



**CITY OF NAMPA**  
**Regular Council Meeting**  
**February 6, 2023**  
**City Hall – 411 Third Street South**  
**Livestreaming at <https://livestream.com/cityofnampa>**  
**Regular Council – 5:30 PM**  
**Public Hearings – 6:00 PM\***

**5:15 PM**

**City Council to celebrate Career and Technical Education Month with the Nampa School District Culinary Arts Group at City Hall.**

**5:30 PM**

**Call to Order and Pledge to Flag**

**Invocation** Chris Evenson – Nampa Seventh Day Adventist Church

**Roll Call**

**Proposed Amendments to Agenda**

**Adoption of Agenda (Action Item)**

**(1) Consent Agenda (Action Items)**

*All matters listed within the Consent Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests in which case the item will be removed from the Consent Agenda and placed on the Regular Agenda.*

- 1-1. Minutes
  - a. Regular Council Meeting – January 17, 2023
  - b. Special Council Meeting – January 19, 2023
  - c. Special Council Meeting – January 27, 2023
  - d. Planning & Zoning Commission – January 10, 2023
  - e. Nampa Housing Authority Board of Commissioners – December 14, 2022
  - f. Bicycle & Pedestrian Advisory Committee – September 9, 2022
  - g. Venue Management Advisory Committee – September 15, 2022
  - h. Venue Management Advisory Committee – October 20, 2022
  - i. Venue Management Advisory Committee – December 15, 2022
  - j. Design Review Committee – November 21, 2022
  - k. Arts & Historic Preservation Commission – December 12, 2022
  - l. Nampa Housing Authority – November 9, 2022



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1-2. The City Council dispenses with the three (3) reading rule of Idaho code § 50-902 for all ordinances

1-3. Plat Approvals

a. Final

- Subdivision Final Plat Approval of Sweetwater Glen No. 5 Subdivision in a RS7 (Single-Family Residential) zoning district - a 14.84 acre parcel #R3437101000 at 0 Ustick Rd (located in the E 1/2 of the SW 1/4 of Section 34, T4N, R2W, BM) for Toll Southwest LLC, representing DRP ID 1, LLC (SPF-00221-2022). Original Concept: 43 single-family detached lots and 10 common lots.
- Subdivision Final Plat Approval of Lekeitio Village No. 4 Subdivision in a RS7 (Single-Family Residential) zoning district - a 11.31 acre parcel #R3039000000 at 17390 N CanAda Rd (located in the NE 1/4 of the SW 1/4 of Section 6, T3N, R1W, BM) for Tim Mokwa, representing Encore Lekeitio Village, LLC (SPF-00226-2022). Original Concept: 38 single-family detached lots and 7 common lots.

1-4. Authorize Public Hearings

- a. Annexation and Zoning to RD Townhouse (Residential Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Lady Bird Landing Subdivision at 3809 & 0 Greenhurst Rd (Parcels #R2909800000 & R909701200, totaling 3.333 acres in the NW ¼ of Section 1, T2N, R2W, BM), for Adam and Canada Bayne (ANN-00260-2022 & SPP-00118-2022). Revised Concept: 25 townhouse units in 9 buildings, 1 private shared road, and 6 common lots. To be considered by City Council on February 21, 2023.
- b. APPEAL of Planning & Zoning Commission Decision to Approve a Conditional Use Permit for a Multi-Family Building (6-plex) in a BC (Community Business) zoning district addressed as 1516 1st St N (a .22 acre parcel #R1690400000 located in the SE ¼ of Section 22, T3N, R2W, BM) for Simon Hernandez, Applicant/Owner - Appeal submitted by Beatriz Sandoval at 508 W Ustick Rd, Caldwell, ID (CUP-00277-2022 & APL-00017-2023). To be considered by City Council on February 21, 2023.
- c. Vacation of a .176 Acre (7,687 sq. ft.) portion of an existing water line easement as recorded September 21, 2009, under Inst.# 2009047968 at 1232 & 1250 N Galleria Rd. (parcels #R3049800000 & R3049801100) a 20' by approximately 309', and 20' by 75' easement described in detail in a legal description found at the Nampa Planning & Zoning office; located in the NE 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM); for Gardner Nampa Gateway LC (VAC-00058-2023). Original concept: Vacate a portion of easement without a waterline currently located in that easement, in preparation for future development of the area. To be considered by City Council on February 21, 2023.



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d. Variance of NCC 10-8-5.C requiring a 5' minimum side and rear property structure and parking setback to allow an existing accessory structure that extends into the public ROW - alley, to be rebuilt in its current location at 503 10th Ave S. in the RS6 (Single-Family Residential) zoning district, a .16 acre parcel #R1384900000 (located in the SW 1/4 of Sec. 22, T3N, R2W, BM) for Cody Murray (VAR-00139-2023). To be considered by City Council on February 21, 2023.

1-5. Authorize to Proceed with Bidding Process

- a. Authorize the Engineering Division to proceed with formal bidding process for the ITS Infrastructure and TMC/IMC projects.
- b. Authorize advertisement to proceed with Request for Proposals for hangar development at the Nampa Municipal Airport. (Approved by Legal)

1-6. Authorization for Execution of Contracts and Agreements

- a. Award sole source contract effective February 7, 2023 and authorize the Mayor to sign said contract for the purchase of a Bearcat armored vehicle and related equipment from Lenco in the amount of \$377,469. If objection is received prior to February 7, 2023, then this award and authorization are rescinded, and the matter is to be brought back before the City Council at a subsequent meeting for consideration. (Approved by Legal)
- b. Authorize the Police Department to apply for a Pre-Prosecution Diversion Grant through Idaho Department of Corrections, expiring on July 1, 2023, for reimbursement of expenses to supplement an existing program.
- c. Award bid and authorize Mayor to sign contract for the Pump Maintenance and Electrical Upgrades FY23 project with Layne of Idaho for \$327,842.29. (Approved in FY23 Budget)
- d. Authorize Engineering to proceed with negotiations for right-of-way acquisition required to construct the Franklin Blvd Waterline Upgrade project up to the estimated amount of \$90,000.00.
- e. Authorize Street Division to proceed with an immediate piggyback purchase of 6,000 gallons of traffic paint from the Ennis-Flint/ITD contract, BPO20221126, at an estimated cost of \$79,827.00. (Approved in FY23 Budget)
- f. Authorize Street Division to proceed with an immediate piggyback purchase of pavement marking thermo plastics from the Ennis-Flint/ITD contract, BPO20210476, at an estimated cost of \$30,000.00. (Approved in FY23 Budget)
- g. Request City Council to reject bid from Blue Sky Construction, LLC for the Manhole Replacement FY23 project.



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1-7. Resolutions

- a. Public Works requesting disposal of Waterworks property (Yearly Miscellaneous Disposal of Scrap Metal) (Approved by Legal)
- b. Public Works requesting disposal of Wastewater property (Yearly Miscellaneous Disposal of Scrap Metal) (Approved by Legal)

1-8. Re-appointments to Boards and Commissions

- a. Confirm the re-appointment of June York to the Nampa Golf Commission for a five-year term expiring on February 28, 2028.
- b. Confirm the re-appointment of Sherri Boardman to the Venue Management Advisory Commission for a five-year term expiring on February 5, 2028.
- c. Confirm the re-appointment of Curtis Homer to the Venue Management Advisory Commission for a five-year term expiring on February 5, 2028.
- d. Confirm the re-appointment of Douglas Waterman to the Arts & Historic Preservation Commission for a five-year term expiring March 31, 2028.

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**(2) Items Moved From Consent Agenda (Action Items)**

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**(3) Proclamations**

- 3-1. Career and Technical Education Month

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**(4) Public Forum**

Nampa residents wishing to speak on an agenda (5 person limit) or non-agenda item (5 person limit); 3-minute limit per speaker. ***Comments related to Zoning and Land Use matters may only be made during properly noticed Public Hearings.***

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**(5) Agency & Commission Reports**

- 5-1. None



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## **(6) Staff Communications**

- 6-1. Nampa Police Department End of Year Statistical Update
- 6-2. Public Works Staff Report

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## **(7) New Business**

- 7-1. **Action Item:** Appointment of Robert Nash as the Ridgecrest Liaison to the Nampa Golf Commission for a two-year term starting March 1, 2023 and expiring on February 28, 2025.
- 7-2. **Action Item:** Appointment of Neal Murphy to an existing vacancy as the Centennial Liaison to the Nampa Golf Commission expiring on February 28, 2024.
- 7-3. **Action Item:** Appointment of Janice Kammler to an existing vacancy on the Arts & Historic Preservation Commission expiring on March 31, 2024.
- 7-4. **Action Item:** Appointment of Anne Skoog to the Arts & Historic Preservation Commission for a five-year term expiring on March 31, 2028.
- 7-5. **Action Item:** Appointment of Sandy Smith to the Airport Commission for a five-year term expiring on December 31, 2027.
- 7-6. **Action Item:** Authorization for consolidation of allocated FY23 capital project funding for the Ford Idaho Center to replace the FIC-Amphitheater floor lawn area with a permanent concrete surface and authorize Oakview Group to procure bids. Estimated cost: \$350,000. (Approved in FY23 Budget)
- 7-7. **Action Item:** Authorize Public Works Director to (1) sign the letter of objection for the Star Sewer and Water District's Wastewater Facility Planning Study and (2) invite the City of Middleton to sign the letter of objection jointly with the City of Nampa if they so choose. (Approved by Legal)

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## **(8) Public Hearings**

- 8-1. **Action Item:** Public hearing to present recommended fiscal year 2023 increase to irrigation water hookup fees and irrigation rates, effective March 1, 2023.
  - a. **Action Item:** Authorize Mayor to sign Resolution implementing an increase of 5.70% (Exhibit A), or 7.75% (Exhibit B), or 19.98% (Exhibit C) for 2023 Irrigation Water Hookup Fees, effective March 1, 2023 (as recommended by Board of Appraisers)
  - b. **Action Item:** Authorize Mayor to sign Resolution implementing an increase of 6.00% (Exhibit A), or 19.98% (Exhibit B), or 0.00% (Exhibit C) for 2023 Irrigation Rates, effective March 1, 2023 and Direct Pass Through of Underlying Irrigation Districts' Rates (as Recommended by Board of Appraisers)



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- 8-2. **Action Item:** Annexation and Zoning to BC (Community Business) zoning district for 4.69 acres addressed as 2522 & 2508 N Middleton Rd (Parcel #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 12.48 acres addressed as 2440 & 0 Karcher Rd, 2522 & 2508 N Middleton Rd (Parcel #R2445600700, #R24456007B1, #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), and potential development agreement for the Northwest Village development for Randy Haverfield, representing TV Holdings, LLC & Zion Ventures, LLC (ANN-00253-2022 & CUP-00295-2022). Original Concept: Mixed Use Development with 1 commercial building and 264 dwelling units in 11 apartment buildings.
- 8-3. **Action Item: Expansion of the City’s Area of Impact** to the west, bound approximately by Lake Ave, Lone Star Rd, Indiana Ave, Roosevelt Ave, and Lake Lowell Ave, including portions to the southwest bound approximately by Greenhurst Rd, Midland Blvd, and Lake Lowell; **Adoption of the State Highway 16 Specific Area Plan; Adoption of the Highway 20/26 Specific Area Plan; Comprehensive Plan Map Amendment** modifying the Agricultural land use setting to “Very Low Density Residential”, modifying designations to reflect the State Highway 16 Specific Area Plan and the Highway 20/26 Specific Area Plan, and modifying designations in multiple areas throughout the impact area; and **Comprehensive Plan Text Amendment** to Chapter 5 including: a) Removal of grammatical errors, b) Cleanup of syntax to provide clarity, c) Further clarification on Nampa’s four quadrants, d) Additional information on Canyon County’s role in preserving agricultural land, d) The addition of Common and Qualified Open Space language, f) A revised definition of Density, g) Revised language on the allowance of commercial development in Medium and High-Density Residential land uses, h) The addition of a pre-annexation policy for subdivision development in the Area of City Impact on County parcels and proposed expansion of the City’s Area of Impact boundaries, i) Additional residential mixed use definition including borrowed land uses, j) The addition of a ratio of land uses in the mixed use settings, k) The Agricultural land use setting changed to Very Low Density Residential, l) ~~The addition of language to address development within ¼ mile from Agricultural and Low/Very Low Density areas,~~ m) The addition of a definition of Intelligent Communities, n) Updates to the Education, Public Administration, Health Care and Other Institutions Designation, o) addition of language to encourage the protection of City trees; Chapter 6 update including additional corridors for planning purposes; and Chapter 15 updating the specific Plan areas and the addition of mid-level planning for the City of Nampa (CTA-00013-2022 and CMA-00054-2022).



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**(9) Unfinished Business**

- 9-1. **Action Item:** 1st reading of ordinance for the Vacation of 1.29' of the eastern edge of a drainage easement between lots 5 & 6, of Block 9 on the Sunnyvale Subdivision No. 4 recorded Final Plat; the portion to be vacated resides on a property addressed as 11310 W Harlington St. (a .185 acre parcel #R3143527900 located in the NE 1/4 of Section 18, T3N, R2W, BM) for Austin Edwards representing Sunnyvale Properties, LLC (VAC-00056-2022). **(PH was 01-03-2023)**
- 9-2. **Action Item:** 1st reading of ordinance for the Vacation of an 80' x 256' (20,480 sq. ft.); 80' x 256' (20,480 sq. ft.); 10' x 60' (600 sq. ft.); 20' x 256' (5,120 sq. ft.) portions of the public utility easement at 215 & 307 E Hawaii Ave located in the NW 1/4 of Section 34, T3N, R2W, BM); for Brandon McDougald representing Pedcore Investments (VAC-00057-2022). **(PH was 01-03-2023)**
- 9-3. **Action Item:** 1<sup>st</sup> reading of ordinance for the Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement for three parcels totaling 7.84 acres, addressed as 0 E Railroad St (parcels R32395012, R32392011A & R32394010F, located in the SW ¼ of Section 36, T3N, R2W, BM), for KB Homes Idaho, LLC, Owner requested by the City of Nampa (ANN-00261-2022). **(PH was 01-03-2023)**
- 9-4. **Action Item:** 1st reading of ordinance for the Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement for 506 N Middleton Rd (a .86 acre parcel #R310490000, located in the NW ¼ of Section 20, T3N, R2W, BM, Nampa), for Ramon Torres Patlan (ANN-00234-2022). Original Concept: Connect city pressurized irrigation service. **(PH was 01-17-2023)**
- 9-5. **Action Item:** 1<sup>st</sup> reading of ordinance for the Annexation and Zoning to RD (Two-Family Duplex Residential) zoning district, development agreement, and Subdivision Preliminary Plat for Parker Estates Subdivision at 525 E Greenhurst Rd. (Parcel #R2016300000, a 2.90 acre parcel in NW ¼ of Section 3, T2N, R2W, BM), for Darin Taylor, Subdivision Maker LLC, representing Left Right Center LLC (ANN-00237-2022 & SPP-00106-2022). Original Concept: 20 townhouse units in 10 buildings, 8 single family detached homes, and 3 common lots, a gross density of 10.35. **(PH was 11-21-2022)**

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**(10) Pending Ordinances** (Postponed Due to Lack of Supporting Documentation)

- 10-1. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) **(PH was 12-07-2020)** (with City Attorney for ordinance and DA)



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- 10-2. Zoning Map Amendment from RS6 (Single Family Residential 6,000 sf) to RP (Residential Professional) zoning district; and potential development agreement, at 3 N Midland Blvd. - Parcel # R1613101000; (a .45 acre parcel located in the SE 1/4 of Section 20, T3N, R2W, BM) for Ronald J Pierce (ZMA 159-21). Original Concept: to allow the conversion of an existing home into a three- bedroom apartment upstairs and two office spaces downstairs (**PH was 02-22-2022**)
- 10-3. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement; at 0 & 16989 Madison Rd, (parcels #R3100900000 & R3104700000) totaling 21.09 acres and located in the N 1/2 of Section 10, T3N, R2W, BM) for William Juarez representing Jim Cox (ANN-00227-2021). Original Concept: A partially completed office industrial building at 16989 Madison and construction of a 4,800 sf shop with 3 overhead doors, an office, restroom, utility room and storage on the property addressed as 0 Madison Rd. (**PH was 04-18-2022**)
- 10-4. Annexation and Zoning to BC (Community Business) zoning district, potential development agreement, and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd (Parcel #'s R211430100 & R211430000, totaling 4 acres in the NW ¼ of Section 1, T2N, R2W, BM, Nampa), for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022). Original Concept: 84 unit apartments in 6 buildings. (**PH was 06-06-2022**)
- 10-5. Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district and potential development agreement at 2912 Caldwell Blvd (Parcel # R2046900000); a 35.88 acre parcel (located in the NE 1/4 of Section 7, T3N, R2W, BM) for Jeff Bower/Givens Pursley LLP representing Black Creek Ltd. Partnership & Pleasant Valley Ltd Partnership (ZMA-00167-2022). Original Concept: Development of a Class A industrial business park with two buildings totaling approximately 670,000 SF. (**PH was 08-01-2022**)
- 10-6. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sf) and RD (Two-Family Residential) zoning districts, potential development agreement, and Subdivision Preliminary Plat for Seven Maples Ranch Subdivision at 3000 Southside Boulevard, 0, 3204, and 3303 E Oklahoma Avenue (parcel #R2115700000, R2115600000, R2115800000, R2909300000, & R2115601000) totaling 43.05 acres in the SW ¼ of Section 01, T2N, R2W, BM, Canyon County), for Gem State Planning representing Charles Kunerth/Corey Barton (ANN-00252-2022 & SPP-00113-2022). Original Concept: 53 single-family attached townhouse dwelling units, 1 existing single-family detached home, 125 new single-family detached dwelling units, 8 common lots, and 20 qualified open space lots. (**PH was 10-17-2022**)
- 10-7. Development Agreement Modification (Ord. 4582 - July 27, 2021) to specify land uses permitted in the IP (Industrial Professional) zoning district at date of this application, excepting those prohibited in the existing Development Agreement, for the Fuller 84 Business Park addressed as 5350 & 5300 E Franklin Rd (parcels #R3040600000 & R3040601300) totaling 61.62 acres (located in the SE 1/4 of Section 7, T3N, R1W, BM) for Givens Pursley LLP representing RE II Industrial V LLC and RE II Industrial VII LLC (DAMO-00057-2022). (**PH was 12-19-2022**)





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- 10-8. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for four parcels totaling 35.86 acres addressed as 0 Ustick Rd (parcels #R3436101000, R3436101100, R3436101200, & R3436301000, located in the SW ¼ of Section 33, T4N, R2W, BM), for River Range Idaho LLC representing Dana Devlin and Hilda Devlin (ANN-00254-2022). Original Concept: Future industrial development. (PH was 01-17-2023)

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**(11) Executive Sessions**

- 11-1. **Action Item:** Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)(c) and (1)(f).
- Idaho Code 74-206 (1)(c) To acquire an interest in real property not owned by a public agency.
  - Idaho Code 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

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**Adjournment**

**Next Meeting**

**Regular Council at 5:30 PM – Tuesday, February 21, 2023 - City Council Chambers**

- ◆ Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the City Clerk’s Office at Nampa City Hall, (208) 468-5415. Requests should be made at least three (3) days prior to the meeting to allow time to arrange accommodations
- ◆ Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the City Clerk