _____, 2024.

IN WITNESS THEREOF, GRANTOR and GRANTEE have hereunto set their hand and seal this _____ day of _____, 2024.

GRANTOR:

Board of Regents of the University of Idaho

Kim Salisbury
Associate VP for Budget and Planning,
University of Idaho

GRANTEE:

City of Moscow, Idaho

Arthur D. Bettge, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

ACKNOWLEDGEMENTS

STATE OF IDAHO)
) ss.
COUNTY OF LATAH)

On this _____ day of _____, 2024 before me, a Notary Public in and for said State, appeared Kim Salisbury, known to me to be the person named above and acknowledged that they executed the foregoing document as the duly authorized representative of Board of Regents of the University of Idaho .

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

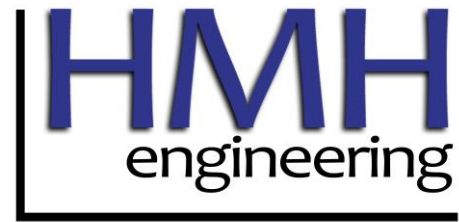


EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT OF WAY DEDICATION

A Right of Way Dedication being all that certain real property situate in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 12, Township 39 North, Range 6 West, Boise Meridian, City of Moscow, Latah County, Idaho, being more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 12 (from which the East Quarter Corner of said Section 12 bears North 01°01'01" East, 2635.75 feet distant); Thence North 01° 01' 01" East, 2292.19 feet (formerly described as 2291.59 feet) on the east line of said section 12 to a point on the southerly right of way of West A Street, as same is described in Quitclaim Deed 405510, recorded June 16, 1994, Latah County Records; Thence continuing North 01° 01' 01" East on the east boundary of said Section 12, 73.53 feet to a point common with the northerly right of way of West A Street per said Quitclaim Deed, said point being a point of curvature and the **POINT OF BEGINNING**:

Thence the following twelve (12) courses on the exterior boundary of the right of way described in said Quitclaim Deed 405510:

Thence 147.70 feet on the arc of a curve to the right, having a radius of 565.00 feet, a central angle of 14° 58' 39", and whose chord bears North 62° 28' 29" West, 147.28 feet to a point of curvature;

Thence 50.78 feet on the arc of a curve to the right, having a radius of 30.00 feet, a central angle of 96° 58' 44", and whose chord bears North 06° 29' 49" West, 44.93 feet;

Thence North 41° 59' 32" East, 31.04 feet;

Thence North 48° 00' 28" West, 70.00 feet;

Thence South 41° 59' 32" West, 31.04 feet to a point of curvature;

Thence 50.78 feet on the arc of a curve to the right, having a radius of 30.00 feet, a central angle of 96° 58' 44", and whose chord bears North 89° 31' 07" West, 44.93 feet to a point of curvature;

Thence 25.35 feet on the arc of a curve to the right, having a radius of 565.00 feet, a central angle of 02° 34' 15", and whose chord bears North 39° 44' 38" West, 25.35 feet;

Thence South 51° 32' 29" West, 70.00 feet to a point of curvature;

Thence 43.67 feet on the arc of a curve to the left, having a radius of 635.00 feet, a central angle of 03° 56' 25", and whose chord bears South 40° 25' 43" East, 43.66 feet to a point of curvature;

Thence 44.19 feet on the arc of a curve to the right, having a radius of 30.00 feet, a central angle of 84° 23' 30", and whose chord bears South 00° 12' 11" East, 40.30 feet;

Thence South 41° 59' 32" West, 157.04 feet to a point of curvature;
Thence 149.16 feet on the arc of a curve to the left, having a radius of 445.00 feet, a central angle of 19° 12' 19", and whose chord bears South 32° 23' 22" West, 148.46 feet to a 5/8" rebar with a yellow plastic cap marked "INLOES PLS 20888", hereinafter described as "a set monument";

Thence leaving the exterior boundary of said right of way, North 67° 12' 47" West, 10.00 feet to a set monument, said point being a point of curvature;
Thence 152.51 feet on the arc of a curve to the right, having a radius of 455.00 feet, a central angle of 19° 12' 19", and whose chord bears North 32° 23' 22" East, 151.80 feet to a set monument;
Thence North 41° 59' 32" East, 121.61 feet to a set monument, said point being a point of curvature;
Thence 84.76 feet on the arc of a curve to the left, having a radius of 60.00 feet, a central angle of 80° 56' 24", and whose chord bears North 01° 31' 20" East, 77.89 feet to a set monument;
Thence North 38° 58' 23" West, 12.08 feet to a set monument, said point being a point of curvature;
Thence 141.91 feet on the arc of a curve to the right, having a radius of 645.00 feet, a central angle of 12° 36' 20", and whose chord bears North 32° 08' 49" West, 141.62 feet to a set monument, said point being a point of curvature;
Thence 110.24 feet on the arc of a curve to the left, having a radius of 272.00 feet, a central angle of 23° 13' 14", and whose chord bears North 37° 27' 16" West, 109.48 feet to a set monument;
Thence North 49° 03' 53" West, 168.50 feet to a set monument, said point being a point of curvature;
Thence 187.63 feet on the arc of a curve to the left, having a radius of 272.00 feet, a central angle of 39° 31' 27", and whose chord bears North 68° 49' 36" West, 183.93 feet to a set monument;
Thence North 88° 35' 20" West, 86.53 feet to a set monument;
Thence North 01° 24' 40" East, 90.00 feet to a set monument;
Thence South 88° 35' 20" East, 86.53 feet to a set monument, said point being a point of curvature;
Thence 249.72 feet on the arc of a curve to the right, having a radius of 362.00 feet, a central angle of 39° 31' 27", and whose chord bears South 68° 49' 36" East, 244.80 feet to a set monument;
Thence South 49° 03' 53" East, 168.50 feet to a set monument, said point being a point of curvature;
Thence 146.71 feet on the arc of a curve to the right, having a radius of 362.00 feet, a central angle of 23° 13' 14", and whose chord bears South 37° 27' 16" East, 145.71 feet to a set monument, said point being a point of curvature;
Thence 80.45 feet on the arc of a curve to the left, having a radius of 555.00 feet, a central angle of 08° 18' 21", and whose chord bears South 29° 59' 49" East, 80.38 feet to a set monument, said point being a point of curvature;
Thence 57.48 feet on the arc of a curve to the left, having a radius of 325.14 feet, a central angle of 10° 07' 43", and whose chord bears South 48° 16' 50" East, 57.40 feet to a set monument;
Thence South 54° 04' 46" East, 6.83 feet to a set monument, said point being a point of curvature;
Thence 22.85 feet on the arc of a curve to the left, having a radius of 20.13 feet, a central angle of 65° 02' 47", and whose chord bears South 85° 27' 04" East, 21.64 feet to a set monument, said point being a point of curvature;
Thence 51.38 feet on the arc of a curve to the left, having a radius of 182.92 feet, a central angle of 16° 05' 36", and whose chord bears North 55° 44' 57" East, 51.21 feet to a set monument;
Thence South 48° 00' 28" East, 78.51 feet to a set monument;
Thence South 41° 25' 40" West, 17.13 feet to a set monument, said point being a point of curvature;

Thence 39.40 feet on the arc of a curve to the left, having a radius of 182.82 feet, a central angle of 12° 20' 47", and whose chord bears South 35° 59' 17" West, 39.32 feet to a set monument, said point being a point of curvature;

Thence 22.78 feet on the arc of a curve to the left, having a radius of 20.00 feet, a central angle of 65° 15' 24", and whose chord bears South 02° 48' 46" East, 21.57 feet to a set monument, said point being a point of curvature;

Thence 40.84 feet on the arc of a curve to the left, having a radius of 183.92 feet, a central angle of 12° 43' 23", and whose chord bears South 41° 48' 10" East, 40.76 feet to a set monument;

Thence South 58° 38' 09" East, 49.75 feet to a set monument;

Thence South 63° 13' 33" East, 52.08 feet to a set monument;

Thence South 69° 11' 18" East, 13.54 feet to a set monument, said point being common with the east boundary of said Section 12;

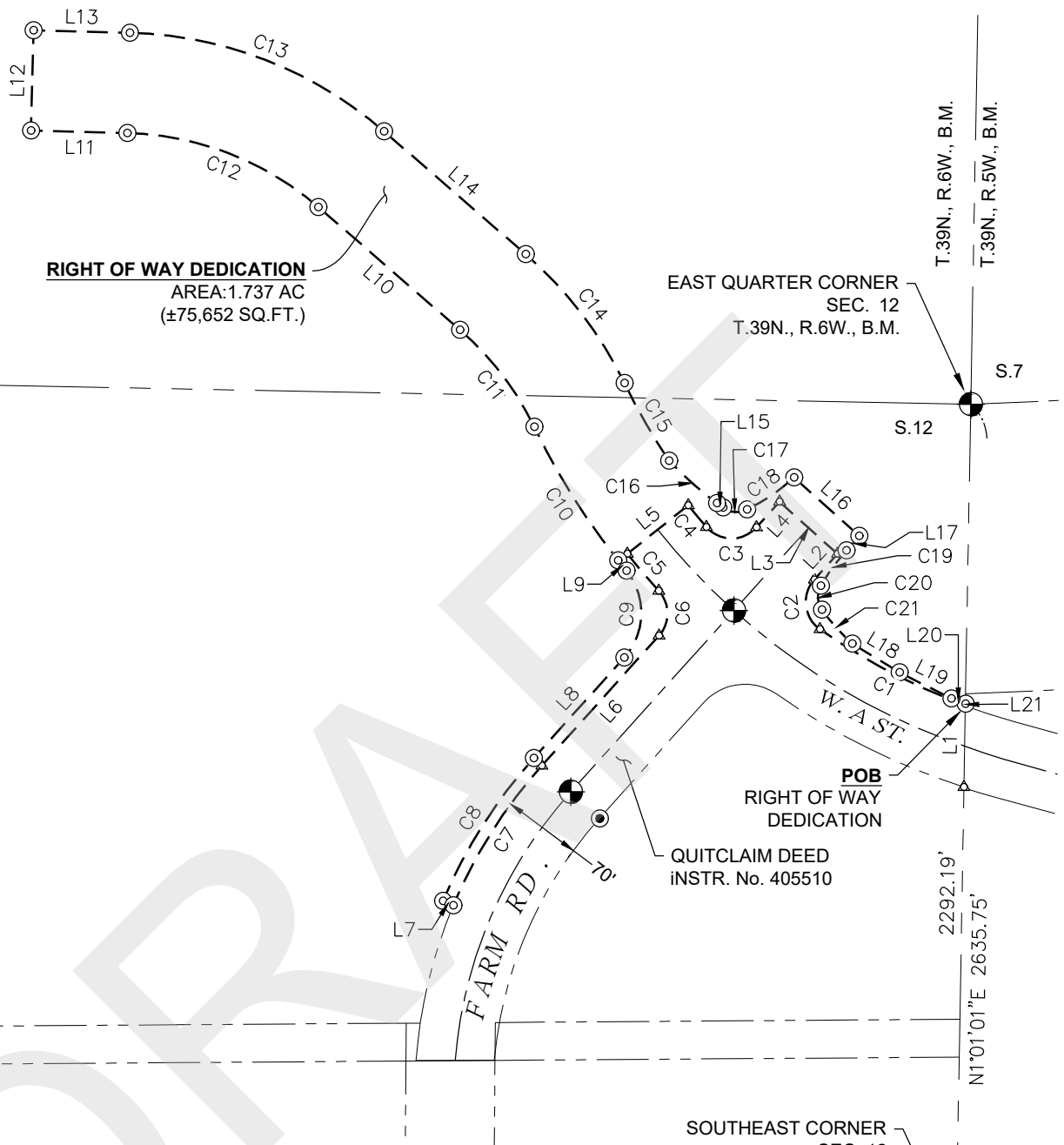
Thence South 01° 01' 01" West, on the east boundary of said Section 12, 1.09 feet to the **POINT OF BEGINNING**.

The above described Right of Way Dedication contains 1.737 acres (75,652 sq.ft.), more or less.

Prepared by HMH Engineering, LLC.

Daniel O. Inloes PLS 20888





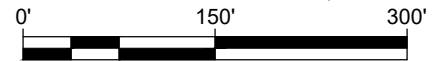
NOTES:

1. SEE SHEET 2 FOR LINE AND CURVE TABLES



Exhibit "B"

SCALE: 1" = 150'



3882 N. Schreiber Way, Suite 104
Coeur d'Alene, ID 83815
(208) 635-5825

RIGHT OF WAY DEDICATION

CITY OF MOSCOW, LATAH COUNTY, IDAHO



Line Table		
Line #	Length	Direction
L1	73.53	N1°01'01"E
L2	31.04	N41°59'32"E
L3	70.00	N48°00'28"W
L4	31.04	S41°59'32"W
L5	70.00	S51°32'29"W
L6	157.04	S41°59'32"W
L7	10.00	N67°12'47"W
L8	121.61	N41°59'32"E
L9	12.08	N38°58'23"W
L10	168.50	N49°03'53"W
L11	86.53	N88°35'20"W
L12	90.00	N1°24'40"E
L13	86.53	S88°35'20"E
L14	168.50	S49°03'53"E
L15	6.83	S54°04'46"E
L16	78.51	S48°00'28"E
L17	17.13	S41°25'40"W
L18	49.75	S58°38'09"E
L19	52.08	S63°13'33"E
L20	13.54	S69°11'18"E
L21	1.09	S1°01'01"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	147.70	565.00	14°58'39"	147.28	N62°28'29"W
C2	50.78	30.00	96°58'44"	44.93	N6°29'49"W
C3	50.78	30.00	96°58'44"	44.93	N89°31'07"W
C4	25.35	565.00	2°34'15"	25.35	N39°44'38"W
C5	43.67	635.00	3°56'25"	43.66	S40°25'43"E
C6	44.19	30.00	84°23'30"	40.30	S0°12'11"E
C7	149.16	445.00	19°12'19"	148.46	S32°23'22"W
C8	152.51	455.00	19°12'19"	151.80	N32°23'22"E
C9	84.76	60.00	80°56'24"	77.89	N1°31'20"E
C10	141.91	645.00	12°36'20"	141.62	N32°08'49"W
C11	110.24	272.00	23°13'14"	109.48	N37°27'16"W
C12	187.63	272.00	39°31'27"	183.93	N68°49'36"W
C13	249.72	362.00	39°31'27"	244.80	S68°49'36"E
C14	146.71	362.00	23°13'14"	145.71	S37°27'16"E
C15	80.45	555.00	8°18'21"	80.38	S29°59'49"E
C16	57.48	325.14	10°07'43"	57.40	S48°16'50"E
C17	22.85	20.13	65°02'47"	21.64	S85°27'04"E
C18	51.38	182.92	16°05'36"	51.21	N55°44'57"E
C19	39.40	182.82	12°20'47"	39.32	S35°59'17"W
C20	22.78	20.00	65°15'24"	21.57	S2°48'46"E
C21	40.84	183.92	12°43'23"	40.76	S41°48'10"E



3882 N. Schreiber Way, Suite 104
Coeur d'Alene, ID 83815
(208) 635-5825

RIGHT OF WAY DEDICATION

CITY OF MOSCOW, LATAH COUNTY, IDAHO



DEED OF DEDICATION

THIS DEED OF DEDICATION made this ____ day of _____, 2024 by BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO, a body politic and corporate organized and existing under the laws and constitution of the State of Idaho, 875 Perimeter Drive MS 3168, Moscow Idaho, 83844-3168 (hereinafter "GRANTOR") to CITY OF MOSCOW, IDAHO, a municipal corporation of the State of Idaho, 206 East Third Street, Moscow, Idaho, 83843 (hereinafter "GRANTEE").

GRANTOR, for value received, does hereby convey and dedicate unto GRANTEE, for a stormwater detention pond, public utilities, and customary related public uses, the following described real property situated in the County of Latah, State of Idaho, legal description and record of survey is attached as Attachment "1" and incorporated herein by this reference, to-wit:

A Stormwater Pond dedication being all that certain real property situate in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 12, Township 39 North, Range 6 West, Boise Meridian, City of Moscow, Latah County, Idaho, being more particularly described as follows:

COMMENCING at the East Quarter Corner of said Section 12 (from which the Southeast Corner of said Section 12 bears South 01°01'01" West, 2635.75 feet distant); Thence North 54°46'22" West, 334.42 feet to a 5/8" rebar with a yellow plastic cap marked "INLOES PLS 20888", hereinafter described as "a set monument", said point being the **POINT OF BEGINNING**;

Thence South 22° 39' 58" East, 147.69 feet to a set monument;

Thence South 11° 24' 35" West, 97.63 feet to a set monument;

Thence South 22° 58' 01" East, 62.68 feet to a set monument, said point being a point of curvature;

Thence 12.22 feet on the arc of a curve to the right, having a radius of 20.13 feet, a central angle of 34° 46' 43", and whose chord bears North 70° 19' 03" West, 12.03 feet to a set monument;

Thence North 54° 04' 46" West, 6.83 feet to a set monument, said point being a point of curvature;

Thence 57.48 feet on the arc of a curve to the right, having a radius of 325.14 feet, a central angle of 10° 07' 43", and whose chord bears North 48° 16' 50" West, 57.40 feet to a set monument, said point being a point of curvature;

Thence 80.45 feet on the arc of a curve to the right, having a radius of 555.00 feet, a central angle of 08° 18' 21", and whose chord bears North 29° 59' 49" West, 80.38 feet to a set monument, said point being a point of curvature;

Thence 122.04 feet on the arc of a curve to the left, having a radius of 362.00 feet, a central angle of 19° 18' 58", and whose chord bears North 35° 30' 08" West, 121.46 feet to a set monument;

Thence North 55° 20' 34" East, 131.76 feet to the **POINT OF BEGINNING**.

The above described stormwater pond dedication contains 0.509 acres (22,191 sq.ft.), more or less.

Pursuant to Idaho Code § 50-1313, the City Council accepted and confirmed this Deed of Dedication on the ____ day of _____, 2024.

IN WITNESS THEREOF, GRANTOR and GRANTEE have hereunto set their hand and seal this ____ day of _____, 2024.

GRANTOR:

Board of Regents of the University of Idaho

GRANTEE:

City of Moscow, Idaho

Kim Salisbury
Associate VP for Budget and Planning,
University of Idaho

Arthur D. Bettge, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

ACKNOWLEDGEMENTS

STATE OF IDAHO)
) ss.
COUNTY OF LATAH)

On this _____ day of _____, 2024 before me, a Notary Public in and for said State, appeared Kim Salisbury, known to me to be the person named above and acknowledged that they executed the foregoing document as the duly authorized representative of Board of Regents of the University of Idaho .

Notary Public for the State of Idaho

Residing at _____

My commission expires _____

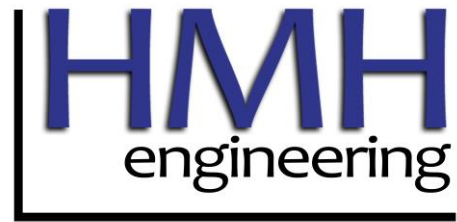


EXHIBIT "A"
LEGAL DESCRIPTION
STORMWATER POND DEDICATION

A Stormwater Pond dedication being all that certain real property situate in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 12, Township 39 North, Range 6 West, Boise Meridian, City of Moscow, Latah County, Idaho, being more particularly described as follows:

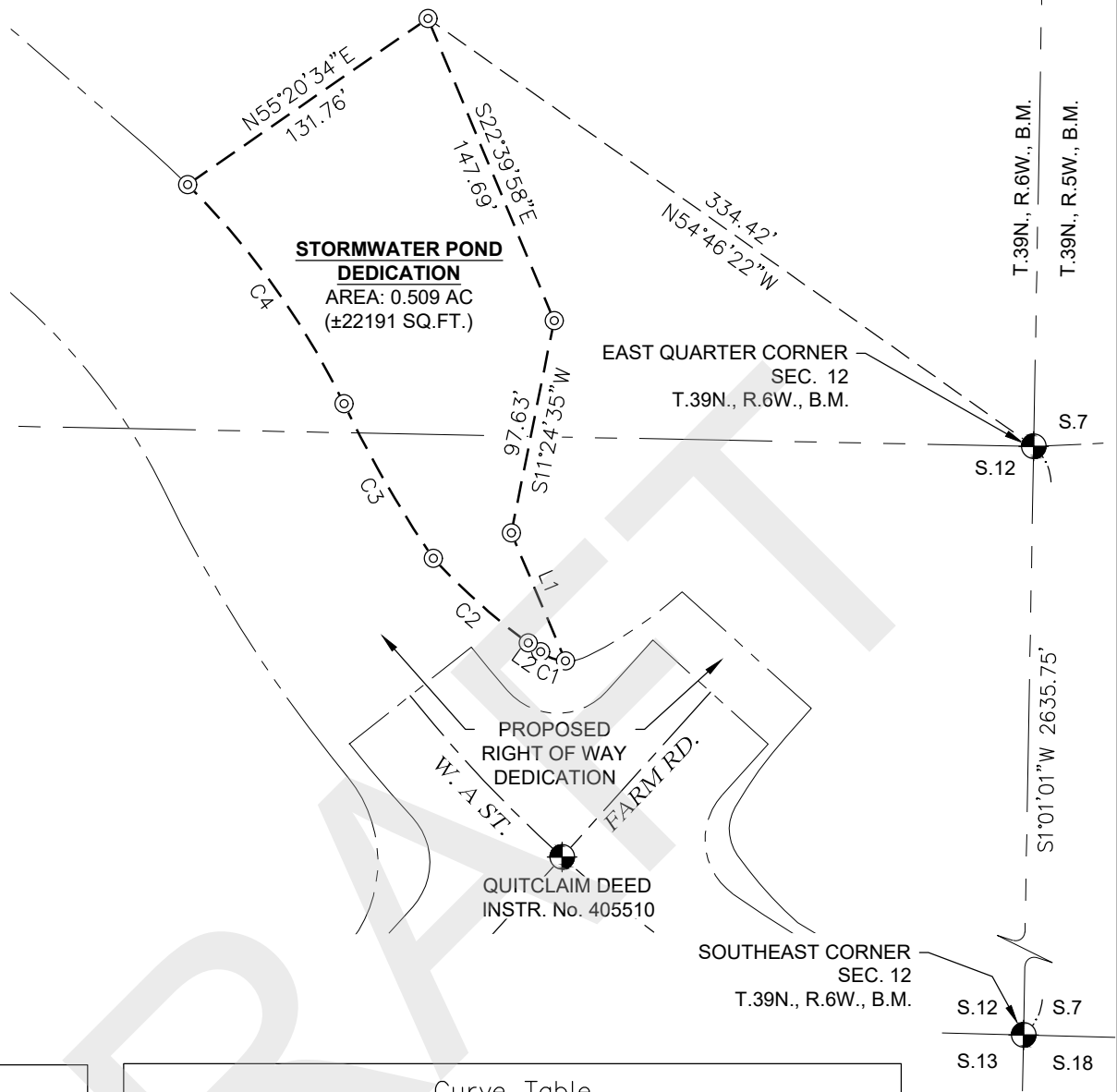
COMMENCING at the East Quarter Corner of said Section 12 (from which the Southeast Corner of said Section 12 bears South 01°01'01" West, 2635.75 feet distant); Thence North 54°46'22" West, 334.42 feet to a 5/8" rebar with a yellow plastic cap marked "INLOES PLS 20888", hereinafter described as "a set monument", said point being the **POINT OF BEGINNING**;

Thence South 22° 39' 58" East, 147.69 feet to a set monument;
 Thence South 11° 24' 35" West, 97.63 feet to a set monument;
 Thence South 22° 58' 01" East, 62.68 feet to a set monument, said point being a point of curvature;
 Thence 12.22 feet on the arc of a curve to the right, having a radius of 20.13 feet, a central angle of 34° 46' 43", and whose chord bears North 70° 19' 03" West, 12.03 feet to a set monument;
 Thence North 54° 04' 46" West, 6.83 feet to a set monument, said point being a point of curvature;
 Thence 57.48 feet on the arc of a curve to the right, having a radius of 325.14 feet, a central angle of 10° 07' 43", and whose chord bears North 48° 16' 50" West, 57.40 feet to a set monument, said point being a point of curvature;
 Thence 80.45 feet on the arc of a curve to the right, having a radius of 555.00 feet, a central angle of 08° 18' 21", and whose chord bears North 29° 59' 49" West, 80.38 feet to a set monument, said point being a point of curvature;
 Thence 122.04 feet on the arc of a curve to the left, having a radius of 362.00 feet, a central angle of 19° 18' 58", and whose chord bears North 35° 30' 08" West, 121.46 feet to a set monument;
 Thence North 55° 20' 34" East, 131.76 feet to the **POINT OF BEGINNING**.

The above described Stormwater Pond Dedication contains 0.509 acres (22,191 sq.ft.), more or less.

Prepared by HMH Engineering, LLC.
 Daniel O. Inloes PLS 20888





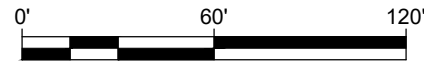
Line Table		
Line #	Length	Direction
L1	62.68	S22°58'01"E
L2	6.83	N54°04'46"W

Curve Table						
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing	
C1	12.22	20.13	34°46'43"	12.03	N70°19'03"W	
C2	57.48	325.14	10°07'43"	57.40	N48°16'50"W	
C3	80.45	555.00	8°18'21"	80.38	N29°59'49"W	
C4	122.04	362.00	19°18'58"	121.46	N35°30'08"W	



Exhibit "B"

SCALE: 1" = 60'



3882 N. Schreiber Way, Suite 104
 Coeur d'Alene, ID 83815
 (208) 635-5825

STORMWATER POND DEDICATION THE HOMEDEPOT

CITY OF MOSCOW, LATAH COUNTY, IDAHO



COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 8, 2024



AGENDA ITEM TITLE

"A" Street Reconstruction Project Change Order #2 (ACTION ITEM) - Bob Buvel

RESPONSIBLE STAFF

Bob Buvel, Senior Civil Engineer

ADDITIONAL PRESENTER(S)

DESCRIPTION

On April 1st, 2024, City Council approved the award of the "A" Street Reconstruction Project Contract to LaRiviere Inc. in the amount of \$1,008,734.25, and authorized staff approval of construction change orders in an amount not to exceed 10% of the contract amount. So far during construction, two total change orders were requested by the contractor and staff. The first change order adjusted the contract dates to synchronize with the closing of Russell Elementary and made no changes to the contract amount. Change Order #2 would add the scope of Alternate C in the bid schedule by removing and replacing all storm sewer infrastructure within and adjacent to the project limits that were not removed and replaced with the installation of other underground utilities. The bid for Alternate C was \$145,155.00, and it was rejected at the time of award due to lack of funding. The existing storm infrastructure within the project limits was to be retained and protected during construction. In June 2024, it was determined that the City of Moscow still had approximately \$150,000 of ARPA funding left to spend on the storm water infrastructure. This funding was good through this year. Staff concluded the most feasible and appropriate way to utilize this funding would be to add Alternate C "Remove and Replace Existing Storm Sewer" to the "A" street project. Discussions with LaRiviere concluded that LaRiviere had the means and available resources to complete the scope of work included in Alternate C, and they would be able to honor the bid price except for the precast materials required for items C3 Storm Manhole (4' Diameter) and C4 Storm Sewer Catch Basin. The price change has been addressed in the draft of Change Order #2. After execution of Change Order #2, the project expenditure amount would increase from \$1,008,734.25 to \$1,155,095.25, or a 14.5% increase.

REVIEWED BY

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend approval of Change Order #2 with LaRiviera Inc. to increase the contract amount by \$146,361.00 to \$1,155,095.25, and authorize staff approval of construction change orders in an amount not to exceed 10% of the adjusted contract amount, or provide staff further direction.

STAFF RECOMMENDATION

Approve Change Order #2 with LaRiviera Inc. to increase the contract amount by \$146,361.00 to \$1,155,095.25, and authorize staff approval of construction change orders in an amount not to exceed 10% of the adjusted contract amount.

OTHER RESOURCES

FISCAL IMPACT

\$146,361.00 will be expended from 335-235-770-56 Stormwater Conveyance Improvements

PERSONNEL IMPACT**ATTACHMENTS**

1. Change Order No. 2

June 27, 2024

Change Order No. 2

Project No. : **106-025**

Project: **"A" Street Reconstruction Project**

Revised Scope as Follows:

Revise the Scope to include the work included in Alternate C in the DRAWINGS, SPECIFICATIONS AND PROPOSAL FOR: 'A' STREET RECONSTRUCTION WASHINGTON ST. TO ADAMS ST.

Work for Alternate C will be paid at the unit prices included in LaRiviere's Bid opened March 12, 2024:

ALTERNATE C

<u>No.</u>	<u>Item Description</u>	<u>Quantity & Unit</u>	<u>Unit Price</u>	<u>Total Price</u>
C1a	Remove / Dispose of Bituminous Surface	146 SY	\$ 12.00	\$ 1,752.00
C1b	Remove / Dispose Storm Manhole	2 EA	\$ 685.00	\$ 1,370.00
C1c	Remove / Dispose Catch Basin	3 EA	\$ 703.00	\$ 2,109.00
C1d	Remove / Dispose Storm Pipe (No Backfill)	353 LF	\$ 18.00	\$ 6,354.00
C2	8" PVC Storm Sewer Pipe (Class D Backfill)	531 LF	\$ 152.00	\$ 80,712.00
C3	Storm Sewer Manhole (4' Diameter)	3 EA	\$ 4,635.00	\$ 13,905.00
C4	Storm Sewer Catch Basin	4 EA	\$ 2,706.00	\$ 10,824.00
C5	Reconnect Existing Storm Service	3 EA	\$ 2,423.00	\$ 7,269.00
C6	4" PVC Storm Pipe (Class D Backfill)	100 LF	\$ 126.00	\$ 12,600.00
C7	1/2" Superpave HMA Pavement	35 TON	\$ 236.00	\$ 8,260.00
		Alt. C	Bid Total	\$145,155.00

The exception to the March 12, 2024 bid price will be the following items:

C3 Storm Manhole (4' Diameter)	Unit Price: \$4,941.00	Total Price: \$14,823.00
C4 Storm Sewer Catch Basin	Unit Price: \$2,778.00	Total Price: \$11,112.00

Previous Contract Amount : \$1,008,734.25

Total Adjustment by Change Order: \$146,361.00

Adjusted Contract Amount: \$1,155,095.25

Contractor: LaRiviere, Inc

Owner: City of Moscow

Thomas LaRiviere, President

Bob Buvel, P.E, Senior Civil Engineer