

Administrative Committee



Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday, September 23,
2024**

4:00 PM

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

The meeting was called to order at 4:00 p.m.

PRESENT: Drew Davis, Sandra Kelly, Julia Parker

OTHERS: Mayor Art Bettge, Council Member Bryce Blankenship

STAFF: Bill Belknap, Tyler Palmer, David Schott, Sarah Banks, Alisa Anderson, Laurie M. Hopkins

REGULAR AGENDA

1. Approval of Administrative Committee August 26, 2024 Minutes (ACTION ITEM) - Laurie M. Hopkins

The minutes were approved as presented.

2. Second Amendment to Franchise Agreement Exhibit G (ACTION ITEM) - Tim Davis

Fees from Exhibit G of the Solid Waste Franchise Agreement between the City of Moscow and Latah Sanitation, Inc., dba Inland North Waste, are adjusted upward or downward each fiscal year to reflect changes in the cost of operations, as reflected by fluctuations in the Consumer Price Index (CPI), as published by the U.S. Bureau of Labor Statistics. The statistics utilized are for a one-year period and are the end adjusted figures for the annual change for the calendar year, as published in January of each year. The fee modification date is October 1 of each year. Every year the fees are increased or decreased for the coming year in a percentage of 100% of the net change of the CPI for the prior year period. The CPI adjustment for FY2025 is 3.82%.

PROPOSED ACTIONS: Approve the Second Amendment to Exhibit "G" of the Solid Waste Franchise Agreement, or provide staff further direction.

Davis introduced the item as written above. Fuel relief is separate from this exhibit and hasn't been paid approximately the last five months. The Committee recommended approval and that it be placed on the Council consent agenda.

3. Professional Services Agreement between the City of Moscow and Presnell Gage, PLLC (ACTION ITEM) - Sarah Decker

In June 2024, the City of Moscow issued a Request for Qualifications (RFQ) from certified public accounting firms to audit our respective financial statements for the fiscal year ending September 30, 2024, with the option of auditing for four subsequent fiscal years. Firms had to address the requirements of the RFQ and submit a sealed proposal to include pricing for the five-year period. The City received one response to the RFQ from Presnell Gage, PLLC. Staff reviewed the proposal and deemed that it met all requirements of the RFQ. Staff has prepared a professional services agreement between the City and Presnell Gage PLLC for audit services for the Council's consideration.

PROPOSED ACTIONS: Recommend approval of the Professional Services Agreement between the City of Moscow and Presnell Gage, PLLC to audit our respective financial statements for the fiscal year ending September 30, 2024, and the four subsequent fiscal years with the ability for the City to terminate at any time, or provide staff with further direction.

Decker introduced the item as written above. As to why there was only one submission, Decker said she has heard a lot of firms aren't taking on more clients. Belknap said staff is satisfied with Presnell Gage's service, they have processed the City's audit for years. Staff felt other firms should be given the opportunity. The Committee recommended approval and that it be placed on the Council consent agenda.

4. City of Moscow Utility Billing Policy Update (ACTION ITEM) - Sarah Decker

In accordance with Moscow City Code, property owners are responsible for the cost of utility services delivered to their property(s), regardless of the user of the utility being provided. The City of Moscow has historically provided property owners with the convenience of billing a non-owner occupant (tenant) even though the City is under no legal obligation to do so. On February 16, 2021, the City formalized the Utility Billing process, Resolution 2021-01, by adopting the City of Moscow Utility Billing Policy, City of Moscow Utility Billing Application, and City of Moscow Utility Billing Directive. On August 19, 2024, the Idaho Supreme Court issued a decision that confirmed the City's ability to hold property owners responsible for the utility services provided to their property, but the Court found that the City did not provide enough detail within the Utility Billing Application regarding the means by which the City could pursue to collect unpaid balances through the use of liens. This decision necessitates an amendment to the City of Moscow's Utility Billing Policy, Utility Billing Application, and Tenant Utility Billing Directive to continue to provide the convenience of tenant billing to property owners.

PROPOSED ACTIONS: Recommend for approval of the updated City of Moscow Utility Billing Policy, City of Moscow Utility Billing Application, and City of Moscow Tenant Utility Billing Directive, or provide staff with further direction.

Banks introduced the item as written above. Belknap added the court agreed the city's ability to hold property owners to hold tenants responsible by contract but they fixated on the listing of liens. The justices were focused on whether it was a prejudgment lien or post-judgment lien. That ambiguity was the reason they decided the agreements were unenforceable. The ability to get paid for the services provided to properties were affirmed to the court. The forms are updated to change the reference from liens to "all legal means", which would include small claims court where the court could approve a lien on the property. Severability language was also added to the agreements so that if something is deemed inappropriate, the remainder of the agreement is held in place. Banks said staff will be working with the property owners and rental agencies for tenant transition in January. The Committee recommended approval and that it be placed on the Council consent agenda.

5. Idaho Outdoor Recreation Fund Grant Application (ACTION ITEM) - Alisa Anderson / Scott Bontrager

The City received notification of a grant opportunity through the Outdoor Recreation Fund Advisory Council (ORFAC) accepting applications to build projects that expand recreational opportunities. For 2024, ORFAC has been allocated \$5 million dollars to spend on capital projects (trails, bridges, campgrounds, etc.) that create or enhance outdoor access. City staff has identified two park projects to include the Mountain View Park Connector Pathway and Anderson Frontier Park Pathway Connection, which will provide ADA access to both locations. Staff is requesting to submit a grant application in an amount not to exceed \$160,000. Staff will include engineering, design, and construction management as an in-kind match. No cash match is required under this program.

PROPOSED ACTIONS: Approval to submit a grant application not to exceed \$160,000 to the Idaho Outdoor Recreation Fund, or provide staff further direction.

Anderson introduced the item as written above and explained the application deadline is September 30, 2024, with obligation by December 31, 2024 and construction complete by December 31, 2026. Match

is not required but staff will offer in-kind design and construction management be included if awarded. Belknap said the City isn't well equipped to do large scale concrete flat work so would need to bid. Anderson anticipates more interest in bidding in the fall as prices are adjusting. The Committee recommended approval and that it be placed on the Council consent agenda.

6. West Palouse River Drive Site Study Agreement (ACTION ITEM) - Bill Belknap

The Moscow School District anticipates the need to construct a new elementary school in the near future and is currently considering where it may be located. The District would like better distribution of elementary school locations in the community to serve surrounding neighborhoods. The City and District have discussed the potential of locating a future elementary school on the City's West Palouse River Drive Property in conjunction with the potential development of a City park and additional athletic fields. Earlier this year, the City and District entered into a Memorandum of Understanding to jointly fund a planning study to assess the feasibility of developing the West Palouse River Drive property for a future elementary school, park, and athletic fields. It is anticipated the study will assess pedestrian access, vehicular access and circulation, site grading, building, parking, park, and athletic facility development to determine the suitability of the site for the proposed uses and help inform future decisions regarding the property. City Staff worked with Lombard Conrad Architects LLC., an architectural firm that was recently selected by the Moscow School District for District architectural services, to prepare a scope of work and professional services agreement to conduct the site study. The scope has been reviewed and approved by the Moscow School District.

PROPOSED ACTIONS: Recommend approval of the proposed Professional Services Agreement with Lombard Conrad Architects Inc.; or provide staff further direction.

Belknap introduced the item as written above and provided an illustration of the area. The base fee of the agreement is \$34,000 plus up to \$2,000 in reimbursable expenses which would be split equally between the City and District. The fee includes a \$10,000 reserve for any civil engineering services that may be needed during the site study and only to be used upon approval of the City. The study would not bind the City or District to further obligations or actions. The study area is the land south of the South Fork of the Palouse River with the school in the southeast, furthest away from any flooding impacts. This really is to determine whether it works for both entities.

Whitman County is interested in a grant to fund the engineering portion of a study for a south bypass connecting Highway 195 to 95 using Sand Road. Staff felt Moscow should be involved to determine what kind of effect those improvements would have on Palouse River Drive. Whitman County will apply for a grant application in Spring 2025. Moscow and North Latah Highway District will partner. A preliminary assessment is needed to determine what corridor improvements will be needed for higher traffic volumes and use this within the grant application.

Belknap said staff will lean to the recreation division for determining the biggest demand and then staff can determine how to utilize the existing locations to meet those needs. Baseball is needed but they have a larger footprint with the distance for outfield. A possibility is converting one of the fields at Joseph into baseball and focus on little league/softball fields as they are more easily accommodating on this property. Staff has spoken with MSD about a two-story school to preserve some of the land for ballfields. The Committee recommended approval and that it be placed on the Council regular agenda.

ADJOURN

The meeting closed at 4:30 p.m.

Minutes Approved On
October 28, 2024

(Clerk Signature)