



CITY OF NAMPA
Regular Council Meeting
January 17, 2023
City Hall – 411 Third Street South
Livestreaming at <https://livestream.com/cityofnampa>
Regular Council – 5:30 PM
Public Hearings – 6:00 PM*

Call to Order and Pledge to Flag

Invocation

Roll Call

Proposed Amendments to Agenda

(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 or citizen 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 3, 2023
- b. Planning & Zoning Commission – December 13, 2022
- c. Commission on Aging – December 13, 2022
- d. Airport Commission – December 12, 2022

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 Kinghorn Place No. 3 Subdivision in a RS7 (Single-Family Residential) zoning district - a 16.54 acre parcel #R3435600000 at 0 Northside Blvd (located in the SE 1/4 of Section 33, T4N, R2W, BM) for Kent Brown, representing Corey Barton (SPF-00225-2022). Original concept: 61 single-family detached lots and 4 common lots.
- Subdivision Final Plat Approval of Terrace Falls Estates No. 2 Subdivision in a RS8.5 (Single-Family Residential) zoning district - a 22.17 acre parcel #R2886601100 at 0 E Locust Ln (located in the SE 1/4 of Section 6, T2N, R1W, BM) for Jamie Parker, representing Lennar Homes of Idaho (SPF-00224-2022). Original concept: 44 single-family detached lots and 11 common lots.
- Subdivision Final Plat Approval of Harvest Creek No. 2 Subdivision in a RS6 (Single-Family Residential) zoning district - a 9.9 acre parcel #R28918010B0 at 0 E Locust Ln (located in the NW 1/4 of Section 7, T2N, R1W, BM) for Tim Mokwa, representing Hayden Homes (SPF-00222-2022). Original concept: 41 single-family detached lots and 9 common lots.



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1-4. Authorize Public Hearings

- a. 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. To be considered by City Council on February 6, 2023.
- b. **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). To be considered by City Council on February 6, 2023.
- c. Authorize advertisement of Monday, February 6, 2023, public hearing to present recommended fiscal year 2023 increase to irrigation water hookup fees, effective March 1, 2023.



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- d. Authorize advertisement of Monday, February 6, 2023, public hearing to present recommended increase to 2023 irrigation rates, effective March 1, 2023.
 - e. Authorize advertisement of Tuesday, February 21, 2023, public hearing to present recommended fiscal year 2023 new airport land lease fee.
 - f. Authorization for Public Hearing confirming the assessment roll for Local Improvement District No. 160 for the installation of Sidewalk Improvements in Zone "B". To be considered by City Council on March 6, 2023.
- 1-5. Authorize to Proceed with Bidding Process
- a. Parks and Recreation requesting authorization to go out to bid for the Brandt Park Phase 3 construction. (Approved in FY23 Budget)
 - b. Authorize Engineering to proceed with formal bid process for Traffic Materials Restock Fiscal Year 2023. (Approved in FY23 Budget)
 - c. Authorize the Oak View Group to advertise and solicit bids for the construction of the Ford Idaho Center RV Park. (Approved in FY23 Budget) (Approved by Legal)
- 1-6. Authorization for Execution of Contracts and Agreements
- a. Authorize Finance Director to sign contract with Eide Bailly for Audit Services in the amount of \$62,750. (Approved in FY23 Budget)
 - b. Authorize Mayor and Public Works Director to sign contract with Compass Minerals America for \$63,117.00 to deliver road salt for use during the rest of winter FY23 and for winter FY24. (Approved in FY23 Budget)
 - c. Award bid to Thueson Construction, Inc. and authorize Mayor to sign contract for Crushed Aggregate for Chip Seal FY23 project in the amount of \$176,000.00. (Approved in FY23 Budget)
 - d. Family Justice Center requesting approval to spend the National Children's Alliance Core Direct Services grant award- an extension to the current grant, originally awarded in April 2022. The total award is now \$89,351 (an increase of \$49,998) and extended to 12/31/23 (an extension from 12/31/22). (Approved in FY23 Budget)
 - e. Authorize Mayor to sign Memorandum of Agreement between the City of Nampa and Idaho Transportation Department (ITD) to allow Nampa to install cameras on ITD infrastructure. (Approved by Legal)
 - f. Authorize Mayor to sign the following: (1) Agreement to Waive First Right of Refusal and Terminate Lease with Rocky Teton, LLC. dated July 1, 2006; and (2) Nampa Municipal Airport Land Lease Agreement Corey Barton, effective January 18, 2023, for Lot 2314. (Approved by Legal)



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- 1-7. Monthly Cash Report
 - a. December 2022
- 1-8. Approval of Agenda

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

(3) 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.***

(4) Proclamations

- 4-1. Human Trafficking Awareness Month

(5) Agency & Commission Reports

- 5-1. None

(6) Staff Communications

- 6-1. Mayor’s Office Update – City of Nampa Website
- 6-2. Finance Staff Update – Health Trust Audit
- 6-3. Public Works Staff Report

(7) New Business

- 7-1. **Action Item:** Approve the allocation of CDBG funding in the amount of \$191,353 to the Downtown Master Design Plan as recommended. (Approved in FY23 Budget)
- 7-2. **Action Item:** Authorize Mayor on behalf of the city to participate and execute Opioid Settlement Agreements with three chain pharmacies (Walmart, CVS, and Walgreens) and two opioid manufacturers (Teva Pharmaceutical Industries and Allergan) and authorize Mayor to sign any future Opioid Settlement opportunities. (Approved by Legal)
- 7-3. **Action Item:** Authorize Police Department to publish a Declaration and Notice of Intent to execute a sole source contract for the purchase of a Bearcat armored vehicle and related equipment from Lenco in the amount of \$377,469. (Approved by Legal)



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- 7-4. **Action Item:** Authorize the Family Justice Center to apply for a one-year Edward Byrne Memorial Justice Assistance Grant (BJAG) through Idaho State Police for the Camp Hope program.
- 7-5. **Action Item:** Authorize the Family Justice Center to apply for a one-year Edward Byrne Memorial Justice Assistance Grant (BJAG) through Idaho State Police for client services and staff training funds.
- 7-6. **Action Item:** Authorize Mayor to sign First Amendment to the Contract Price Amendment for Nampa Wastewater Treatment Plant Phase II Upgrades Project Group F Progressive Design-Build Agreement with Jacobs in the amount of \$4,771,771 to construct the Recycled Pipeline. (Approved by Legal)
- 7-7. **Action Item:** Adopt the Ustick Corridor Study as presented and implement the plan as part of future corridor and intersection designs/improvements and adopt as an amendment to the Transportation Master Plan.
- 7-8. **Action Item:** Authorize Mayor to sign Task Order for attached Scope of Work (Exhibit A) with Parametrix to provide design services for the Franklin Boulevard and Karcher Road Intersection Improvements project in the amount of \$78,395.00. (Approved in FY23 Budget)
- 7-9. **Action Item:** Authorize Mayor to sign the Memorandum of Understanding with Northside Logistics Center, LLC for the Shannon Drive resurfacing on behalf of the City for a reimbursement amount equal to one-half of the actual cost, not to exceed \$350,000. (Approved by Legal)
- 7-10. **Action Item:** Authorize Mayor to sign the Memorandum of Understanding with Hayden Homes Idaho, LLC for the Can Ada Road culvert extension resurfacing on behalf of the City for a reimbursement amount based on actual costs and agreed upon split, not to exceed \$140,000. (Approved by Legal)
- 7-11. **Action Item:** 1st reading of ordinance amending Title 4; Chapter 12; Vacant Building Registration; Section 1 – Definitions. (Approved by Legal)

(8) Public Hearings

- 8-1. **Action Item:** 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).
- 8-2. **Action Item:** 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. **(Continued from January 3, 2023 meeting)**



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- 8-3. **Action Item:** 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.
- 8-4. **Action Item:** 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).

(9) Unfinished Business

- 9-1. **Action Item:** 1st reading of ordinance for the Annexation and Zoning to RS8.5 (Single-Family Residential) zoning district and potential development agreement for 2909 E Victory Rd (a 1.37 acre parcel #R2467400000, located in the NE ¼ of Section 26, T3N, R2W, BM, Nampa), for Olga Sumtsov (ANN-00257-2022). Original Concept: Connect existing residential property to pressurized irrigation service. **(PH was 12-19-2022)**
- 9-2. **Action Item:** 1st reading of ordinance for the Annexation and Zoning to RML(Limited Multiple Family) zoning district and potential development agreement for 1112 Southside Blvd (a .56 acre parcel #R2216600000, located in the NW ¼ of Section 36, T3N, R2W, BM, Nampa), for Rodolfo Benitez (ANN-00263-2022). Original Concept: Connect to city sewer. **(PH was 01-03-2023)**
- 9-3. **Action Item:** 1st reading of ordinance for the Annexation and Zoning to RS7 (Single-Family Residential) zoning district, potential development agreement, and Subdivision Preliminary Plat for La Paloma Blanca Subdivision at 87 S Happy Valley Rd, a 2.38 acre parcel #R24709012AO in the NE ¼ of Section 25, T3N, R2W, BM, for Oscar Diaz (ANN-00247-2022 & SPP-00111-2022). Original Concept: 8 single family detached dwelling units and 5 common lots. **(PH was 09-06-2022)**
- 9-4. **Action Item:** 1st reading of ordinance for the Vacation of a 97.29' x 1.4' x 97.30' x 1.4' portion of the public utility easement for water at the Big Storage site at 504 Caldwell Blvd (parcel #R31310 located in the NE 1/4 of the SW 1/4 of Section 16, T3N, R2W, BM) due to an encroachment of an office building 6 inches into the easement; for Big Storage Idaho representing Lafky Properties LLC (VAC-00055-2022). **(PH was 01-03-2023)**
- 9-5. **Action Item:** 1st reading of ordinance for the Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for 16763 Madison Rd (a 3 acre parcel #R310480000, located in the NW ¼ of Section 10, T3N, R2W, BM, Nampa), for Viktor N. Polyakov (ANN-00256-2022). Original Concept: Connect existing personal storage/shop/warehouse to sewer service. **(PH was 12-05-2022)**



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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)
- 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**)



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- 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. 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)**
- 10-8. 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)**
- 10-9. 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)**

(11) Executive Sessions

- 11-1. **Action Item:** Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)(f).
- 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.

Adjournment

Next Meeting

Regular Council at 5:30 PM – Monday, February 6, 2023 - City Council Chambers



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- ◆ 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