

1. 1.10.2023 Agenda

Documents:

[01-10-2023.PDF](#)

2. URA PACKET

Documents:

[1.10.2023 PACKET.PDF](#)

URBAN RENEWAL AGENCY BOARD
MEETING AGENDA
Tuesday, January 10, 2023 - 12:00 p.m.
City of Lewiston - City Hall Conference Room
1134 "F" Street, Lewiston, Idaho

AS A MATTER OF GOVERNMENTAL TRANSPARENCY, THIS MEETING MAY BE RECORDED, STREAMED LIVE AND/OR ACCESSED AT A LATER TIME. NOTE THAT THIS MAY INCLUDE VIDEO AND AUDIO OF ALL PERSONS PRESENT IN THE ROOM.

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Facebook page or the City's website at www.cityoflewiston.org.

I. CALL TO ORDER-

II. CITIZEN COMMENTS - An opportunity for citizens to address the Agency. Citizens are asked to limit their time to three (3) minutes each. Comments and questions may be made by:

- ✓ Attending in-person
- ✓ Emailing comments and questions prior to the start of the meeting to sgrow@cityoflewiston.org or dortiz@cityoflewiston.org
- ✓ Mailing written comments prior to the start of the meeting to Shannon Grow, PO Box 617, Lewiston ID 83501
- ✓ Calling 208-746-1318 x 7265 and leave a message. Your comments will then be forwarded to the Urban Renewal Agency Board.

IV. ACTIVE AGENDA

- A. Approval of Minutes, December 13, 2022
- B. Approval of Invoice, JBD \$915.00
- C. Adopt Resolution NO. 2022-02 Terminate Memorandum of Understanding with School District (Action Item)
- D. Election of Officers:
 - 1. Chairperson (Action Item)
 - 2. Vice-Chairperson (Action Item)

V. UNFINISHED AND NEW BUSINESS

- A. Board Member Comments
- B. Staff Comments
- C. Review of Bylaws (tabled from November)

VI. ADJOURN (ACTION ITEM)

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at 208-746-1318.

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December 13, 2022

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO, met in a regular meeting Tuesday, December 13, 2022, at Lewiston City Hall. Chair JoAnn Cole-Hansen called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

BOARD MEMBERS PRESENT: JoAnn Cole-Hansen, Chair; Sheila Bond, Vice Chair; Don Beck; Joe Anderson; A.L. "Butch" Alford; Rick Tousley

BOARD MEMBERS EXCUSED: None

STAFF MEMBERS PRESENT: Laura VonTersch, Executive Director, URA; Shannon Grow, Community Development Director; Aaron Butler, IT; Luke Antonich, City Engineer; Katie Hollingshead, Assistant Planner, Joe Kaufman, Engineering Supervisor

OTHERS PRESENT: Jennifer Douglass, URA Attorney;

II. CITIZEN COMMENTS

Luke Antonich, City Engineer, wanted to address with the board a letter he had sent to Director Von Tersch today regarding the East Orchard Sewer Phase 1 & Phase 2 project close out. The letter is intended to document that the City has paid more than the agreed 50/50 split and requests that the URA commits to reimbursing approximately \$552,787.59 upon the debt service reserve being released.

Director Von Tersch commented that the monies spent by the URA in Phase 3 of the East Orchard Sewer project should catch the URA up to the amount that the City has already paid.

Commissioner Anderson asked if the letter was included in the meeting packet and Mr. Antonich stated that the final version of the letter had just been provided today to Director Von Tersch and was not included in the packet. Board member Anderson asked that staff provide the board with a copy of the letter.

III. CONSENT AGENDA (ACTION ITEMS)

Chair Cole-Hansen stated she had an amendment to item C on the consent agenda, to change it from \$345 to \$720 due to a miscalculation on the amount owed. Board members Alford and Anderson moved and seconded, respectively to amend item C from \$345 to \$720. The motion passed 6-0.

A. Approval of Minutes, October 11, 2022

B. Approval of Minutes, November 8, 2022

C. Approval of Invoices, JBD \$345.00 (Amended to \$720)

Board members Alford and Anderson moved and seconded, respectively, the approval of the consent agenda. The motion carried 6-0.

IV. ACTIVE AGENDA

A. Adopt Resolution No. 2022-02 Terminate Memorandum of Understanding with School District (Action Item)

Chair Cole-Hansen stated that the board packet was missing the rescission of memorandum of understanding. URA attorney, Jennifer Douglass, asked the Chair if the board had previously seen the rescission of memorandum of understanding and Chair Cole-Hansen stated no. Attorney Douglass suggested that the board table the item until the January meeting so that all exhibits could be reviewed by the board prior to voting. Board members Bond and Beck, moved and seconded, respectively to table the Adoption of Resolution No. 2022-22 until the January meeting. The motion carried 6-0.

B. Approve Scope of Work, East Orchards Sewer III, Mountain Water Works (Action Item)

Joe Kaufman, Engineering Supervisor reviewed the East Orchards Sewer project that had been started approximately four (4) years ago and the segments that the board had approved to move forward with design, bid, award and construction. Mr. Kaufman reviewed segments 17, 18, 19 as being the downhill side of several large areas that would allow for several connections to occur both for existing homes and future development. Segment 1 is low hanging fruit and will be an easy extension to complete. Segment 7 is needing the most investigation to find out any obstacles that might exist there.

Board member Anderson asked if there were any other segments that could be completed without pump stations. Mr. Kaufman referred to the map and said that all segments that are not hatched in blue are areas that can be served by gravity sewer feed. There are points labeled on the maps where lift stations could go. Several lift stations already exist and they are expensive to operate and maintain. Mr. Kaufman would like to see a gravity sewer line along Tammany but time will tell if funding and service need will result in that.

Board member Alford asked if Mr. Kaufman knew how many hook ups had been achieved with the segments already completed. Director Von Tersch said that there had been 64 parcels originally. Mr. Kaufman said that he thought the number of sewer hookups was close to 50 homes so far.

Chair Cole-Hansen reminded the board that the goal of the sewer project was to reduce the amount of leaching septic tanks from infiltrating the watershed, which is a public safety issue. As a bonus, the project also allows for additional growth in density of homes, which adds to the tax base and helps to pay off the loan. Chair Cole-Hansen asked if the scope of work included more than just the design work and asked if the URA would be paying for 50% of that contract or 100% of the

contract. Director Von Tersch said that the URA would be paying 100% of this contract.

Attorney Douglass stated that if the URA only wanted the scope of work to include only the design work, they should ask for an updated contract reflecting that.

Chair Cole-Hansen said that she was tentative to approve a contract without knowing the construction costs and knowing where they stood financially.

Board member Alford asked if the board should just approve the design services at \$79,105.00. Mr. Kaufman suggested that they also include the Bidding and Negotiation Assistance for \$5,720 and the Management Reserve for \$15,000.

Board members Alford and Anderson, moved and seconded, respectively to approve the Design Services for \$79,105.00 and the Bidding and Negotiation Assistance for \$5,720. Chair Cole-Hansen called for discussion. Mr. Kaufman said that the board should also approve the Management Reserve in case unexpected things come up and small changes need to be made. Board members Alford and Anderson amended their motion and second to include the \$15,000 Management Reserve.

Attorney Douglass asked Mr. Kaufman to confirm that all the segments being approved for design work were located inside city limits. Mr. Kaufman stated they are.

There being no further discussion, Chair Cole-Hansen called for the vote. Motion passed 6-0.

UNFINISHED AND NEW BUSINESS

A. Board Member Comments

Board member Tousley let the board know that Council President Liedkie had brought up at the December 12, 2022 council meeting that she would like to see a presentation from the URA at a future work session to see a review of what the URA has been working on.

Board member Anderson let the board know that the Port of Lewiston would be having their Holiday reception on December 14, 2022 from 4 to 6:30 p.m, and everyone is invited.

Chair Cole-Hansen said that she had a very special plaque to present to a very special person. Chair Cole-Hansen recognized Laura Von Tersch and read the plaque thanking Director Von Tersch for her 17 years of leadership and service. Director Von Tersch thanked Chair Cole-Hansen and let the board know how much she has enjoyed the work and that her time as Director has been absolutely great.

Chair Cole-Hansen recognized former URA Chair Joe Hulett from the audience and stated that she had specifically asked Mr. Hulett to attend the meeting to share

his experience with Director Von Tersch. Mr. Hulett shared that Director Von Tersch was the heart and soul of the URA and that the city is a much better place because of her work. Mr. Hulett expressed his gratitude for all of Director Von Tersch's work.

B. Staff Comments

Director Von Tersch stated that she believed the board was in good hands with Staff Grow and Staff Hollingshead and encouraged the board to explore pedestrian improvements at the northern end of 21st Street as a future URA project.

Board member Alford stated that he felt optimistic about the URA moving forward because of the path that Director Von Tersch has laid.

V. ADJOURN (ACTION ITEM)

There being no further business, Board members Alford and Anderson moved and seconded, respectively to adjourn. The motion carried 6-0 and the Urban Renewal Agency Board adjourned at approximately 12:34 p.m.

RESPECTFULLY SUBMITTED,

ATTEST:

KATIE HOLLINGSHEAD,
RECORDING SECRETARY

URBAN RENEWAL AGENCY CHAIR

Approved this _____ day of _____, 2023.



935 6th Street
 Clarkston, Washington 99403
 (208) 746-0344

DOUGLASS LAW
— PLLC —

STATEMENT

URBAN RENEWAL AGENCY
 ATTN: LAURA VON TERSCH
 1134 F STREET
 LEWISTON ID 83501

DATE: 11/30/2022
 ACCOUNT: BUSINESS

DATE		HOURS	AMOUNT
10/31/2022	Balance forward		945.00
	BUSINESS-		
11/02/2022	consultation with staff re termination of MOU	0.30	45.00
11/08/2022	preparation, travel and attend URA meeting	1.00	150.00
11/10/2022	PMT #1492. BUSINESS CHECK		-225.00
11/14/2022	draft letter, resolution and rescission of MOU with school district	2.50	375.00
11/17/2022	finalize documents for termination of MOU, brief call with Brad Cuddy re anticipated timeline, sent to LVT and Chair fo finalization	2.00	300.00
11/22/2022	follow up re rescission/letter	0.30	45.00

AMOUNT DUE: \$1,635.00
 12/13 ~~\$~~ 720.00
~~\$~~ 915.00

RESOLUTION NUMBER 2022 - 02

A RESOLUTION OF THE CITY OF LEWISTON URBAN RENEWAL AGENCY APPROVING A RESCISSION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE LEWISTON URBAN RENEWAL AGENCY AND LEWISTON SCHOOL DISTRICT NUMBER 1, AUTHORIZING THE CHAIR TO SIGN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the Agency has reviewed the history behind the signed Memorandum of Understanding attached hereto as Exhibit A and incorporated fully herein by reference, and believes that at this time, such MOU is no longer necessary or likely to be implemented between the Agency and the School District;

WHEREAS the Agency desires to terminate said MOU by Rescission of Memorandum of Understanding attached hereto and incorporated fully herein by reference as Exhibit B; WHEREAS the Agency has provided written notice of intent to terminate said MOU to Lewiston Independent School District Number 1, attached hereto and incorporated fully herein by reference as Exhibit C;

NOW THEREFORE, BE IT RESOLVED

The Rescission of Memorandum of Understanding attached hereto as Exhibit B is approved;

The Agency Chair is authorized to sign said Rescission and forward to the Lewiston Independents School District Number 1 for its further consideration, approval and signature.

DATED This _____ day of _____, 2023.

LEWISTON URBAN RENEWAL AGENCY

By _____

Jo Ann Cole-Hansen, Chair

ATTEST:

MEMORANDUM OF UNDERSTANDING
Between
The Lewiston Independent School District No. 1 and the Lewiston Urban Renewal Agency

This Memorandum of Understanding is entered into by and between the Lewiston Independent School District No. 1, hereinafter referred to as "District" and the Lewiston Urban Renewal Agency, hereinafter referred to as the "URA" and collectively referred to as the "Parties."

1. The District is a duly organized School District under the laws of the State of Idaho.
2. The URA is a duly organized and functioning Urban Renewal Agency under I.C. § 50-2000 & I.C. § 50-2900 et seq.
3. The District owns a High School, related buildings, and lands in the area between Eleventh and Thirteenth Street and Eighth and Eleventh Avenues within the City of Lewiston as depicted on the map attached hereto as Exhibit A and referred to as the "Property."
4. On March 14th, 2017 the District will be conducting a bond levy election for purposes of receiving voter approval for the construction of a new high school.
5. If the bond levy passes and a new high school is authorized to be constructed, certain buildings and land on the Property may not be needed by the District for purposes of its provision of education and may be determined to be surplus by the District.
6. The URA is interested in exploring the acquisition of some of if not all of the buildings and lands on the Property which may not be needed by the District should the bond be approved on March 14, 2017.

7. The District is interested in exploring the circumstances of the transfer of the ownership of the Property or a portion thereof to the URA should the bond levy pass.
8. The District is authorized to transfer to the URA and the URA is authorized to acquire from the District real and personal property on such conditions that may be acceptable to both Parties.
9. Both the District and the URA agree that it is in their best interests to consider the circumstances under which such the transfer of the Property or a portion thereof would be made from the District to the URA.
10. The URA has authorized the creation of a subcommittee to explore the circumstances and opportunities of the Parties to transfer the Property.
11. The Parties agree that the consideration of the most appropriate mechanism for the URA to acquire and utilize the Property cannot be determined until after the District patrons have voted on the March 14, 2017 bond levy election.

NOW THEREFORE the District and the URA enter into this Memorandum of Understanding.

1. Should the March 14, 2017 High School Bond Levy pass, the District and the URA agree to continue to participate in discussions utilizing the already existing URA subcommittee to explore the URA's potential acquisition of the property from the District.
2. The subcommittee will continue to consider the circumstances of the URA's acquisition of the property or a portion thereof including what consideration would be paid for the transfer of the property or a portion thereof to the URA;


potential uses consistent with presently existing Urban Renewal and Economic Development statutory provisions; and the circumstances of the District's lease from the URA of the Property or a portion thereof for continued high school uses until the completion of the construction of a new high school.

3. Should the March 14, 2017 Bond Levy be successful, the URA will consider and recommend to the City Council:
 - a. The enlargement of the area in which the URA presently has the authority to operate.
 - b. The adoption of an amended URA Plan.
 - c. The creation of a Normal Hill RAA for purposes of the acquisition and utilization of the property.
4. The District agrees that should the URA's expanded area, Amended Plan and RAA be approved by the City Council that it will:
 - a. Consider and approve the transfer of the Property or a portion thereof on such terms that are mutually acceptable to the Parties;
 - b. Lease from the URA the Property or a portion thereof necessary for the continuation of the high school operation on the Property on such terms that are mutually agreeable to the URA and the District;
 - c. Use of such proceeds received by the District from the transfer of the property or a portion thereof paid by the URA to reduce the capital contribution necessary to construct the new high school facility from bonds issued by the District.

IN WITNESS WHEREOF, the respective parties have executed this Memorandum of Understanding by the authorized signatures on the date set forth below:

DATED this 6 day of February 2017.

LEWISTON INDEPENDENT
SCHOOL DISTRICT:



Brad Rice, President

Attest:



Katherine McPherson
Clerk of the Board

DATED this 15th day of February, 2017.

URBAN RENEWAL AGENCY:

Joe Hulett
Joe Hulett, Chairman

Attest: Dan Marsh
Dan Marsh, Secretary

RESCISSION OF MEMORANDUM OF UNDERSTANDING

WHEREAS, The Lewiston Independent School District No. 1 ("District") and the Lewiston Urban Renewal Agency ("Agency") entered into a Memorandum of Understanding ("MOU"), on or about February 6, 2017, a signed copy of which is attached hereto and incorporated fully be reference;

WHEREAS, the District and the Agency have reviewed the history behind said MOU, explored the possibilities set forth in the MOU and have opted not to proceed with a property exchange or other provisions of said MOU;

WHEREAS, the District and Agency both believe said MOU is no longer necessary and desire to terminate said MOU;

NOW THEREFORE, the District and Agency agree to a rescission and termination of the Memorandum of Understanding executed on or about February 6, 2017, which shall be effective on the last date of execution.

FOR THE URBAN RENEWAL AGENCY:

DATED: _____

BY: _____
JOANN COLE-HANSEN, CHAIR

FOR THE LEWISTON INDEPENDENT SCHOOL DISTRICT NUMBER 1:

DATED: _____

BY: _____



November 17, 2022

Lewiston Independent School District No. 1
Clerk of the Board of Directors
3317 12th Street
Lewiston, Idaho 83501

RE: Memorandum of Understanding

Dear Members of the Board:

Please find enclosed an MOU, entered into between the Lewiston Urban Renewal Agency and the Lewiston School Independent School District. It is our understanding that since entering this MOU, the Lewiston Independent School District has been active in addressing the use of the old high school space without the involvement of the URA. Congratulations on your progress.

Following several discussions at the Agency meetings and a consultation with Mr. Hansen, Lewiston School District Superintendent, the URA's understanding is that the attached MOU has not been needed or utilized and that the envisioned, potential projects have not come to fruition. It is the Agency's understanding that the School Board agrees with this consensus. Please let me know if this is not the case.

It is the Agency's intent to move forward with the termination of this MOU by Rescission and Resolution at the regular meeting on December 13, 2022, at 12:00 noon, should you wish to attend and provide any input. After that meeting, I anticipate that the Rescission attached will be forwarded to you for your agenda, approval and signature.

Please feel free to contact me if you wish to discuss, or if I can answer any questions.

Thank you,

A handwritten signature in blue ink that reads "Jo Ann Cole-Hansen".

Jo Ann Cole-Hansen
Lewiston Urban Renewal Agency Chair

BYLAWS OF
THE URBAN RENEWAL AGENCY
OF THE CITY OF LEWISTON, IDAHO

ARTICLE 1
PUBLIC CORPORATION

The Urban Renewal Agency of the City of Lewiston, Idaho (Agency), is an independent public body, corporate and politic created pursuant to Title 50 Chapter 20 Idaho Code (the Act) and Resolution 99-75 of the City of Lewiston passed on October 18, 1999. These Bylaws are subject to any limitation contained herein.

ARTICLE 2
NON LIABILITY OF COMMISSIONERS

The private property of the commissioners shall be exempt from execution or other liability from any debts of the Agency and no commissioners shall be liable or responsible for any debts or liabilities of the Agency.

ARTICLE 3
COMMISSIONERS

Section A. General Powers. The business and affairs of the Agency shall be managed by the board of commissioners which shall exercise all of the powers of the Agency.

Section B. Compensation. Commissioners shall serve without compensation but commissioners shall be entitled to out-of-pocket costs and compensation for their services for projects carried out by the agency.

Section C. Membership. The Agency membership shall consist of representation as follows:

1. An elected official from the Lewiston City Council;
2. An elected official from the Nez Perce County Commission;
3. An elected official from the Port of Lewiston;
4. An official from Valley Vision;
5. Three at large members from the community.

The at large members of the commission shall be appointed by the Lewiston City Council, the remaining members shall be nominated by their respective bodies and appointed by the Lewiston City Council.

An elected official may designate an alternate who may participate as a voting member if qualified as an elected official identified in C 1, 2 & 3 above and so identified by the elected body as an appointed alternate.

Section D. Term of Office. Members of respective governing bodies shall hold office only during their respective terms of office. The representative of Valley Vision and the at large members shall serve terms of four years and may be reappointed.

ARTICLE 4 MEETINGS OF THE COMMISSIONERS

Section A. Regular Meetings. Regular meetings of the commissioners shall be scheduled on a monthly basis at the Lewiston City Hall, 1134 'F' Street, Lewiston, Idaho, for the purpose of transacting such business as may come before the board at such meetings. All regular meetings shall be set and conducted in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter.

Section B. Special Meetings. A special meeting of the board of commissioners may be called at any time by the Chairperson or by any two commissioners by giving written notice to the Secretary specifying the time, date, place and purpose of such meeting. Any special meeting shall be set and conducted in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter. Upon receipt of such notice the Secretary shall cause written notice of such time, date, place and purpose of such meeting to be given to each commissioner of the Agency as hereafter provided in this Article 4.

Section C. Notice of Special Meetings. Notice of special meetings of the Agency shall be made in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter.

Section D. Waiver of Notice. Any commissioner may waive, in writing, any notice of a meeting required to be given by these Bylaws. The attendance of a commissioner at any meeting shall constitute waiver of notice of such meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting has not been lawfully called or convened.

Section E. Resolutions. Resolutions adopted by the Agency in connection with the exercise of any of its powers hereunder, or under the Act, shall be signed by the Chairperson or Vice-Chairperson and attested by the Secretary or Assistant Secretary, provided that the person who attests shall not be the same person as the person who signs.

Section F. Alternate. The designated Agency elected official members may, in their absence, appoint an alternate to represent them at the Agency meetings. Said alternate must meet the eligibility requirements described in Article 3, Section C of the member being represented and will participate as a voting member.

Section G. Quorum. A quorum for the transaction of business shall consist of a majority of four (4) members of the commission.

Section H. Participation in Meetings. URA Board members shall participate in Board meetings in compliance with the Idaho Open Meetings Law, as set forth in Idaho Code Title 74, Chapter 2, and as amended and recodified hereafter.

ARTICLE 5
OFFICERS

Section A. Number and Qualifications. The officers of the Agency shall be a Chairperson, a Vice-Chairperson, and a Secretary and such other officers as may be determined by the Agency from time to time to perform such duties as may be designated by the Agency.

Section B. Election and Term of Office. The Chairperson, Vice-Chairperson and Secretary shall be elected annually by the Agency at the first regular annual meeting of the Agency. Each officer shall hold office until his successor shall have been elected. Any vacancy in any office shall be filled by the Agency by election for the unexpired portion of the term.

Section C. Chairperson. The Chairperson:

1. Shall be the principal executive officer of the Agency and, unless otherwise determined by the members of the Agency, shall preside at all meetings of the Agency.
2. May execute any resolutions adopted by the Agency and any documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Agency.
3. Shall in general perform all duties incident to the office of the Chairperson and such other duties as may be prescribed by the Agency from time to time.

Section D. Vice-Chairperson. In the absence of the Chairperson or, in the event of the Chairperson's inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and when acting shall have all the powers of and be subject to all of the restrictions of the Chairperson. The Vice-Chairperson shall also perform such other duties as from time to time may be prescribed by the Agency.

Section E. Secretary. The Secretary:

1. Shall attest any resolutions adopted by the Agency and any documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Agency to be attested, except in cases in which the attestation thereof shall be expressly delegated by the Agency, or by the Bylaws of the Agency, to some other officer or agent of the Agency, or shall be required by law to be otherwise made.
2. Shall keep the minutes of the meetings of the Agency in one or more books kept for that purpose.
3. Shall see that all notices are duly given in accordance with these Bylaws and as required by law.
4. Shall be custodian of the corporate records and of the seal of the Agency, and may affix the seal of the Agency to resolutions, documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts and other instruments, the execution of which on behalf of the Agency under its seal is duly authorized in accordance with the provisions of these Bylaws.

5. Shall keep a register of the names and post office addresses of all commissioners.
6. Shall keep general charge of the books of the Agency.
7. Shall keep on file at all times a complete copy of the Ordinance of the Municipality creating the Agency and the Bylaws of the Agency, containing all amendments thereto (all of which shall be open to the inspection of the members of the Agency at any time and to the public).
8. Shall in general, perform all duties as, from time to time, may be assigned to the Secretary by the Agency.
9. In the event that the Secretary, for any reason, is no longer a commissioner or is otherwise unavailable to fulfill his or her duties to the Agency, the Vice-Chair shall assume the Secretary's responsibilities on an interim basis until the Secretary returns to his or her duties, or a new Secretary is appointed.
10. The Secretary may appoint an administrator or administrators to carry out the duties of the Secretary under his or her supervision.

ARTICLE 6 RULES OF ORDER

Section A. Agenda. The agenda of each regular and special meeting shall be established by the Chair of the Agency in consultation with Agency staff.

Section B. Conduct of the Meeting. The Chair shall be responsible for opening the meeting, confirming the agenda, entertaining discussion on each agenda item, accepting motions and seconds to authorize any action of the Agency to be taken in the meeting and adjourning the meeting.

Section C. Motions. The action to be taken by the Agency shall be confirmed by a vote on a motion to act or not act. The Chair is the arbiter of the course of the discussion and can determine that it is time to consider the motion before the Agency. Because of the statutory requirements of the Agency, roll call votes may be required, otherwise motions are to be voted on by voice vote.

ARTICLE 7 FINANCIAL TRANSACTIONS

Section A. Contracts. Except as otherwise provided in these Bylaws, the Agency may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Agency, and such authority may be general or confined to specific instances.

Section B. Checks, Drafts, etc. All checks, drafts or other orders for payment of monies, and all notes, bonds, or other evidences of indebtedness issued in the name of the Agency shall be signed by such officer or officers, agent or agents, employee or employees

of the Agency and in such manner as shall from time to time be determined by resolution of the Agency.

Section C. Deposits. All funds of the Agency may be deposited from time to time to the credit of the Agency in such banks or other financial institutions as the Agency may select.

Section D. Fiscal Year. The fiscal year of the Agency shall begin on the first day of October of each and every year and shall end on the last day of September of the following calendar year.

ARTICLE 8
MISCELLANEOUS


Section A. Rules and Regulations. The Agency shall have the power to make and adopt such rules and regulations not inconsistent with law, or these Bylaws, as it may deem desirable for the management of the business and affairs of the Agency.

Section B. Accounting System and Reports. The Agency shall cause to be established and maintained, in accordance with generally accepted principles of accounting, an appropriate accounting system.

ARTICLE 9
AMENDMENTS

These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the commissioners then in office, at any regular or special meeting, provided the notice of such meeting shall have contained a copy of the proposed alteration, amendment or repeal.

The foregoing Bylaws were adopted by motion of the board of commissioners on the 14th day of March, 2006, and amended by motion of the board of commissioners on May 17, 2022.


JoAnn Cole-Hansen, Chair

Attest: 