# Moscow City Council

**Regular Meeting**
**~Agenda~**

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

| **Monday, July 15, 2024** | **7:00 PM** | **Council Chambers**<br>**206 E. Third St.** |
|---|---|---|

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. This meeting is open to the public. We appreciate and encourage public participation. For regular agenda items, an opportunity for public comment is sometimes provided after the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so during the public comment item on the agenda. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Please note that Moscow City Council meetings are televised, videotaped and/or recorded. Links to view the City Council meeting live can be found on the City website, YouTube, Facebook and Spectrum Cable 1301. Thank you for your interest in City government.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

1. **All Consent Items (ACTION ITEM)**

   **A. Approval of Moscow City Council June 17, 2024 Minutes - Laurie M. Hopkins**

   **B. Disbursement Report June 2024 - Sarah Decker**

   Staff presented the June 2024 Accounts Payable Report to the Public Works / Finance Committee on July 8th, 2024. The Committee received the report and approved the disbursements as presented.
   **ACTION:** Accept the Disbursements Report for the month of June 2024.

   **C. Third Quarter Financial Report April 1, 2024 to June 30, 2024 for FY2024 - Sarah Decker**

   Staff presented the financial report for the Third Quarter Financial Report April 1, 2024 to June 30, 2024 for FY2024 to the Public Works/Finance Committee on July 8th, 2024. The Committee received the financial report and approved it as presented.
   **ACTION:** Accept the FY2024 Third Quarter Financial Report.

   **D. U of I Dedications for the Home Depot Project - 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. This item was reviewed, and recommended for approval, by the Public Works/Finance Committee on July 8, 2024.
**ACTION:** Approve the Deeds of Dedications.

**E. Proposed Lot Line Adjustment at 1020 Palouse River Drive - 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. This was reviewed and recommended for approval at the July 8, 2024 Public Works and Finance Committee meeting.
**ACTION:** Approve the lot line adjustment.

**F. "A" Street Reconstruction Project Change Order #2 - 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. This was reviewed by the Public Works/Finance Committee on July 8, 2024 and recommended for approval.
**ACTION:** Approve Change Order #2 with LaRiviera Inc. to increase the contract amount by $146,361.00 to $1,155095.25, and authorize staff approval of construction change orders in an amount not to exceed 10% of the adjusted contract amount.

**REGULAR AGENDA**

2. **Mayors Appointments (ACTION ITEM)**

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

4. **Citizen Commission Report - Human Rights Commission - Anthony Dahlinger / Erin Agidius**

5. **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. This was reviewed by the Public Works/Finance Committee on July 8, 2024 and recommended for approval.

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

**REPORTS**

**City Council**

**Mayor**

**ADJOURN**

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

# Moscow City Council

**Regular Meeting**
**~Minutes~**

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday, June 17, 2024** **7:00 PM** **Council Chambers**
**206 E. Third St.**

**The meeting was called to order at 7:00 p.m.**
PRESENT: Mayor Art Bettge, Bryce Blankenship, Drew Davis, Sandra Kelly, Hailey Lewis, Julia Parker, Gina Taruscio
STAFF: Bill Belknap, Mia Bautista, Cody Riddle, Evan Timar, Todd Drage, Tyler Palmer, Alisa Anderson, Laurie M. Hopkins

**PLEDGE OF ALLEGIANCE**
Council President Taruscio led the Pledge of Allegiance.

**CONSENT AGENDA**

**1. All Consent Items (ACTION ITEM)**

**A. Approval of Moscow City Council May 20, 2024 and June 3, 2024 Minutes - Laurie M. Hopkins**

**B. Disbursement Report May 2024 - Sarah Decker**
Staff presented the May 2024 Accounts Payable Report to the Public Works / Finance Committee on June 10th, 2024. The Committee received the report and approved the disbursements as presented.

**ACTION:** Accept the Disbursements Report for the month of May 2024.

**C. Idaho Fire Fighter's License Plate Grant Program - 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. This was reviewed by the Public Works/Finance Committee on June 10, 2024 and recommended for approval.

**ACTION**: Approve the 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.

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**D. Firehouse Subs Grant Application - 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. This was reviewed by the Public Works/Finance Committee on June 10, 2024, and recommended for approval.

**ACTION**: Approve the grant application to Firehouse Subs Foundation in an amount not to exceed $30,000 for extraction equipment.

**E. Rendezvous in the Park Alcohol Use Request in East City Park - 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. This was reviewed by the Public Works/Finance Committee on June 10, 2024 and recommended for approval.

**ACTION:** Approve 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.

**F. Pour Company Keg, Cork & Fork Fest Alcohol Use Request in Entertainment District - 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. This was reviewed by the Public Works/Finance Committee on June 10, 2024 and recommended for approval.

**ACTION:** Approve 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.

**G. MoscAuto Festival Alcohol Use Request in Entertainment District - 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



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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. This was reviewed by the Public Works/Finance Committee on June 10, 2024 and recommended for approval.

**ACTION:** Approve 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.

**H. Indian Hills II Apartments Development Agreement - 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 Mountan 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. This item was reviewed by the Public Works/Finance Committee on June 10, 2024 and was recommended for approval.

**ACTION:** Approve the Development Agreement with Blum Enterprises - 4 LLC. Inc.

**I. Indian Hills II Apartments Right-of-Way Dedication - 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 Mountan 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 Mountan 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. This item was reviewed by the Public Works/Finance Committee on June 10, 2024 and was recommended for approval.

**ACTION:** Approve the Deed of Dedication.

**J. Conestoga Street Extension Right-of-Way Dedication - 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 this packet. This item was reviewed by the Public Works/Finance Committee on June 10, 2024 and was recommended for approval.

**ACTION:** Approve the Deed of Dedication.

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

**REGULAR AGENDA**

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

None offered.

**3. 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. This item was reviewed by the Public Works/Finance Committee on June 10, 2024. The Committee forwarded the item to the full City Council with no recommendation.

**PROPOSED ACTIONS:** Approve the street name Dominion Way, or provide staff with further direction.

Drage introduced the item as written above and also went through the street naming guidelines.

Blankenship said the word dominion has a heavily weighted context and read the definition. He is nervous to approve as no other street name has a similar weight. He didn't want to open up a new door that could lead to names that are even more uncomfortable. Parker felt the item was difficult as proposed because of the reasons Bryce mentioned but the word meets the guidelines. She asked staff to review the guidelines and clean them up so they are more clear and simpler. Taruscio was not bothered by the word dominion as there are other street names such as Warbonnet. The guidelines are met. It is a less than optimal word but she is in favor of approval. Kelly agreed with Taruscio and brought up Indian Hills Drive. She doesn't like how Dominion sounds or how it feels but it meets the guidelines. She also suggested review of the guidelines. Davis said he sees all the viewpoints but job of a council meeting is to think of the best interest of the city. He agrees with Parker. It meets the requirements. Lewis said there are checks and balances for the system and within the council purview and jurisdiction. She was elected on the promise to create a more inclusive and welcoming community. This is a check in the system to vet it. She agrees in asking for the guidelines to be reviewed. She believes this mechanism wouldn't be in place if Council were supposed to rubberstamp every staff recommendation. It is well within the role of the council. She doesn't think this name is in the best interest and would like to see the applicant provide other names. She is worried about the message the name brings.

Lewis moved to deny the street name as proposed. Blankenship seconded. Roll Call Vote: Ayes: Two (Lewis, Blankenship). Nays: Four. Abstentions: None. Motion failed.

Taruscio moved to approve the street name as Dominion Way. The motion failed for the lack of a second.

Belknap explained streets are usually named during the platting process and addressed with P&Z prior to Council. The one street name discussion at the Council level he recalls was Lanny Lane and Lande Lane and it was due to proximity. Indian Hills was named and built in the 1970's. The developer provides street names on a subdivision plat but this was a single piece of property, didn’t require division so did

not come through Council. If Council doesn't approve the name now, it would be up to the applicant to make provide another consideration.

Kelly didn't feel comfortable moving or seconding a motion. Blankenship felt it is a dangerous precedent to set. Lewis reiterated this is a process where Council is able to review. She feels the name as presented isn't best for Moscow and would like to see other options.

Lewis moved to deny the street name as presented. Blankenship seconded. Roll Call Vote: Ayes: Two (Lewis, Blankenship). Nays: Four. Abstentions: None. Motion failed.

Davis moved to approve the given name Dominion Way. Parker seconded. Roll Call Vote: Ayes: Four (4). Nays: Two (Lewis, Blankenship). Abstentions: None. Motion carried.

Parker would like Staff draft a street naming policy that can come before Council.

**4. State-Wide Electronic Ticketing Grant Award (ACTION ITEM) - Alisa Anderson**

The Idaho Transportation Department's (ITD) Office of Highway Safety (OHS) receives grant funding from the National Highway Safety Administration (NHTSA). This funding is used to support grant programs and activities identified in the Highway Safety Plan (HSP) to assist local government agencies. The Information System Department (IS) is requesting to accept an award of $45,000 on behalf of the Moscow Police Department (MPD) to purchase electronic ticketing equipment to replace existing outdated and purchase new units for eleven (11) police vehicles. Total project costs are estimated at $45,000, requiring a 25% match of $11,250 and a grant request of $33,750. The grant match can include cash or in-kind provided by the Fleet Department for installation of the equipment into the police vehicles.

**PROPOSED ACTIONS:** Approve acceptance of a grant award from the Office of Highway Safety for the State-Wide Electronic Ticketing Equipment program for $45,000, or take other action deemed appropriate.

Anderson introduced the item as written above adding that the original grant application approved by the City Council in February 2024 was for six (6) new units with a grant request not to exceed $26,000. After approval, the MPD and IS reevaluated their current equipment and upcoming needs and determined five additional units were needed to equip new and/or existing, motorcycle, and code enforcement vehicles. Deployment is done internally.

Parker moved to approve the accept the grant award from the Office of Highway Safety for the State-Wide Electronic Ticketing Equipment program for $45,000. Taruscio seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

**5. WaterSMART Small-Scale Water Efficiency Grant Application (ACTION ITEM) - Alisa Anderson / Evan Timar**

The WaterSMART Small-Scale Water Efficiency grant assists those who manage water programs to leverage their money and resources by cost sharing with the Reclamation on small-scale on-the-ground projects that seek to conserve, better manage, and make more efficient use of the water supply reliability in the western states of the U.S. Eligible projects include "Municipal Metering" to install or upgrade water meters including but not limited to installing end-user water service meters for residential and commercial buildings. The maximum award for a "Small-Scale" project under this program is $100,000, requiring a 50% match with total project costs not exceeding $225,000. The City of Moscow is currently soliciting proposals for an "Advanced Metering Infrastructure Project" (AMI) with proposals due on June 21, 2024. The City's AMI project is scheduled to be completed over a seven-year period. The second year of the project will be the "Beta Initial Deployment" (BID) phase, which will involve the purchase, installation, and testing of meters. The award date of the Small-Scale

program parallels the BID phase of the City's project. Therefore, staff is requesting to submit a grant application for $100,000 to assist with the purchase of approximately 500 water meters that will be installed by City employees over a two-year period.

**PROPOSED ACTIONS:** Approval to submit a grant application for $100,000 to the WaterSMART Small-Scale Water Efficiency Program or take other action deemed appropriate.

Timar explained the City currently collects data for over 6,300 water meter accounts requiring manual or drive by reading on a monthly basis and the majority of meters are antiquated and in need of replacement. In order to replace and streamline meter reading, the City issued an RFP from qualified vendors. leak detection. By putting it out for RFP, many companies can bid creating a better competitive price. AMI will provide direct interaction to and from the meters where the City can detect leaks, instantly read consumption, and a customer portal. There are many benefits by upgrading to an AMI including timely leak detection, water conservation, and greenhouse gas reduction as staff won't need to travel to each and every meter. Discussion ensued regarding purchase of meters, cost and cyber security.

Anderson explained the overlapping timeline for the grant with the project. There is also a larger grant due in September that may be a possibility for more financial assistance. Belknap added the capital improvement plan in Water is to replace all meters regardless of grant money but staff will continue to look for grants.

Kelly moved to approve the submittal of a grant application for $100,000 to the WaterSMART Small-Scale Water Efficiency Program. Taruscio seconded. Lewis said she would abstain. Roll Call Vote: Ayes: Five (5). Nays: None. Abstentions: One (Lewis). Motion carried.

## REPORTS

### City Council

*Farmers Market Commission* – Parker site visits to farmers that sell at the market.
*Moscow Pathways Commission* – Davis said the bike tour was cancelled.
*Planning and Zoning Commission* – Blankenship discussed buffer zones.
Council members spoke on other meetings and events they attended.

### Mayor

August 9 is the date for the Mayor's Golf Tournament.

## ADJOURN

It was moved, seconded and mutually agreed upon to adjourn at 8:03 p.m.

_____
Arthur D. Bettge, Mayor

ATTEST:

_____
Laurie M. Hopkins, City Clerk

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# COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 15, 2024

## AGENDA ITEM TITLE

Disbursement Report June 2024 - 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

The Public Works/Finance Committee received the report and approved the disbursements as presented.

## PROPOSED ACTIONS

**ACTION:** Accept the Disbursements Report for the month of June 2024.

## STAFF RECOMMENDATION

Accept 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 # | FUND NAME | Taxes | Franchise Fees | Licenses & Permits | Intergovernmental | Charges for Services | Fines & Penalties | Investment Income | Refunds & Reimbursements | Contributions & Donations | Other | Grand Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 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

| | FUND NAME | ACCOUNTS PAYABLE | ACCOUNTS PAYABLE | ACCOUNTS PAYABLE | ACCOUNTS PAYABLE | WELLSFARGO CC ACH | ACCOUNTS PAYABLE ACH | VOID CHECKS | PAYROLL | PAYROLL | GRAND TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|
| DATE | | 6/6/2024 | 6/13/2024 | 6/20/2024 | 6/27/2024 | 6/18/2024<br>7/3/2024 | 6/20/2024 | | 6/14/2024 | 6/28/2024 | |
| BATCH # | | AP 6.7.2024 | AP 6.14.2024 | AP 6.21.2024 | AP 6.28.2024 | AP 6.14.2024<br>AP 6.28.2024 | AP 6.21.2024 | | PR 103<br>PR 104<br>PR 105 | PR 106 | |
| CHECK #'s | | 109265-109351 | 109352-109426 | 109427-109472 | 109473-109539 | June's CC ACH's | June's ACH's | | 21620 | 21621 | |
| Fund # | | | | | | | | | | | |
| | ACH for Wells Fargo to be Imported | | | | | | | | | | |
| 101 | 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** |
| 105 | STREETS | 22,961.47 | 1,249.42 | 6,613.24 | 2,215.40 | 95.63 | | | 28,887.45 | 29,708.89 | **91,731.50** |
| 120 | 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** |
| 121 | MSD COMM. PLAY FIELDS | 1,582.46 | 71.31 | | | | | | 1,833.76 | 1,851.53 | **5,339.06** |
| 123 | 1912 CENTER | 10,750.00 | | | | | | | | | **10,750.00** |
| 128 | TRANSIT CENTER | 941.44 | 68.08 | | | | | | | | **1,009.52** |
| 220 | 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** |
| 230 | 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** |
| 235 | STORMWATER | 1,645.56 | 199.50 | 250.24 | 801.49 | 171.61 | | | 18,211.32 | 18,505.69 | **39,785.41** |
| 240 | SANITATION | 135,422.39 | 107.21 | 748.15 | | 68.74 | 206,819.14 | | 8,479.16 | 8,571.61 | **360,216.40** |
| 290 | FLEET | 2,647.13 | 11,861.53 | 5,763.80 | 547.32 | 95.63 | | | 13,200.07 | 14,077.74 | **48,193.22** |
| 295 | INFORMATION SYSTEMS | 25,100.00 | | 152.05 | | 1,342.84 | | | 18,003.23 | 19,687.68 | **64,285.80** |
| 320 | WATER CAPITAL PROJECTS | | | 611.90 | | | 1,795.41 | | | | **2,407.31** |
| 330 | SEWER CAPITAL PROJECTS | | | 21,955.50 | | | 1,795.41 | | | | **23,750.91** |
| 335 | STORWATER CAPITAL PROJECTS | | | | | | | | | | **0.00** |
| 340 | SANITATION CAPITAL PROJ | | | | | | | | | | **0.00** |
| 350 | CAPITAL PROJECTS | 200.00 | 665.74 | 167.43 | | | 47,706.68 | | | | **48,739.85** |
| 355 | LID CONSTRUCTION | | | | | | | | | | **0.00** |
| 380 | HAMILTON - PARKS & REC | | | | | | | | | | **0.00** |
| 590 | 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**

# Major Expenditures for June 2024

## Professional Service

| | | |
|---|---|---|
| Cues, Inc. | | $ 4,467.24 |
| Service repair invoice for CCTV | | |
| Evcar, Inc. | | $ 4,589.65 |
| Monthly cleaning for June | | |
| GG Gutters, Inc. | | $ 6,139.32 |
| Janitorial Services - June | | |
| HDR Engineering, Inc. | | $ 2,518.75 |
| Comprehensive water system plans 3.31.24 - 5.4.24 | | |
| Premier Electric Motors, Inc. | | $ 3,815.00 |
| Mall lift Station Flood Damange Repair | | |
| Blue Logix, LLC | | $ 3,040.00 |
| May 2024: WW SCADA Screen Updates 23-24 | | |
| Friends of Phillips Farm, Inc. | | $ 3,200.00 |
| Phillips Farm Nature camp Session 1 -June 10 - June 14, 2024 | | |
| Anatek Labs | | $ 3,700.00 |
| UCMR5 samples | | |
| Cherle Patricia Poulsen | | 3110. 00 |
| Tone & Stretch Spring 2024 and April, May June Spotify | | |
| Fisher Systems, Inc. | | $ 5,768.06 |
| Upgrade of Security Alarm | | |
| Friends of Phillips Farm, Inc. | | $ 2,816.00 |
| Phillips Farm Session 2 June 17 - 21 2024 | | |
| HDR Engineering, Inc. | | $ 2,637.25 |
| Miscellaneous water system modeling 5.5.24 - 6.1.24 | | |
| Palouse Umpires Association | | $ 3,707.00 |
| Umpires for 2024 Jr Sr girls fast pitch | | |
| Westamerica Communications, Inc. | | $ 2,501.19 |
| Print, design, production for 2023 water quality report | | |
| | | **$ 48,899.46** |

## Capital Outlay- Buildings

| | | |
|---|---|---|
| LCA Architects, P.A. (ACH Payment) | | $ 51,297.50 |
| City Shop Facility Design Services May 2024 | | |
| | | **$ 51,297.50** |

## Sanitation

| | | |
|---|---|---|
| Finley Buttes Landfill | | $ 134,929.03 |
| Garbarge for May 2024 | | |
| Finley Buttes Landfill | | $ 232.95 |
| Fuel Relief for May 2024 | | |
| Latah Sanitation (ACH Payment) | | $ 227,516.86 |
| Monthly LSI Billing for May 2024 | | |
| | | **$ 362,678.84** |

## Supplies

| | | |
|---|---|---|
| Idaho Beverages, Inc. | | $ 2,631.80 |
| HLAC drink start up for season | | |
| Pioneer Manufacturing Company | | $ 6,171.70 |
| Paint | | |
| US Foods, Inc. | | $ 3,743.31 |
| HLAC concession opening of pool start up food | | |
| Coleman Oil Co. | | $ 8,065.57 |
| Diesel fuel (3,000gals @ $2.69/ea) | | |
| Oxarc, Inc. | | $ 4,831.58 |
| Chlorine, SO2 | | |
| R.J Thomas MFG. Co., Inc. | | $ 4,561.00 |
| Parts for the Parks | | |
| Rainbow EcoScience | | $ 5,131.57 |
| Arbotect 20-S Dutch Elm Disease Management | | |
| Thatcher Company of Montana | | $ 9,851.80 |
| Aluminum Sulfate | | |
| Ennis-Flint, Inc. | | $ 3,740.00 |
| Yellow and White paint for pavement markings | | |
| US Foods, Inc. | | $ 2,858.45 |
| HLAC concessions supplies, sauces | | |
| | | **$ 51,586.78** |

## Minor Equipment

| | | |
|---|---|---|
| Knox Company | | $ 3,506.54 |
| 3 new knox key secure systems #INV-KA-297871 | | |
| Stalker Radar | | $ 4,722.50 |
| Two new radars from STEP Grant | | |
| | | **$ 8,229.04** |

## Utilities

| | | |
|---|---|---|
| Avista Utilities | | $ 89,337.70 |
| May 2024 | | |
| | | **$ 89,337.70** |

## Payroll

**$ 1,349,809.02**

## Contractual Payments

| | | |
|---|---|---|
| Heart of the Arts | | $ 10,750.00 |
| Humane Society of the Palouse | | $ 4,705.00 |
| Moscow Volunteer Fire Department | | $ 1,750.00 |
| Infosend, Inc. | | $ 3,794.42 |
| City of Pullman | | $ 1,000,000.00 |
| Motorola Solutions, Inc. | | $ 24,875.00 |
| Whitcom 911 | | $ 194,218.50 |
| | | **$ 1,240,092.92** |

## ACH Wells Fargo

| | | |
|---|---|---|
| Commercial Card Expense - June 7th | | $ 3,249.34 |
| Commercial Card Expense - June 14th | | $ 8,216.14 |
| Commercial Card Expense - June 21st | | $ 5,315.40 |
| Commercial Card Expense - June 28th | | $ 11,821.39 |
| | | **$ 28,602.27** |

## Capital Outlay- Improvements

| | | |
|---|---|---|
| J-U-B Engineers, Inc. | | $ 21,955.50 |
| WRRF Facility Improvements - IPS Replacement - Task #22 May 2024 | | |
| | | **$ 21,955.50** |

**Major Expenditures $ 3,252,489.03 97% of the total expenditures of $3,366,638.76**

## Large Expenditures

| | | |
|---|---|---|
| LCA Architects, P.A. (ACH Payment) | | $ 51,297.50 |
| City Shop Facility Design Services May 2024 | | |
| City of Pullman | | $ 1,000,000.00 |
| Airport Terminal Second and Final Contribution Payment | | |
| Motorola Solutions, Inc. | | $ 24,875.00 |
| Motorola Solutions - WatchGuard Cloud Storage - Unlimited - FY24 | | |
| Whitcom 911 | | $ 194,218.50 |
| Quarterly User Fees, April - June 2024 | | |
| J-U-B Engineers, Inc. | | $ 21,955.50 |
| WRRF Facility Improvements - IPS Replacement - Task #22 May 2024 | | |
| | **Total:** | **$ 1,292,346.50** |

# COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 15, 2024

## AGENDA ITEM TITLE

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

## RESPONSIBLE STAFF

Sarah Decker, Director of Finance & Employee Services

## ADDITIONAL PRESENTER(S)

## DESCRIPTION

## REVIEWED BY

This was reviewed by the Public Works/Finance Committee on July 8th, 2024 and recommended for approval.

## PROPOSED ACTIONS

**ACTION:** Accept the FY2024 Third Quarter Financial Report.

## STAFF RECOMMENDATION

Accept the Third Quarter Financial Report April 1, 2024 to June 30, 2024 for FY2024.

## 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

| | Fund | Original Budget | Final Budget | June-24 YTD | Percent of Year 75% Budget to Actual To Date |
|---|---|---|---|---|---|
| 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

| | Fund | Original Budget | Final Budget | June-24 YTD | Percent of Year 75% Budget to Actual To Date |
|---|---|---|---|---|---|
| 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 Construciton 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 15, 2024

## AGENDA ITEM TITLE

U of I Dedications for the Home Depot Project - 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. This item was reviewed, and recommended for approval, by the Public Works/Finance Committee on July 8, 2024.

## REVIEWED BY

Public Works / Finance Committee

## PROPOSED ACTIONS

**ACTION:** Approve the Deeds of Dedications.

## STAFF RECOMMENDATION

Approve of the 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

After Recording Return to:
City of Moscow City Clerk
PO Box 9203
Moscow, ID 83843

Space above this line for Recorder's use only

# 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;

DRAFT

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.

DRAFT

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_____

DRAFT

# 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:**

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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;
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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;
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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;
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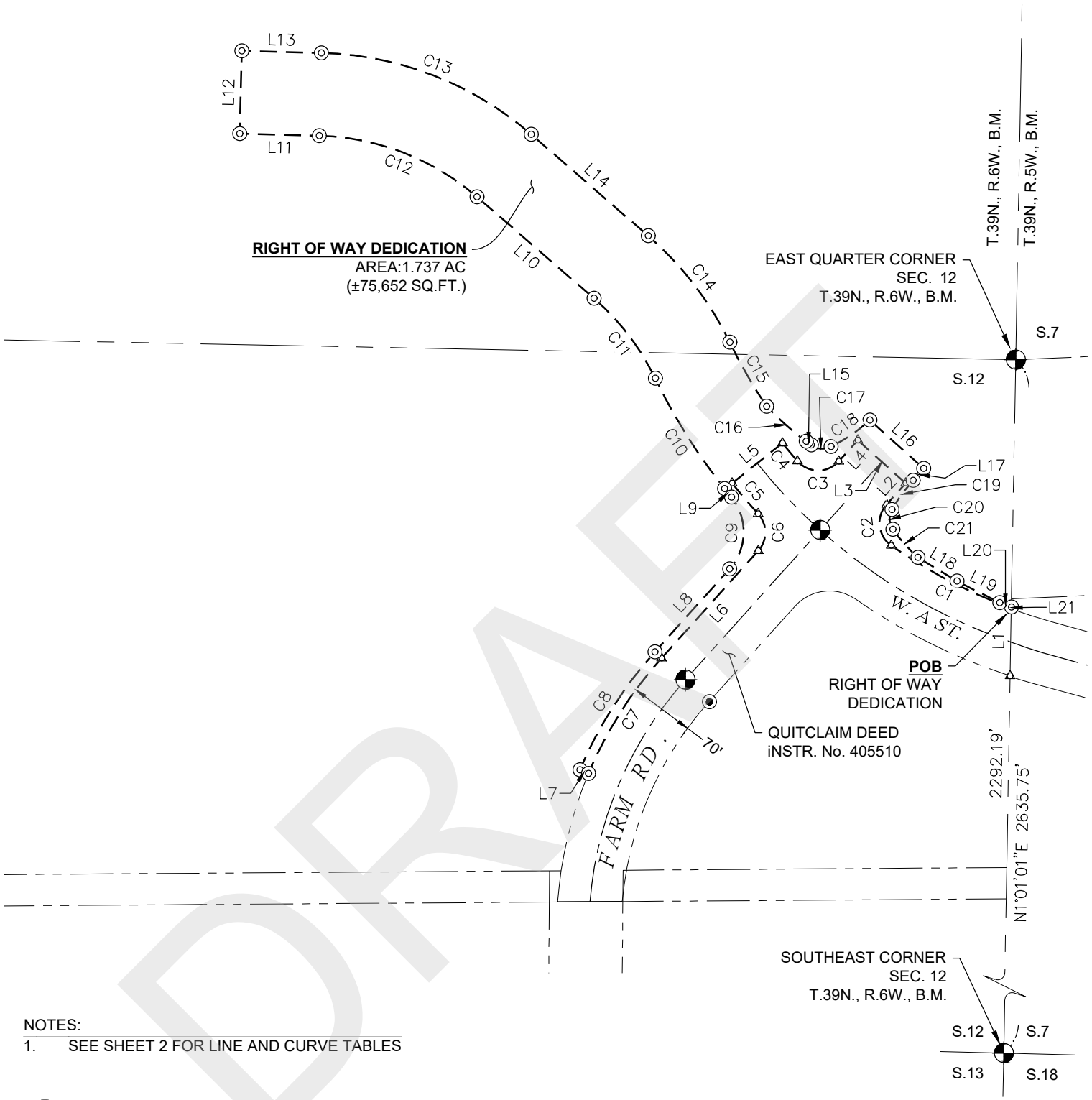
Thence 57.48 feet on the arc of a curve to the left, having a radius of 325.14 feet, a central angle of 10° 07' 43", and whose chord bears South 48° 16' 50" East, 57.40 feet to a set monument;
Thence South 54° 04' 46" East, 6.83 feet to a set monument, said point being a point of curvature;
Thence 22.85 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

DRAFT




**RIGHT OF WAY DEDICATION**
AREA:1.737 AC
(±75,652 SQ.FT.)

EAST QUARTER CORNER
SEC. 12
T.39N., R.6W., B.M.

**POB**
RIGHT OF WAY
DEDICATION

QUITCLAIM DEED
iNSTR. No. 405510

SOUTHEAST CORNER
SEC. 12
T.39N., R.6W., B.M.

NOTES:
1. SEE SHEET 2 FOR LINE AND CURVE TABLES

DRAFT

# Exhibit "B"

SCALE: 1" = 150'

0' 150' 300'

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

# RIGHT OF WAY DEDICATION

CITY OF MOSCOW, LATAH COUNTY, IDAHO

PROFESSIONAL LAND SURVEYOR
LICENSED
20888
5.20.2024
STATE OF IDAHO
DANIEL O. INLOES

© 2023 | ALL RIGHTS RESERVED

| PROJECT NO: S23106 | DRAWN BY: DI | CHECKED BY: DI | DATE: May 20, 2024 | SHEET: 1 OF 2 |
|---|---|---|---|---|

| 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 |

DRAFT

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

# RIGHT OF WAY DEDICATION

CITY OF MOSCOW, LATAH COUNTY, IDAHO

PROFESSIONAL LAND SURVEYOR
LICENSED
20888
5.20.2024
STATE OF IDAHO
DANIEL O. INLOES

© 2023 | ALL RIGHTS RESERVED
PROJECT NO:S23106 | DRAWN BY:DI | CHECKED BY:DI | DATE: May 20, 2024 | SHEET:2 OF 2

After Recording Return to:
City of Moscow City Clerk
PO Box 9203
Moscow, ID 83843

Space above this line for Recorder's use only

# 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

_____
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

DRAFT

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_____

DRAFT

# EXHIBIT "A"

## LEGAL DESCRIPTION
## STORMWATER POND DEDICATION

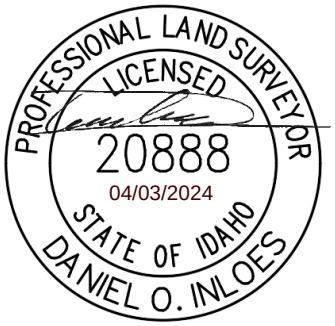
A Stormwater Pond dedication being all that certain real property situate in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 12, Township 39 North, Range 6 West, Boise Meridian, City of Moscow, Latah County, Idaho, being more particularly described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

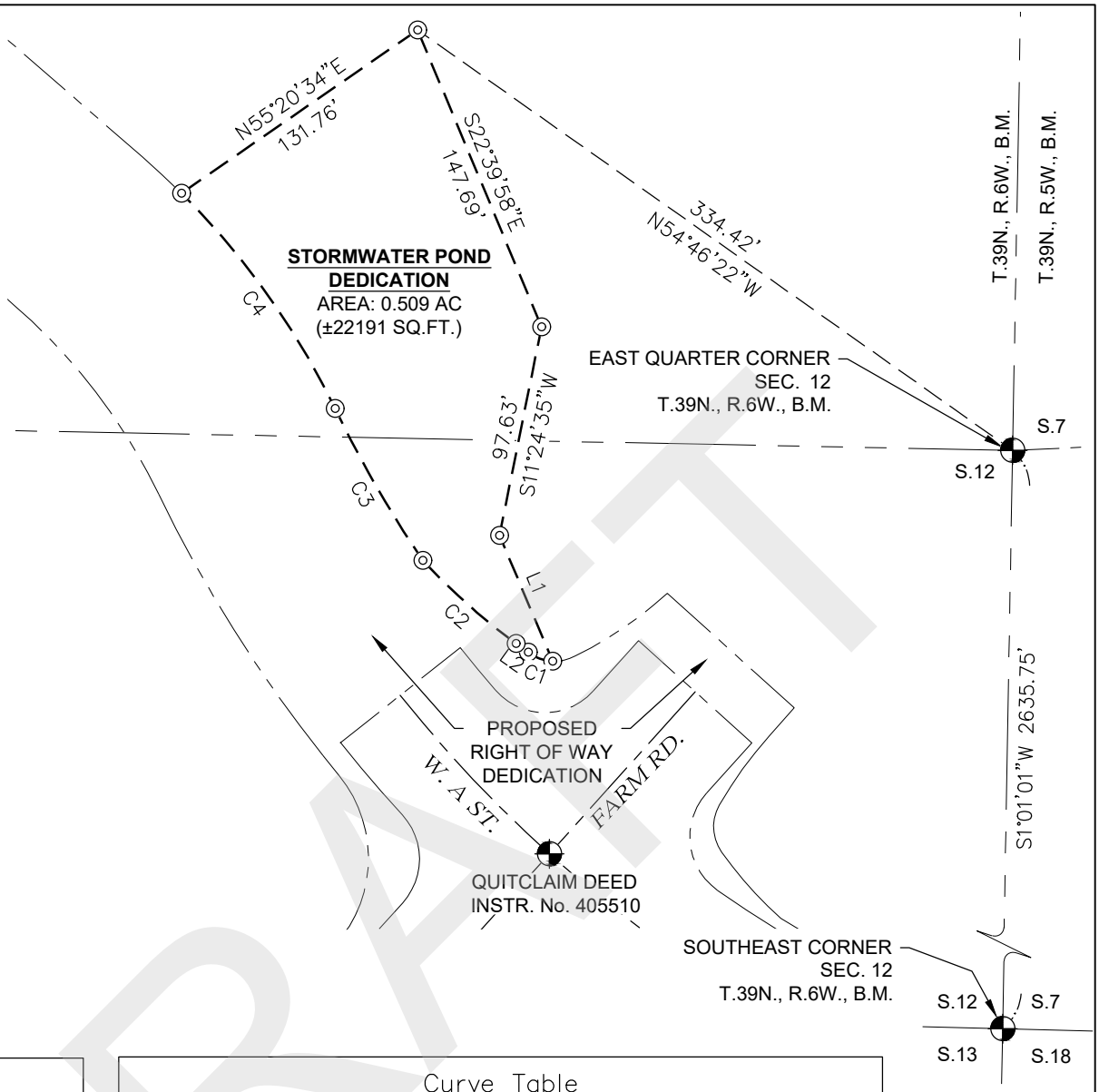
Thence South 22° 39' 58" East, 147.69 feet to a set monument;
Thence South 11° 24' 35" West, 97.63 feet to a set monument;
Thence South 22° 58' 01" East, 62.68 feet to a set monument, said point being a point of curvature;
Thence 12.22 feet on the arc of a curve to the right, having a radius of 20.13 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




DRAFT




| 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 |

N

# Exhibit "B"

SCALE: 1" = 60'

0' 60' 120'

HMH engineering
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

PROFESSIONAL LAND SURVEYOR
LICENSED
20888
6.4.2024
STATE OF IDAHO
DANIEL O. INLOES

© 2024 | ALL RIGHTS RESERVED

| PROJECT NO: S23106 | DRAWN BY: DI | CHECKED BY: DI | DATE: June 4, 2024 | SHEET: 1 OF 1 |
|---|---|---|---|---|

# COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 15, 2024

## AGENDA ITEM TITLE

Proposed Lot Line Adjustment at 1020 Palouse River Drive - 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. This was reviewed and recommended for approval at the July 8, 2024 Public Works and Finance Committee meeting.

## REVIEWED BY

## PROPOSED ACTIONS

**ACTION:** Approve the lot line adjustment.

## STAFF RECOMMENDATION

Approve 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



Recieved 05-15-2024

# 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

**SURVEYORS NARRATIVE:**

1. WE ACCEPTED THE MONUMENTS F1 AND F2 AS THE SOUTH LINE OF SECTION 17. A PART OF SAID SOUTH LINE IS THE SOUTH LINE OF THE SUBJECT PROPERTY.
2. WE ACCEPTED THE MONUMENTS F1 AND F3 AS THE EAST LINE OF SECTION 17.
3. WE ACCEPTED CENTERLINE MONUMENTS ALONG INDIAN HILLS DRIVE AND BLAINE STREET, AND OFFSET SAID CENTERLINE 30' NORTH AND SOUTH FOR THE RIGHT OF WAY LINES OF INDIAN HILLS DRIVE AND 30' EAST AND WEST FOR THE RIGHT OF WAY LINES OF BLAINE STREET. A PART OF THE SOUTHERLY RIGHT OF WAY LINE OF INDIAN HILLS DRIVE IS A PART OF THE NORTHERLY BOUNDARY OF THE SUBJECT PROPERTY.
4. THE EAST LINE OF THE SUBJECT PROPERTY WERE DETERMINED FROM CURRENT DEEDS (R1 & R3).
5. THE NORTH AND WEST LINES OF THE SUBJECT PROPERTY WERE DETERMINED FROM THE CURRENT DEEDS (R1 & R2).
6. WE FOUND PROPERTY CORNERS MARKED "HEDCO, ID 2102", FOR THE ADJOINING PROPERTY TO THE EAST THAT CLOSELY MATCH THE DEEDED LINES USED IN THIS SURVEY. WE CONTACTED THE SURVEYOR, HE WILL BE FILING A RECORD OF SURVEY AFTER CONSTRUCTION ON SAID PROPERTY IS COMPLETED. WE HELD SAID CORNERS.
7. NEW LEGAL DESCRIPTIONS HAVE BEEN PREPARED AND ROTATED TO MATCH EXISTING CONDITIONS. SAID LEGAL DESCRIPTIONS WILL BE FILED UNDER SEPARATE DOCUMENTATION.
8. THE SUM OF THE TOTAL DISTANCES MAY NOT ADD UP TO THE INDIVIDUAL DISTANCES ALONG THE BLOCK BECAUSE OF THE PROPORTIONATE DIVISION OF THE TOTAL LINE AND SIGNIFICANT NUMBERS.
9. RECORD DISTANCES WILL NOT BE SHOWN WHEN MEASURED DISTANCES ARE WITHIN 0.10' OF SAID RECORD DISTANCES.
10. NO TITLE SEARCH WAS CONDUCTED. THERE MAY BE EASEMENTS, COVENANTS, RESTRICTIONS OR OTHER MATTERS AFFECTING THE SUBJECT PROPERTY, BUT NOT SHOWN, THAT WOULD BE DISCLOSED BY A CURRENT TITLE REPORT.

**CORNER NOTES:**

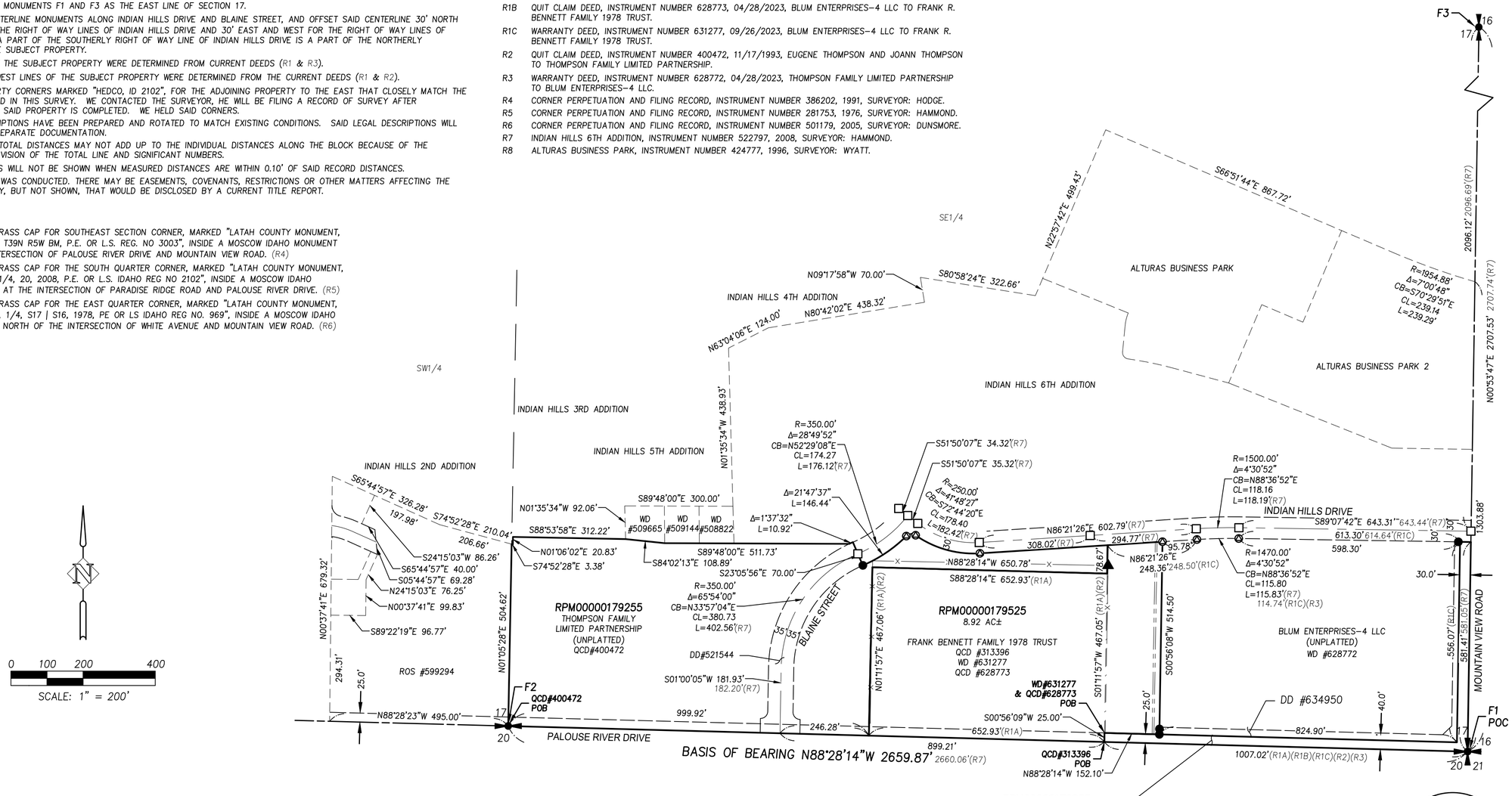
F1 FOUND 3 1/2" BRASS CAP FOR SOUTHEAST SECTION CORNER, MARKED "LATAH COUNTY MONUMENT, 17 | 16, 20 | 21, T39N R5W BM, P.E. OR L.S. REG. NO 3003", INSIDE A MOSCOW IDAHO MONUMENT CASE AT THE INTERSECTION OF PALOUSE RIVER DRIVE AND MOUNTAIN VIEW ROAD. (R4)

F2 FOUND 3 1/2" BRASS CAP FOR THE SOUTH QUARTER CORNER, MARKED "LATAH COUNTY MONUMENT, T39N R5W, 17, 1/4, 20, 2008, P.E. OR L.S. IDAHO REG NO 2102", INSIDE A MOSCOW IDAHO MONUMENT CASE AT THE INTERSECTION OF PARADISE RIDGE ROAD AND PALOUSE RIVER DRIVE. (R5)

F3 FOUND 3 1/2" BRASS CAP FOR THE EAST QUARTER CORNER, MARKED "LATAH COUNTY MONUMENT, T.39N. R.5W. B.M, 1/4, S17 | S16, 1978, PE OR LS IDAHO REG NO. 969", INSIDE A MOSCOW IDAHO MONUMENT CASE NORTH OF THE INTERSECTION OF WHITE AVENUE AND MOUNTAIN VIEW ROAD. (R6)

**OFFICIAL DOCUMENTS:**

R1A QUIT CLAIM DEED, INSTRUMENT NUMBER 313396, 05/06/1981, FRANK R. BENNETT AND DELORES R. BENNETT TO FRANK R. BENNETT FAMILY 1978 TRUST.
R1B QUIT CLAIM DEED, INSTRUMENT NUMBER 628773, 04/28/2023, BLUM ENTERPRISES–4 LLC TO FRANK R. BENNETT FAMILY 1978 TRUST.
R1C WARRANTY DEED, INSTRUMENT NUMBER 631277, 09/26/2023, BLUM ENTERPRISES–4 LLC TO FRANK R. BENNETT FAMILY 1978 TRUST.
R2 QUIT CLAIM DEED, INSTRUMENT NUMBER 400472, 11/17/1993, EUGENE THOMPSON AND JOANN THOMPSON TO THOMPSON FAMILY LIMITED PARTNERSHIP.
R3 WARRANTY DEED, INSTRUMENT NUMBER 628772, 04/28/2023, THOMPSON FAMILY LIMITED PARTNERSHIP TO BLUM ENTERPRISES–4 LLC.
R4 CORNER PERPETUATION AND FILING RECORD, INSTRUMENT NUMBER 386202, 1991, SURVEYOR: HODGE.
R5 CORNER PERPETUATION AND FILING RECORD, INSTRUMENT NUMBER 281753, 1976, SURVEYOR: HAMMOND.
R6 CORNER PERPETUATION AND FILING RECORD, INSTRUMENT NUMBER 501179, 2005, SURVEYOR: DUNSMORE.
R7 INDIAN HILLS 6TH ADDITION, INSTRUMENT NUMBER 522797, 2008, SURVEYOR: HAMMOND.
R8 ALTURAS BUSINESS PARK, INSTRUMENT NUMBER 424777, 1996, SURVEYOR: WYATT.




**PURPOSE OF THE SURVEY:**

THIS RECORD OF SURVEY WAS REQUESTED BY SHELLEY BENNETT TO LOCATE THE PROPERTY LINES PER THEIR DEEDS, AND TO MONUMENT ANY MISSING PROPERTY CORNERS.

**BASIS OF BEARING:**

THE BEARING OF NORTH 88°28'14" WEST 2659.87 FEET WAS ASSUMED ALONG THE SOUTH LINE OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 5 WEST, B.M., BETWEEN FOUND MONUMENTS F1 AND F2.

**SURVEYOR'S CERTIFICATE:**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF SHELLEY BENNETT IN APRIL OF 2024.

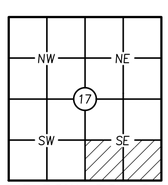
JASON MICHAEL VONLINDERN, PLS 19293 DATE

PROFESSIONAL LAND SURVEYOR LICENSED 19293 STATE OF IDAHO JASON VONLINDERN

PRELIMINARY

**CORNER VISITATION:**

THE MONUMENTS SHOWN AS FOUND AND TIED HEREON WERE VISITED IN MAY OF 2024.




S.17, T.39N., R.5W., B.M.

| | By | Date |
|---|---|---|
| Surveyed | ATG | 05/24 |
| Drawn | MWS | 05/24 |
| Checked | TMH | 05/24 |
| Approved | JMV | 06/24 |
| Accepted | | |

Scale: 1"=200'
Date: June 3, 2024
Drawing Name MSP-269-ROS.DWG
Sheet 1 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



Recieved 06-28-2024

# 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

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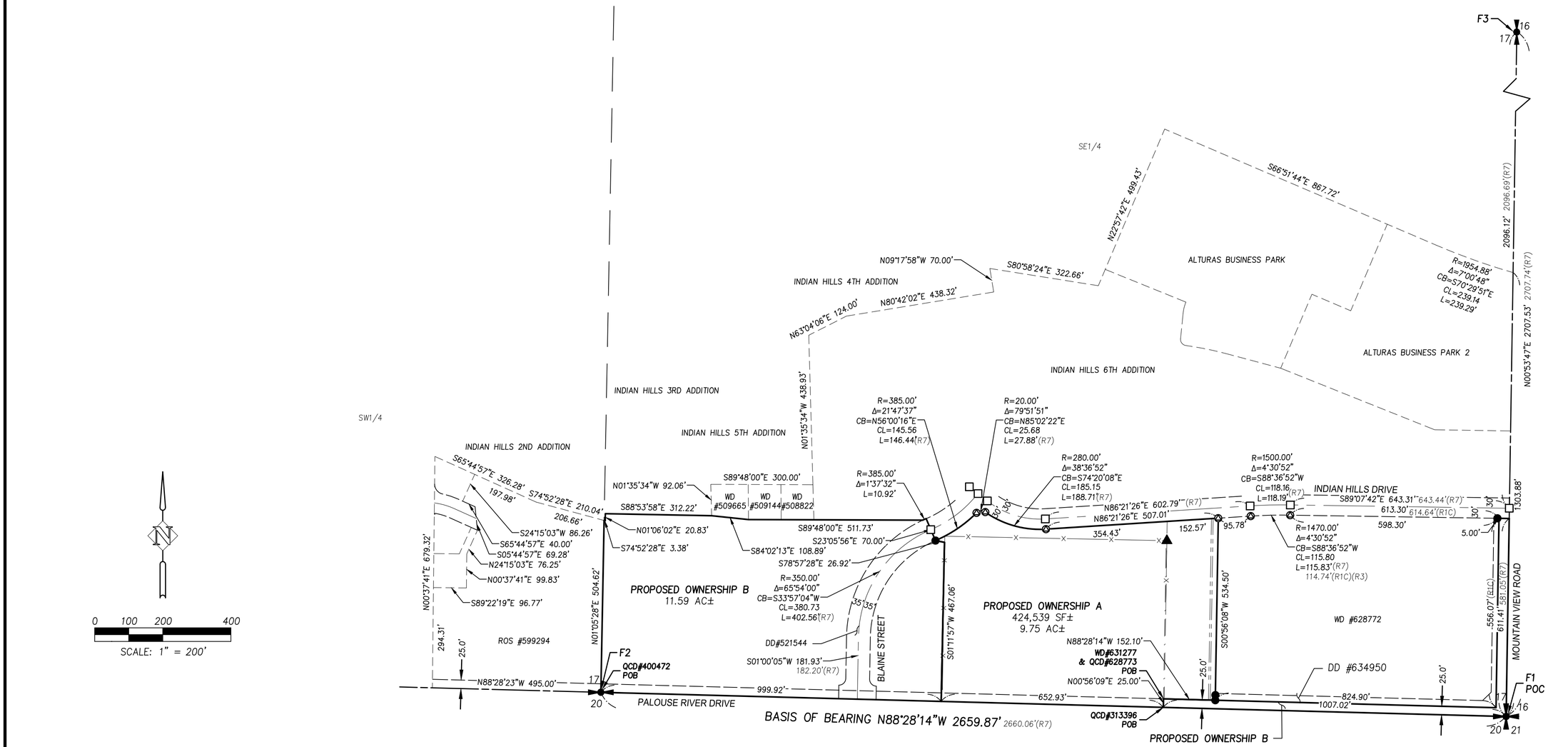





PRELIMINARY

PROFESSIONAL LAND SURVEYOR
LICENSED
14496
STATE OF IDAHO
JASON VONLINDERN

**CORNER VISITATION:**

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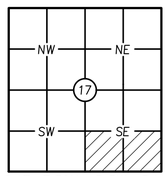


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|---|---|---|
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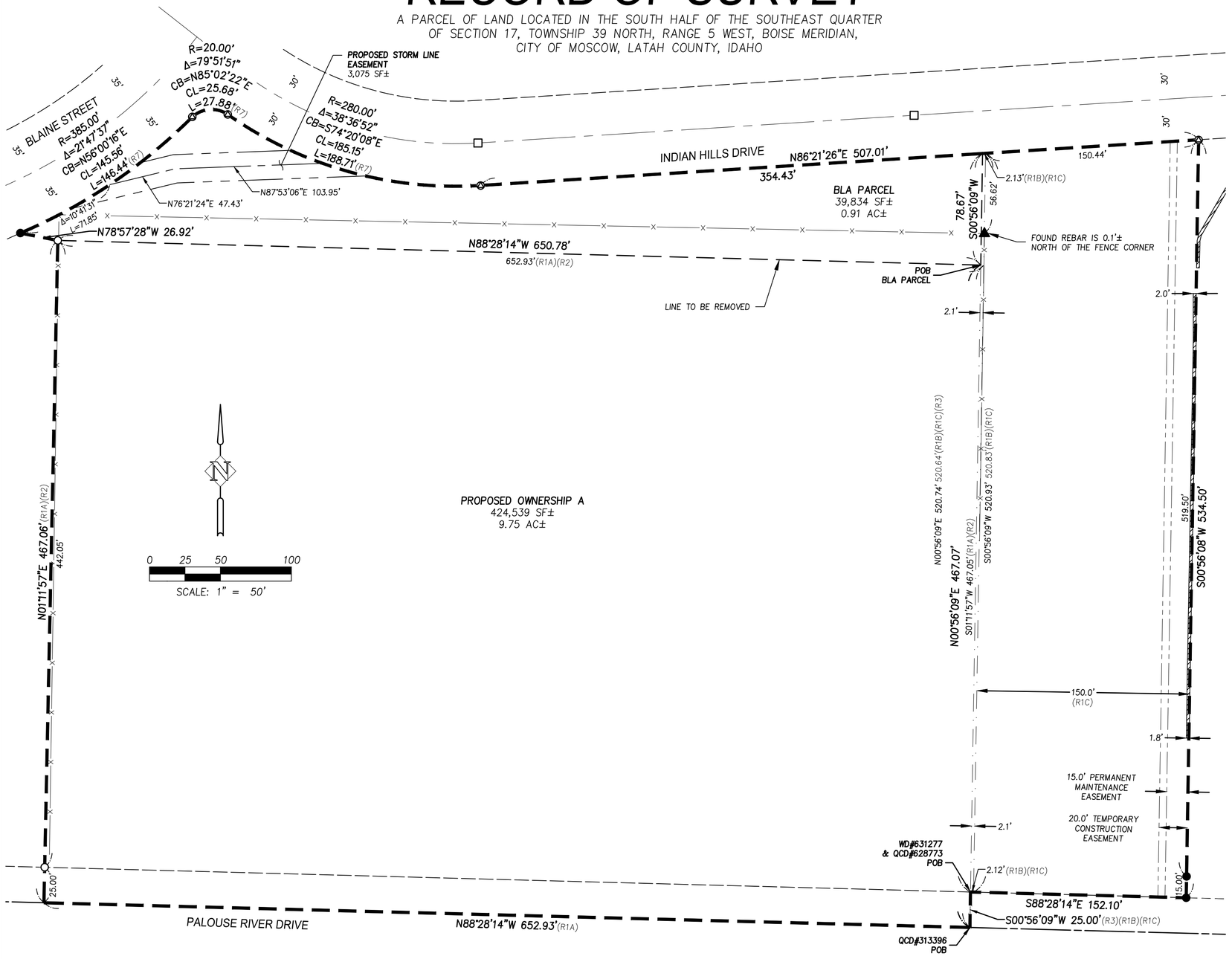


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AT THE REQUEST OF _____
_____ LATAH COUNTY RECORDER
_____ DEPUTY

## 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
- F1 — 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
- (R1) RECORD INFORMATION SEE OFFICIAL DOCUMENTS
- **POC** POINT OF COMMENCEMENT
- **POB** POINT OF BEGINNING
- QCD QUITCLAIM DEED
- WD WARRANTY DEED

PRELIMINARY
PROFESSIONAL LAND SURVEYOR LICENSED STATE OF IDAHO JASON VONLINDERN

| | By | Date |
|---|---|---|
| Surveyed | ATG | 05/24 |
| Drawn | MWS | 05/24 |
| Checked | TMH | 05/24 |
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Date: Jun. 3, 2024
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Recieved 06-28-2024

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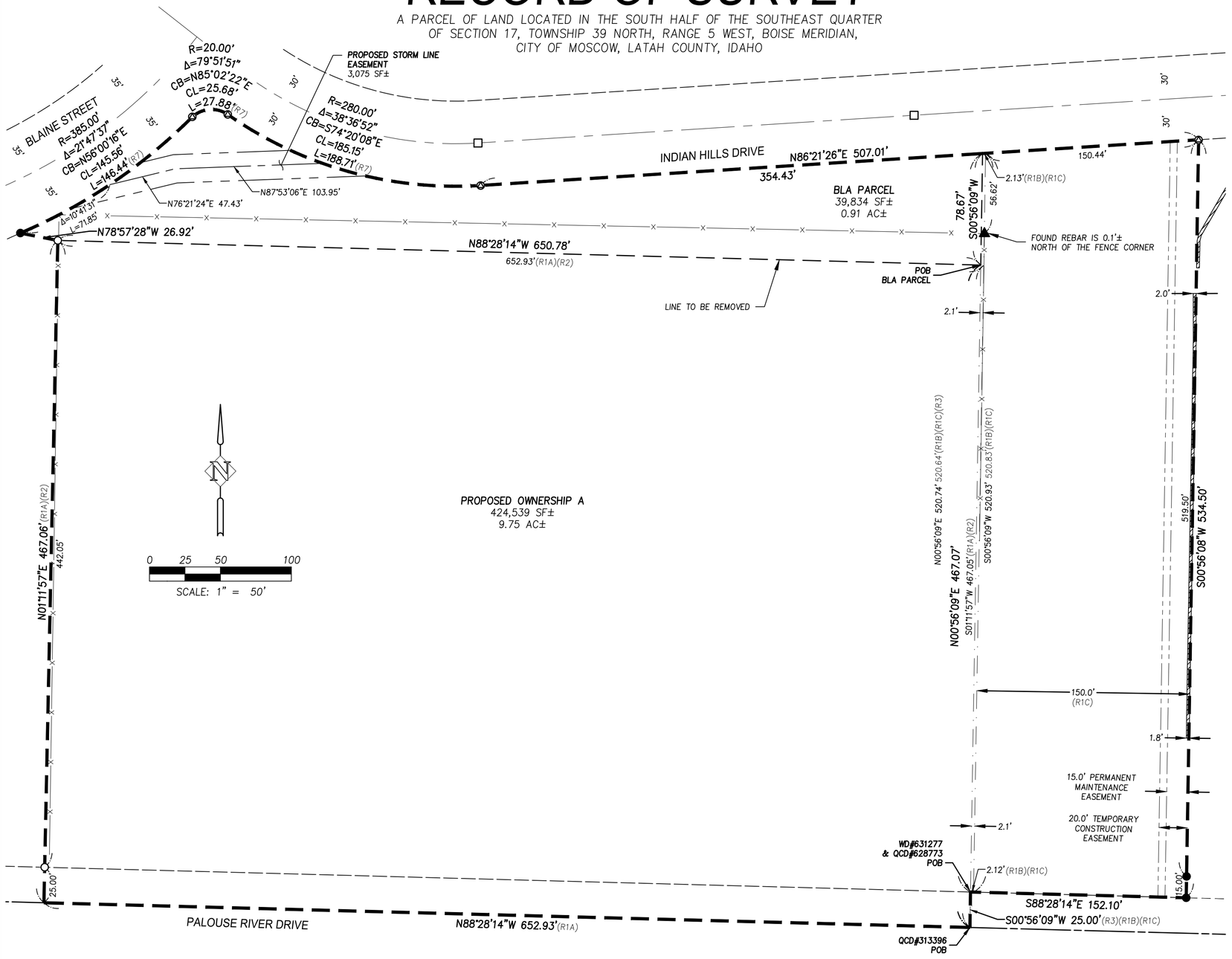


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- WD WARRANTY DEED

PRELIMINARY
PROFESSIONAL LAND SURVEYOR
LICENSED
STATE OF IDAHO
JASON VONLINDERN

| | By | Date |
|---|---|---|
| Surveyed | ATG | 05/24 |
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Recieved 06-28-2024

**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**;



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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.



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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;



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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**.



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**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**;



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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;



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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

Recieved 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;



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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**.

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

**ALSO EXCEPT** INDIAN HILLS 6$^{TH}$ 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°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



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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

Recieved 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

Recieved 06-28-2024

# COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 15, 2024

## AGENDA ITEM TITLE

"A" Street Reconstruction Project Change Order #2 - 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 infracture 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

This item was reviewed by The Public Works / Finance Committee on July 8th, 2024 and recommended for approval.

## PROPOSED ACTIONS

**ACTION:** Approve Change Order #2 with LaRiviera Inc. to increase the contract amount by $146,361.00 to $1,155095.25, and authorize staff approval of construction change orders in an amount not to exceed 10% of the adjusted contract amount.

## STAFF RECOMMENDATION

Approve Change Order #2 with LaRiviera Inc. to increase the contract amount by $146,361.00 to $1,155095.25, 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**

| No. | Item Description | Quantity & Unit | Unit Price | Total Price |
|---|---|---|---|---|
| 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 | $ 4,685.00 | $ 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**

_____

**Thomas LaRiviere, President**

**Owner: City of Moscow**

_____

**Bob Buvel, P.E, Senior Civil Engineer**

# COMMITTEE / CITY COUNCIL STAFF REPORT

DATE: Monday, July 15, 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

This was reviewed by the Public Works/Finance Committee on July 8, 2024 and recommended for approval.

## PROPOSED ACTIONS

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

## STAFF RECOMMENDATION

Approve the proposed Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.

## OTHER RESOURCES

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.



DRAFT

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

DRAFT