Call to Order and Pledge to Flag

Invocation – Les Albjerg - St. Lukes Hospital

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 City Council – 3-18-19
   b. Planning & Zoning Commission - 3-12-19
   c. Board of Appraisers - 3-6-2019

1-2. The City Council dispenses with the Three (3) Reading Rule of Idaho Code § 50-902 for all ordinances

1-3. Final Plat Approvals
   a. Subdivision Final Plat Approval for Copper River Basin No. 8 near the southwest corner of W Roosevelt Ave and S Middleton Rd. (A portion of the SE ¼ Section 30 T3N R2W BM – 48 single family dwellings on 11.39 acres, for 4.21 lots per acre), for Kent Brown representing Challenger Development, Inc. (SPF-00085-2019)
   b. Subdivision Final Plat Approval for Carriage Hollow Subdivision at “0” W Iowa Ave. (A 9.06 acre parcel located in the NW ¼ of Section 31 T3N R2W BM, located between Midway Rd and Middleton Rd, south of Lake Lowell Ave – 24 Single Family Residential lots on 9.06 acres, or 2.65 lots/gross acre) for Engineering Solutions representing Toll Southwest, LLC. (SPF-00086-2018)
   c. Short Plat Approval for Aquarius Subdivision in an RML (Limited Multiple Family) zoning district at 424 1st Ave N. (Three Single Family Attached lots on .195 acre for 15.38 lots per acre – A portion of Lot 12 Block 4 of Nampa City Acres Addition No. 2 located in the SW ¼ of Section 15 T3N R2W BM) for Aspen Engineering, representing Morgan Family Trust (SPS-00018-2019)

1-4. Authorize Public Hearings
   a. Annexation and Zoning to RS-7 (Single Family Residential – 7,000 sq ft), at 2704 E Amity Ave. (A .46 acre or 19,726 sq ft portion of the SE ¼ of Section 26 T3N R2W BM and Tax 98951 less the South 40 ft) for Arnulfo Romero for connection to City water and sewer. (ANN-00113-2019)

Page 1 of 5

*Or as Soon After 7:00 PM as Each Matter may be Heard
b. Modification of Zoning Development Agreement between Moonlake Consulting, LLC and the City of Nampa recorded 11/06/2017 as Inst. No. 2017-048306, modifying the conceptual site and building plans to accommodate senior apartment living on a single-story arrangement for a 2.978 acre portion of the NW ¼ of Section 34 T3N R2W BM), for Joe Presher representing Douglas Petersen, Sky Ridge LP (DAMO-00029-2019)

1-5. Authorize to Proceed with Bidding Process
   a. Authorization to proceed with bid process for LID 167

1-6. Authorization for Execution of Contracts and Agreements
   a. Authorize Immediate Piggyback Purchase of Pavement Marking Thermo Plastics from Flint Trading for Street Division

1-7. Monthly Cash Report
   a. None

1-8. Resolutions
   a. Disposal of Facilities Development Vehicle

1-9. Licenses for 2019
   a. Alcohol Licenses (See Attached List)

1-10. Approval of Agenda

**Special Business**

Swearing in of Kirk Carpenter as Fire Chief

**(2) Proclamations**

2-1. National Cleaning for a Reason Week

2-2. Child Abuse Prevention & Awareness Month

**Nampa Residents Wishing to Speak on an Agenda (5 persons limit) or Non-Agenda Item (5 persons limit) (3 Minute Limit)**

**Mayor & Council Comments**

Page 2 of 5

*Or as Soon After 7:00 PM as Each Matter may be Heard*
The page contains the following agenda items:

### (3) Agency/External Communications

3-1. Crosswalk and Safety Report - Snake River Elementary School

### (4) Staff Communications

4-1. Public Works - Tom Points
4-2. Main Street Staff Report - Amy Bowman & Robyn Sellers

### (5) New Business

5-1. **Action Item:** Report and Discussion/Decision of FY20 Budget (Doug Racine)
5-2. **Action Item:** Authorize the installation of a No Parking zone along both sides of West Sanetta Drive between West Tacola Street and North Midland Boulevard
5-3. **Action Item:** Authorize Mayor and Public Works Director to sign the Task Order for Professional Services between the City of Nampa and Paragon Consulting, Inc. for the Greenhurst Road, Sunnybrook Drive to Canyon Street Project (Key Number 21999)
5-4. **Action Item:** Authorize Mayor to sign letter to the City of Star concerning the expansion of their impact area

### (6) Public Hearings

6-1. Proposed Nampa City Code Text Amendments to Sections of Nampa City Code Titles 6, 7, 9 and 10 (ZTA-00009-2019)
6-2. Vacation of:
   
a. The Reserved Utility Easements in the previously Vacated 80 ft by 340 ft section of Right-Of-Way of Locust St, located on the East side of Lots 7 – 12, Block 180, West of Block 179, and south of the center line of the Vacated Right-Of-Way of East Georgia Avenue, all in Kurtz Addition Subdivision, Nampa; and

   b. The Reserved Utility Easements in the 40 ft by 340 ft section of right-of-way of Juniper St, located West of the Vacated East 40 ft right-of-way of Juniper St, and south of the centerline of the Vacated right-of-way of E Georgia Ave, on the East side of Block 179 of Kurtz Addition Subdivision, Nampa. All in Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County, for Douglas E Peterson, representing Sky Ridge Limited Partnership

6-3. Intention to create Utility LID 163

*Or as Soon After 7:00 PM as Each Matter may be Heard
(7) Unfinished Business

7-1. **Action Item:** 1st Reading of Ordinance for creation of Sidewalk LID 167

7-2. **Action Item:** 1st reading of ordinance for Annexation and Zoning to IL (Light Industrial) at 0 Cherry Lane (Parcel R30839011A0) for construction of a Warehousing facility (Tax 03066 – 24.39-acre portion of the south half of the SE ¼ of Section 4 T3N R2W BM), for Richard Evans (ANN-00109-2018). *(PH was 2-19-2019)*

7-3. Discussion on Panhandling

(8) Pending Ordinances (Postponed Due to Lack of Supporting Documentation)

8-1. 1st reading of ordinance for Annexation and Zoning to Light Industrial at 58 and 0 N. Kings Rd. for construction of Storage Units (A combined 3.87 acre or 168,577 sq. ft. portion of the South Half of the NW ¼ of the SW ¼ of Section 24, T3N, R2W, BM) for Cody Lane-Trek Investment Group *(PH was 9-17-2018)*

8-2. 1st reading of ordinance for Annexation and Zoning to RD (Two-Family Residential) for Mattingly Creek Subdivision at 2008 W. Orchard Ave. (A 3.5-acre portion of the SE ¼ of the SW ¼ of Section 17, T3N, R2W, BM – 11 Two Unit Single Family Residential Attached lots on 3.5 acres for a total of 22 dwelling units on 3.5 acres or 6.29 dwelling units/gross acre) for Pontifex Capital, LLC represented by Bob Taunton, Taunton Group LLC (ANN 105-18) *(PH was 1-22-2019)*

8-3. 1st reading of ordinance for modification of an Annexation and Zoning Development Agreement (Ord. 3554 – Instr. # 200629961) between BB One LLC and the City of Nampa by amending Exhibit B - Commitments and Conditions, and introducing an Exhibit C - Preliminary Plat for Laguna Farm Apartments pertaining to Parcel #R3041700000 (1652 Idaho Center Blvd.) a 24.53-acre property in a GB2 (Gateway Business 2) zoning district in Government Lot 1 and the NE ¼ of the NW ¼ of Section 7, T3N, R1W, BM - for Kent Brown representing FIG Laguna Farms LLC (DAMO 027-18) *(PH was 2-4-2019)*

8-4. 1st reading of ordinance for Annexation and Zoning to RS 6 (Single-Family Residential – 6,000 sq. ft. for 92.72 acres) and to BC (Community Business) for 2.44 acres for Summit Ridge Subdivision at the SW corner of W. Greenhurst Rd. and S. Midland Blvd. (A 95.16-acre parcel of land situated in Government Lots 1 & 2 in the N ½ of the NE ¼ of Section 5, T2N, R2W, BM) for M3 Companies, Mark Tate (ANN 108-18) *(PH was 3-18-2019)*

8-5. 1st reading of ordinance for Zoning Map Amendment from BC (Community Business) to HC (Healthcare) for property located at 9870 W. St. Luke’s Dr., 9850 W. St. Luke’s Dr., 9860 W. St. Luke’s Dr., 0 Cherry Lane, and 0 Cherry Lane. (Five parcels totaling 33.08 acres located in a portion of the NW ¼ of the NW ¼ of Section 9, T3N, R2W, BM) for The Land Group representing St. Luke’s Regional Medical Center LTD (ZMA 103-18) *(PH was 3-18-2019)*

8-6. Annexation and Zoning to HC (Healthcare) for property located at 0 Cherry Lane and 0 Ten Lane (Two parcels totaling 21.511 acres located in a portion of the NE ¼ of the NW ¼ of
Section 9, T3N, R2W, BM) for The Land Group representing St. Luke’s Regional Medical Center LTD (ANN 110-18) (PH was 3-18-2019)

8-7. Annexation and Zoning to RS7 (Single-Family Residential – 7,000 sq. ft.) at 0 Northside Blvd. for Kinghorn Place Subdivision on the south side of Spruce St. west of Northside Blvd. (A portion of the SE ¼ of Section 33, T4N, R2W, BM) for Trilogy Idaho-Corey Barton (ANN 111-18) (PH was 3-18-2019)

(9) Executive Sessions

9-1. Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (c) To acquire an interest in real property which is not owned by a public agency;

9-2. Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (j) To consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code

Adjourn

Next Meeting

Regular Council at 6:00 PM – Monday, April 15, 2019 - 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) 468-5426. Requests should be made at least five (5) 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

*Or as Soon After 7:00 PM as Each Matter may be Heard
Mayor Kling called the meeting to order at 6:00 p.m.

Clerk made note that Councilmembers Rodriguez, Bruner, Hogaboam, Levi, Haverfield, Skaug were present.

❖ (1) Consent Agenda (Action Items) ❖

MOVED by Haverfield and SECONDED by Bruner to approve the Consent Agenda as presented; Regular Council Minutes of March 4, 2019 and Special Council Minutes of March 6, 2019; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; Airport Commission Minutes; Planning & Zoning Commission Minutes; Library Commission Minutes; bills paid; The City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; final and preliminary plat approvals: 1) Final Plat Approval for Carriage Hill West Subdivision No. 2 on the east side of Midway Rd between W Iowa Ave and Lake Lowell Ave. (A portion of the NW ¼ of Section 31 T3N R2W BM – 44 Single Family Residential lots on 11.25 acres, or 3.91 lots/gross acre) for Engineering Solutions, LLP, representing Toll Southwest, LLC; 2) Final Plat Approval for Lava Peak Subdivision at the SW corner of the intersection of E Locust Lane and Southside Blvd in the NE ¼ of Section 11 T2N R2W BM – 29 Single Family Residential lots on 6.85 acres, or 4.23 lots/gross acre) for Matt Schultz representing Quatro Properties Nampa, Inc.; 3) Final Plat Approval for Canyon Creek Subdivision No. 5 on the west side of Can-Ada Rd between Cherry Lane and Ustick Rd at 17447 N Can Ada Rd. (A parcel of land located in the SE ¼ of Section 1 T3N R2W BM – 47 buildable lots on 15.53 acres for 3.23 lots per gross acre) for Bailey Engineering representing Toll Southwest, LLC; 4) Request for a Second 1-Year Extension of Preliminary Plat Approval for Silver Star Subdivision in an RS-8.5, RS-12 and RS-18 (Single Family Residential – 8,500 sq. ft, 12,000 sq. ft and 18,000 sq. ft) zoned area west of Star Rd and south of Ustick Rd (234 Single Family Residential Lots on 85.07 acres, 2.75 dwelling units per acre – a portion of the NW ¼ of Section 5 T3N R1W BM), for Engineering Solutions, LLP representing Star Development, Inc. (SPP-00014-2017 formerly SUB660-15). Request to extend 10/10/2017 approval which expired 02/15/2019 to 02/15/2020; 5) Request for a First 1-Year Extension of Subdivision Final Plat Approval for Modena Subdivision at 17590 N Franklin Blvd. (A portion of the N ¼ Section 2 T3N R2W BM, located on the east side of N Franklin Blvd, one half mile south of Ustick Rd – 32 Single Family Residential lots on 11.74 acres or 2.73 lots/gross acre) for 1099 LLC (SPF-00046-2018). Request to extend 03/13/2018 approval which expires 03/13/2019 to 03/13/2020; Authorize Public Hearings: 1) Annexation and Zoning to BC (Community Business) at 0 Star Road (Parcel R3036301200) on the south side of Ustick Road east of Star Road for access to City utilities for a mixed-use development (A 4.72-acre parcel situated in the NW ¼ Section 5 T3N R1W BM, Tax 99106 in Lot 4) for Matt Garner representing JABR LLC – Justin Reynolds and Alan Bean; Authorize to Proceed with Bidding Process: 1) Authorize the Engineering Division to proceed with the formal bidding process for the Zone E Sewer Rehab FY19 project (as approved in FY19 Budget); 2) Authorization for execution of Contracts and Agreements: 1) Approve Renewal of Request for Qualifications (RFQ) Fiscal Years 2018-2019 Miscellaneous Professional Services Term Agreements from October 1, 2019, through September 30, 2020 (Fiscal Year 2020), and Authorize Public Works Director to Sign Renewal Agreements with First Choice Roster City Consultants; 3) Authorize Mayor to Sign First Amendment to Nampa Airport Land Lease
Agreement, Assigning the Interest of Joseph D. Ballenger to The Ballenger Family Revocable Living Trust, for Lot 2346 at the Nampa Municipal Airport; Finding of Fact: 1) Appeal of the Denial of CUP for James R. Wylie; Monthly Cash Report: 1) February 2019; Resolutions: 1) None; Correct Irrigation Assessments Pursuant to Idaho Code 50-1807; License for 2018: 1) Kickback Bar Inc., 3116 Garrity Boulevard #145, on-premise beer, wine and liquor; Italian to Go, 1220 12th Avenue South, on-premise beer and wine; Miscellaneous Items: 1) None. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. Mayor Kling declared the

MOTION CARRIED

(2) Proclamation

Item #2-1. – Sanctity of Human Life Month

Whereas, the Preamble to the Constitution of the United States was designed for the people to ‘secure the blessing of liberty to us and our posterity’; and the Idaho Constitution declares an inalienable right to enjoy and defend life and liberty; and

Whereas, it is a guiding principle of Idahoans that every human life is cherished and respected and it is affirmed that each life has meaning, it is vital to the future of this community that these values are demonstrated in our actions and our words; and

Whereas, the strength of the City of Nampa is the demonstration of care for one another, to show kindness and consideration for our neighbors and all citizens equally; and

Whereas, part of this strength and character of the Citizens of Nampa is to defend society’s weakest and most vulnerable including the ill, the elderly, and the unborn;

Now Therefore, This Council of the City of Nampa, Idaho, do hereby declare the month of April, 2019, as

“Sanctity of Human Life Month”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 18th day of March in the year of our Lord two thousand nineteen.

Councilmember Hogaboam introduced Robin Water who talked about the mission life line. She said that she is “glad to be a part of a community and a city that honors life; it is where I want to be. Thank you. We are on 12th Avenue and have been there for over 33 years communicating this message of life. It is no less of an issue today than it was back then; in fact, I almost think that it is more.
Item #2-2. – Census 2020 Awareness Day

Whereas, more than $675 billion per year in federal funding is allocated to states and communities based on census data; and

Whereas, an up-to-date and accurate census count is vital in ensuring our state and cities receive annual funds that help improve transportation, schools, hospitals, public works and other vital programs; and

Whereas, census data helps shape where to locate schools, offices and stores; and

Whereas, census data helps local governments provide greater public safety and emergency preparedness; and

Whereas, census data ensures fair Congressional representation in the U.S. House of Representatives and in redistricting state legislatures, county and city councils, and school and voting districts; and

Whereas, the census is meant to represent everyone;

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim April 1, 2019, to be

“Census 2020 Awareness Day”

N WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the city of Nampa to be affixed this 18th day of March in the year of our Lord two thousand nineteen.

❖ Mayor Kling asked if there was any Nampa Residents wishing to speak on any agenda item (5 persons limit): ❖
  • Kenton Lee, 13317 Peaceful Way – talked on Panhandling
  • Honey and Jeff Goodman, 5420 Craig Lane – were in favor of the information that Kenton Lee presented

❖ Mayor Kling asked if there was any Nampa Residents wishing to speak on any item that was not on the agenda (5 persons limit): ❖
  • None
Mayor Kling’s and Council Comments

- Councilmember Bruner – talked about jail funding and challenged the City of Nampa to not support the bond; also encourage every voting age Nampa Citizen to do research and vote on Tuesday May 21st.
- Councilmember Rodriguez – agree with the NO vote for the jail; our priorities are here in Nampa. “I met with the Parks Department (20) employees and the Street Department (25) employees. Two-thirds of the employees that I talked to have part time jobs to make ends meet. Thanked the employees for what they do, and they never ask anything in return.”
- Councilmember Hogaboam – a co-worker has a daughter who got in a bad car accident yesterday and the police and firefighters who were on scene were simply amazing.
- Councilmember Levi said that she is excited to see everyone in attendance.
- Mayor Kling said she wanted to echo the appreciation to our public safety people and to our police and firefighters. “We have several firefighters here; you guys are amazing and we appreciated the work that you do and I just want to say thank you.” The State of the City is Wednesday – please plan to attend. It is a community gathering and we are at Columbia High School; the culinary program is the one that prepares the food for the reception.

(3) Agency/External Communications

Item #3-1. - Republic Services, Request to reroute Nampa residential accounts - Rachele Kline

Over the past several years the City of Nampa has grown significantly. As a result, trash and recycling routes have grown asymmetrically and we are now in a position where we need to balance existing routes and add new routes to accommodate the growth.

Please accept this letter as our request to reroute 21,774 residential trash and recycling accounts in Nampa, effective April 1, 2019. This reroute will affect most of the households in Nampa, so outreach will be robust. An ad in the Sunday Press Tribune will run for three Sundays before the reroute. We will send a copy of the ad as soon as it is complete. Two weeks before the reroute, each customer will receive a “Notice of Service Day Change” postcard. One week before the reroute, all rerouted customers will receive a door hangar notice stating, “Your Trash and Recycling Day will be Changing Next Week”. This door hangar will include the new recycling service week decal (if the orange or blue recycling week is changing) and a residential trash and recycling services brochure. The weekend before the day changes to go live we will employ the use of an auto-dialing phone program call “Call ‘em All” which will send a text message or call customers with phone numbers on file to remind them of their pending service day change. Customers can also visit our website(local.republicservices.com/site/Idaho) starting the last week of March to type in their address to find their new trash day and recycling week information.
To ensure a high level of service during this transition, our operations team will sweep the old routes the week of April 1, 2019, to tag any carts set out for service with a new service day reminder. All trash and recycling out for collection on the old service day will be collected during the transition week. Attached is a copy of the Nampa Day Change File which includes all effected households.

We appreciate your support during this operational upgrade. Rerouting Nampa residential customers to balance and add routes will increase route efficiency. More efficient routes mean trucks will operate at or below the legal weight limit and drivers will work under the maximum allowable number of DOT hours as mandated by federal guidelines.

**Item #3-2. – Traveling Table Food Pantry Presentation – Claudia Dina**

**The Traveling Table**

Our problem defined:

- North Nampa is a food desert
  - "In which at least 33% of the population lives more than a half-mile away from the nearest supermarket"
- There are very few opportunities for families to access fresh food, especially if the family doesn't have transportation
  - "About 21% report not being able to get where they want to go, and half said they do not feel safe walking in their neighborhood at night."
Regular Council  
March 18, 2019

Our Vision

The vision at the Traveling Table is to provide both fresh food and opportunities for service to the North Nampa area.

Instead of treating these monthly Distributions as hand-outs, we view them as a community effort, by and for the community.
March

On Wednesday, March 20, we will not only continue to distribute at Lakeview Nazarene church but will be expanding our area of impact to include the Nampa Housing Authority on 19th Avenue.

Goals

Our goals for the truck are

- To increase the amount of staff working on the truck
- To increase the number of households served per run
- To survey the residents of North Nampa for their input as to better the Mobile food bank
- To receive donations from the community to serve the community

Mayor and Councilmembers made comments.
Regular Council
March 18, 2019

❖ (5) New Business ❖

Item #5-1. - Mayor Kling presented the request for the appointment of Kirk Carpenter as Nampa Fire Chief.

Mayor Kling explained that recently Fire Chief, Phil Roberts, gave his intent to step aside from his position. Mayor Kling read the following: Regarding his resignation Roberts said, “I believe at this time, it is best for me to be close to my family. With aging parents who need care and grandbabies that I want to hold close and love. I tender my resignation as Fire Chief of the Nampa City Fire Department.”

Mayor Kling said, “Chief Roberts’ visionary leadership has been a tremendous asset to the City of Nampa. We have appreciated his years of service to our community and wish him well.”

Roberts began working with the City of Nampa as fire marshal in 2015 and has served as fire chief since December 2016.

Since he has been here these are some of his accomplishments: getting fire engines that we desperately needed; exploring leasing programs which has allowed us to financially afford to have the engines that we needed; we have implemented the squad which is an incredible savings to our community as far a keeping the hours off from the trucks and the mobility. The other thing that has happened is the honor that has been put in place of those that are retiring. There is a special service for each retirement that was not in place in before. Chief Roberts last day is April 1, 2019 and that is our next Council meeting at that time we will be doing the changing of the guard officially.

Mayor Kling said that she had been asked why she did not open the position and she said that she was going to own that decision. It is my recommendation to appoint Kirk Carpenter as our next fire chief. He is well respected amongst his peers, since I have been in office Chief Roberts and I have talked about the succession plan. He has served as our Deputy and is well acquainted with the operations and he is a tenure long term employee of the City.

Councilmembers made comments.

MOVED by Skaug and SECONDED by Bruner to approve the appointment of Kirk Carpenter as the new Nampa Fire Chief. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Newly appointed fire chief, Kirk Carpenter, said that “it is an honor and a privilege to be standing here, for those of you that know me this is what I have been working for. Thank you for those
here in support – and thank you to Chief Roberts for what an opportunity that I have had. I have been very blessed in the positions that I have been able to hold and the last one was amazing. Chief Roberts gave me full access and gave me the opportunity to grow, to learn; he mentored me, he gave me the opportunity to make mistakes and the opportunity to fix them. I can tell you that this does not come lightly, and I understand the gravity of this position in the city. I want to make the guys in the back proud and I want to make each of you proud. Know that I will roll up my sleeves when work is needed to be done.”

Mayor Kling said that Chief Roberts did make this recommendation.

Chief Roberts said, “each one of you recognize that Kirk is the best man for the job. The rearview mirror is small, the windshield is big, and I have had the opportunity to talk to Kirk and I said, ‘this is yours’. I am a believer that one’s steps are ordered, and this is the time that it is ordered. So, there is no better person that I would recommend or support and he knows that I am his friend. It is hard to walk away from the truly best department that I have worked for. Thank you for your support and thank you for your kindness.”

Item #5-2. - Mayor Kling presented the request to authorize the Public Works Director to sign and submit the recycled water reuse permit application to the Idaho Department of Environment Quality for the City of Nampa.

Public Works Director thanked Nate Runyan and Pioneer Irrigation for their hard work and cooperation.

Deputy Public Works Director Nate Runyan presented a staff report explaining that the City staff and the Wastewater Program Management Team (WPMT) have been actively working on next steps for the recycled water program. This process requires the City to obtain a Recycled Water Reuse Permit issued by the Idaho Department of Environmental Quality (IDEQ). This permit will govern the quality of the water discharged to the Phyllis Canal and activities necessary to comply with Idaho’s recycled water rules.

Staff and Pioneer Irrigation District (PID) met with the IDEQ on December 18, 2018, to review the draft permit application. This meeting allowed City staff to better understand the IDEQ’s requirements for application content and to discuss the benefits of the recycled water program. The application is now complete and ready for submittal to IDEQ. (see Exhibit A)

City leadership has previously directed City staff to develop a recycled water program that maximizes the value of Nampa’s treated water and to search for opportunities to maximize the amount of water reused through industrial and irrigation reuse. City staff has received broad support from City leadership, including Mayor Kling and City Council, for the recycled water program due to its ability to achieve these directives.
City staff, the WPMT, and the PID have identified several benefits that are anticipated to result from the recycled water program implementation (see Exhibit B, which will be presented by Nate Runyan, P.E., Deputy Public Works Director, the day of this report). These key benefits include:

- By eliminating the Nampa WWTP discharge to Indian Creek during the summer months, the City’s phosphorus load to Indian Creek and the Lower Boise River is reduced. This benefits the broader watershed goals established by the *Lower Boise River Total Phosphorus Total Maximum Daily Load*
- The City’s recycled water program also eliminates the Nampa Wastewater Treatment Plant’s (WWTP) thermal load from Indian Creek, which IDEQ has identified as impaired for temperature during the summer months
- Between the thermal loading and phosphorus reductions, there is approximately $17 million in savings from the original facility plan
- Recycled water can augment irrigation water supplies. PID provides 34,000 acres in western Ada and Canyon Counties with irrigation water, 17,000 of which will be positively impacted by the additional water made available through reuse
- Consistent recycled water production from the WWTP will increase the resiliency of the irrigation water supply and provide more flexibility in managing surface water diversions and maintaining groundwater water levels in the aquifer
- Water supply resiliency also provides stability for current irrigation water users and new development as the City and irrigation system managers navigate the impacts of shifting land usage and increasing variability in the climate of the Treasure Valley
- Immediately downstream from the proposed recycled water discharge location, the Phyllis Canal delivers irrigation water to about 2,500 acres of land within the City of Nampa alone. The City’s recycled water program makes use of a vital resource that directly benefits Nampa residents
- The phosphorus and nitrogen in the Class A recycled water would be beneficial to those irrigating crops or watering their lawns by providing some of the same nutrients that are included in commercial fertilizers and compost

Milestones involved with obtaining a reuse permit:

- **March 2019** - Submit Nampa Recycled Water Reuse Permit Application to IDEQ
- **April 2019 thru July 2019** - Public education by the City
- **July 2019** - IDEQ final decision to draft a permit
- **August 2019** - Public comment period
- **September 2019** - Issuance of permit

Staff and the WPMT recommend submittal of the Nampa Recycled Water Reuse Permit Application, seeking discharge of Class A Recycled Water to the Phyllis Canal during the irrigation season.
Mayor and Councilmembers asked question and made comments.

MOVED by Hogaboam and SECONDED by Haverfield to authorize the Public Work Director to sign and submit the Recycled Water Reuse Permit Application to the Idaho Department of Environmental Quality for the City. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED.

(6) Public Hearings

Item #6-1. - Mayor Kling opened a public hearing for annexation and zoning to RS 6 (Single-Family Residential – 6,000 sq. ft. for 92.72 acres) and to BC (Community Business) for 2.44 acres for Summit Ridge Subdivision at the SW corner of W. Greenhurst Rd. and S. Midland Blvd. (A 95.16-acre parcel of land situated in Government Lots 1 & 2 in the N ½ of the NE ¼ of Section 5, T2N, R2W, BM) for M3 Companies, Mark Tate (ANN-00108-18).

Mark Tate, M3 Companies, 1087 West River Street, Boise presented the request.

Councilmembers asked questions of the applicant.

Senior Planner Doug Critchfield presented the following staff report explaining that the request is for an annexation and zoning of 92.72 acres of land to RS-6 and 2.44 acres of land to BC pertaining to A 95.16-acre portion of land addressed on the south side of W Greenhurst Road between S. Midland Boulevard and S. Middleton Road in N ½ of the NE ¼ of Section 5, T2N, R2W, BM, Canyon County, Nampa (hereinafter the “Property”); for Summit Ridge Subdivision (245 single-family residential lots, 1 commercial lot and 14 common lots) for Mark Tate of M3 Companies LLC.

History: The Nampa Planning and Zoning Commission, during their regularly scheduled public meeting of February 12, 2019, voted to recommend to City Council that they approve the above referenced annexation and zoning assignment request. The Commission subsequently voted to approve the associated preliminary plat request captioned above. The Commission made their approval of the plat contingent on Developer/Development compliance with the following Conditions of Approval:

1. Generally: The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of this matter including, specifically the following:

   a. A COMPASS Communities in Motion Development Review (1 page – copy hereto attached).
   b. A December 31, 2018 memorandum from the Nampa Building Department authored by Neil Jones (2 pages – copy hereto attached); and,
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c. A January 04, 2019 email printout from Nampa Parks and Recreation Department, authored by Cody Swander (1 page – copy hereto attached); and,
d. A January 30, 2019 letter from Century Link, authored by Greg Hunt (1 page – copy hereto attached); and,
e. A January 30, 2019 memorandum from Nampa Engineering Division, GIS Section, authored by Alex Main (1 page – copy hereto attached); and,
f. A January 31, 2019 email printout from Nampa Forestry Department, authored by Carolyn Murray (1 page – copy hereto attached); and,
g. A January 31, 2019 letter from Boise Project Board of Control, authored by Thomas Ritthaler (3 pages – copy hereto attached); and,
h. A February 1, 2019 memorandum from Nampa Engineering Division, GIS Section, authored by Alex Main (1 page – copy hereto attached); and,
i. A February 12, 2019 memorandum from Nampa Engineering Division, authored by Daniel Badger (1 Page – copy hereto attached)

2. The water system for the Development shall be completely installed and able to deliver water prior to any Building Permits being issued within the development. The water shall be enough in volume and pressure to provide adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable; and,

3. Prior to filing for a final plat approval for any portion of the Project, the Developer’s engineer shall correct any spelling, grammar, punctuation and/or and numbering errors that may be evident on the plat face and/or in the proposed plat development notes and include said corrections in a revised preliminary plat plan set that shall be remitted to the City; and,

4. Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council…

Annexation/(Re)Zoning Conclusions of Law

10-2-3 (C) Annexations and/or Rezones/Zoning assignments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and agree with the adopted Comprehensive Plan for the neighborhood.

Annexation/(Re)Zoning Findings of Fact

(PERTAINING TO THE PROPOSED ANNEATION OF THE PROPERTY):

Zoning: Regarding Applicant’s Zoning Map Amendment Request (to RS6 and BC) Staff finds:
1. **Current Jurisdiction/Status:** That the Property is currently within Nampa City’s Impact Area, is adjacent to lands within the incorporated limits of the City of Nampa and the Nampa Area of City Impact, and, is either owned or optioned by the Applicant or that the Applicant has the Property owner’s permission to apply for the entitlement and plat applications made the subject of this report; and,

2. **Current and Surrounding Zoning:** That the Property is presently under County jurisdiction; that City RS7 zoned land, already developed, lies to the north of, and abutting, the proposed Project; that land in the City, zoned RS6 abuts the eastern end/side of the Property, County land(s) abuts the Property on its western and southern side -- see the attached Vicinity Map; and,

3. **Immediately Surrounding Land Uses:** That rural residential, open land and suburban single-family residential land uses surround or lie near the Property; and,

4. **Proposed Zoning:** That the proposed RS6 district, “…is intended for low density, urban single-family residential and compatible uses. A stable and healthful environment, together with the full range of urban services, makes this an important land use district within the community”; and,

   That the proposed BC district “…is intended to create, preserve and enhance areas with a wide range of retail sales and service establishments serving both long- and short-term needs in compact locations typically appropriate to commercial clusters near intersections of major thoroughfares”; and,

5. **Reasonable:** That it may be variously argued that consideration for annexing the Property is reasonable given that: a) the City has received an application to annex the Property by amending its official zoning map by the Property owner or an Applicant having a valid, legal interest in the same; and, b) annexation and zoning assignment is a legally recognized legislative act long sanctioned under American administrative law; and, c) that the Applicant intends to develop all or a portion of the Property; and, d) City utility services are, or may be made, available to the Property; and, e) emergency services are available to the Property; and, f) that the Property abuts City land zoned for residential (RS) subdivision development; and, g) land uses in the nearby area, and, more particularly site development both suggest that RS6 zoning would be an acceptable fit for the area (other properties) given that RS6 zoning was already approved for the properties to the east and RS7 for the north of the Property; and, h) BC zoning on the corner of W Greenhurst Rd. and S Midland Blvd. provides opportunities for commercial business to service the immediate area given the long distance between this and adjacent properties to other business entities.
6. **Public Interest:** That Nampa has determined that it is in the public interest to provide residential-housing opportunities for its citizens and the current real estate market is pressing a need for additional housing inventory/product; and,

7. **Promotion of Zoning Purpose(s):** That among the general (and Nampa endorsed) purposes of zoning is to promote orderly, systematic development and patterns thereof which preserve and/or enhance public health, safety and welfare. Included in our zoning regulations, therefore, are standards governing residential development which appertain to allowable land uses, building setbacks, building aesthetics, provision of parking and service drives, property landscaping, etc. Staff notes that any site development will be regulated by, and through, the building permit review process and in accordance with the BC and RS6 Zone’s already adopted regulations (e.g., standards that govern land use, building setbacks, landscaping, subdivision design, etc.); and,

8. **Comprehensive Plan:** That the Property is positioned in a “Low Density Residential” (LDR) “setting” per the Future Land Use Map associated with the City’s adopted Comprehensive Plan. Said setting sanctions buildout of residential subdivisions with net density yields of less than 3.99 dwelling units/acre. The Development proposes a density of 2.57 dwelling units per acre; and,

9. **Services:** That utility and emergency services are, or can be made, available to the Property…

**Note(s):** The preceding general statements are offered as possible [preliminary] findings and are not intended to be all inclusive or inarguable. They are/were simply provided to the Commission in case the requested entitlement is considered for positive referral to the Council. In the event the of an opposite course, then negative findings may be adopted by the City Council.

In summary, the Property may be annexed and zoned RS6 (on/over 92.72 acres) and BC (on/over 2.44 acres), but nothing forced the Commission to so recommend to the Council. Given the findings noted above, however, RS6 and BC zoning is certainly an “entertainable” zone and recommended for imposition on/over the Property...

**Further, note that:** Agency/City department comments have been received regarding both the entitlement requests and platting approval request associated with this matter [and report].

**Council FYI Only Findings of Fact & Notes regarding Plat**

Plat review was done to analyze the Project’s compliance to code in the context of this Project having already been, theoretically, annexed and zoned.
Overall Site Area - 95.16 acres; Total, Proposed RS6 Lot Count – 245; Total Common Lot Count – 14; Total Commercial Lot Count – 1; Total Building Lot Count – 246; Regarding “RS6 Building Lots”: Min. Allowed RS6 Bldg. Lot Size - 6,000 sq. ft., Min. Proposed RS6 Bldg. Lot Size - 6,000 sq. ft., Min. Allowed Avg. RS6 Bldg. Lot Size - 8,000 sq. ft., Min. Proposed Avg. RS6 Bldg. Lot Size - 9,781 sq. ft.; Periphery Compatibility Applicability Lots that abut the RS7 zone lots to the north are equal or greater in size. Lots that abut the rural residential and open space parcels to the southwest are ½ acre or larger in size. Min. Req. St. Frontage RS6 Zone - 22’ on public or approved private street or an approved common drive; Min. Allowed RS6 (or “Master”) Bldg. Lot Widths - 50’ @ the 20’ front setback mark; Min. Allowed RS6 Bldg. Mean Lot Depths - 60’ Plat Development Data/Notes: Per plat sheets.

Abbreviated Findings of Fact & Notes Regarding Plat

Regarding the plat, Zoning Staff finds:

1. **Minimum Lot Areas**: That because the proposed Development is slated for development in conjunction with RS6 zoning, this requirement applies…all building lots meet or exceed 6,000 sq. ft. in area (the smallest building lot is 6,000 sq. ft. in area); therefore, the Plat is deemed compliant in this regard; and,

2. **Average Lot Size**: That because the proposed Development is slated for development in conjunction with RS6 zoning, this requirement applies…all building lots meet or exceed an average of 8,000 sq. ft. in area (the average building lot is 9,781 sq. ft. in area); therefore, the Plat is deemed compliant in this regard; and,

3. **Lot Compatibility**: That because the proposed Development is slated for development in conjunction with RS6 zoning, this requirement applies…; Lots that abut the RS7 zone lots to the north are equal or greater in size. Lots that abut RS6 zone lots to the east are equal to greater in size. Lots that abut the rural residential and open space parcels to the southwest are ½ acre or larger in size, therefore, the Plat is deemed compliant in this regard; and,

4. **Lot Width**: All standard detached housing building lots demonstrate required lot width; therefore, the Project is deemed compliant in this regard; and,

5. **Lot Depth**: All standard detached housing building lots demonstrate required lot depth; therefore, the Project is deemed compliant in this regard; and,

6. **Right-Of-Way Dedication(s)/Improvements**: As needful along W Greenhurst Rd and S Midland Blvd per City…see City Engineering comments; and,
7. **Landscaping:** A landscape plan was submitted with the application paperwork. It appears acceptable caveated on substitution of different tree type than October Glory Maple based on the City Forester’s comments hereto attached; and,

8. **Path/Trailways:** Required 10’ sidewalks on Greenhurst Rd and Midland Blvd per City…see City Parks and Recreation comments hereto attached; and,

9. **Misc./Correspondence:** Any correspondence from agencies or the citizenry regarding the plat received by noon, November 21, 2018 is hereafter attached to this report. (Agency comments are usually geared towards recommending conditions for the Project should it be approved.)

**Recommended Conditions of Approval**

**As Pertaining to the Annexation/Zoning Entitlement Request:**

N/A at the time of this report’s publication…a Development Agreement may be required, especially if Council wishes to regulate (generally) site design, dwelling unit density, building aesthetics or location placement above and beyond what the RS6 and BC Zone prescribes [and in reaction to future, possible, building construction on the Property]; however, Staff finds no reason, in this instance, to recommend that course of action.

Councilmembers asked questions.

Public Works Director Tom Points and City Engineer Daniel Badger answered questions of Council.

No one appeared in favor of the request.

Those appearing in opposition were: Sabrina Orihuele, 941 West Greenhurst; Steven Kren, 1811 West Greenhurst; Anita Downing, 2501 South Skyview Drive; John Pascoe, 2626 South Midland Boulevard.

Mark Tate answered questions that were asked.

Mayor and Councilmembers asked questions and made comments of the applicant and of staff.

Building and Safety Director Patrick Sullivan and Daniel Badger answered questions on impact fees.

Mayor Kling said that it is a policy issue that we could not apply to one developer aside from another one. It is a concern that I had.
MOVED by Hogaboam and SECONDED by Rodriguez to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the

MOTION CARRIED

MOVED by Skaug and SECONDED by Haverfield to approve the for annexation and zoning to RS 6 (Single-Family Residential – 6,000 sq. ft. for 92.72 acres) and to BC (Community Business) for 2.44 acres for Summit Ridge Subdivision at the SW corner of W. Greenhurst Rd. and S. Midland Blvd. (A 95.16-acre parcel of land situated in Government Lots 1 & 2 in the N 1/2 of the NE ¼ of Section 5, T2N, R2W, BM) for M3 Companies, Mark Tate with staff recommendation and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with Councilmembers Bruner, Hogaboam, Haverfield, Skaug voting YES. Councilmembers Rodriguez, Levi voting NO. The Mayor declared the

MOTION CARRIED

Item #6-2. - Mayor Kling opened a public hearing for a zoning map amendment from BC (Community Business) to HC (Healthcare) for property located at 9870 W. St. Luke’s Dr., 9850 W. St. Luke’s Dr., 9860 W. St. Luke’s Dr., 0 Cherry Lane, and 0 Cherry Lane. (Five parcels totaling 33.08 acres located in a portion of the NW ¼ of the NW ¼ of Section 9, T3N, R2W, BM) for The Land Group representing St. Luke’s Regional Medical Center Ltd (ZMA-00103-18).

Kim Sweazo, 6659 Airport Road, St Luke’s Medical Center.

Tamera Thompson, The Land Group, 462 East Shore Drive, Eagle, presented the request.

Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for a Zoning Map Amendment from BC to HC property at 9870 W. St. Luke’s Dr., 9850 W. St. Luke’s Dr., 9860 W. St. Luke’s Dr., 0 Cherry Lane, and 0 Cherry Lane for The Land Group representing St. Luke’s Regional Medical Center LTD. St. Lukes desires to rezone the property from BC to HC to allow for consistency of development, requiring any future development to comply with the HC zone development requirements.

General Information

Planning and Zoning Commission Recommendation: Approval subject to specified conditions. Planning and Zoning History: When the property was annexed and zoned by the applicant it was zoned BC (Community Business) and received a Conditional Use Permit for hospital use. St. Lukes now desires to rezone the property from BC to HC to allow for consistency of development, requiring any future development to comply with the HC zone development requirements. Status of Applicant: Owner Representative. Rezone Location: 9870 W. St. Luke’s Dr., 9850 W. St. Luke’s Dr., 9860 W. St. Luke’s Dr., 0 Cherry Lane, and 0 Cherry Lane. Property Size: Five
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parcels totaling 33.08 acres located in a portion of the NW ¼ of the NW ¼ of Section 9, T3N, R2W, BM.  **Existing Zoning:** BC (Community Business).  **Proposed Zoning:** HC (Healthcare).  **Existing Land Use:** Existing developed St. Luke’s Hospital property.  **Surrounding Land Use and Zoning:** North- Rural Residential and Agricultural, AG (County Agricultural), South-Commercial, BC, East- Rural Residential and Agricultural, AG (County Agricultural), West- Undeveloped Commercial, BC.

**Comprehensive Plan Designation:** Business Park with Light Industrial to the east and Highway Commercial to the south. The requested zoning map amendment is interpreted as not strictly conforming with the Proposed Future Land Use Map as presently adopted. Staff has included the St. Luke’s property in the current Proposed Future Land Use Map update in process re-designating it as Public.

**Applicable Regulations:** Rezones or zoning map amendments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and agree with the adopted comprehensive plan for the neighborhood. Staff supports the rezone to HC given the Comprehensive Plan map amendment from Business Park to Public now underway as a part of the overall Comprehensive Plan update.

**Special Information**

**Public Utilities:** 12” sewer main located in N. Midland Blvd. and Cherry Lane with 8” and 10” stubs into the property. 12” and 10” water mains located in and around the property. 12” irrigation main located in N. Midland Blvd. and a portion of Cherry Lane with 8” mains extended into the property.  **Public Services:** All present.  **Transportation:** The property has frontage on and existing access from N. Midland Blvd. on the west and Cherry Lane on the north.  **Environmental:** The rezone would have little effect on the adjoining properties. The continued use of the property is for hospital and related purposes.  **Correspondence:** No written correspondence has been received from any area property owners, resident or business owners regarding opposition to or support for the requested rezone from BC to HC.

**Staff Findings and Discussion**

The requested rezone is appropriate. The parcel presently has Business Park use designation on the Comprehensive Plan future land use map. The requested zoning map amendment is interpreted as complying with this designation and will more fully comply when the map is updated later this year to Public designation.

If the Planning Commission votes to recommend to the City Council approval of the rezone the following findings are suggested:
1) Rezone of the subject property to HC is reasonably necessary in order to allow the applicant to allow for consistency of development, requiring any future hospital and related development to comply with the HC development requirements.

2) Rezone of the subject property to HC is in the interest of the property owner and conforms to the adopted comprehensive plan designation of Business Park use and future designation of Public use.

3) The existing and proposed Public/Hospital use of the subject property will be compatible with the existing commercial uses already established in the area to the south.

4) The use of a development agreement to establish any conditions for the requested zoning amendment serves no purposes.

**Recommended Conditions of Approval for the zoning map amendment** from BC (Community Business) to HC (Healthcare) for property located at 9870 W. St. Luke’s Dr., 9850 W. St. Luke’s Dr., 9860 W. St. Luke’s Dr., 0 Cherry Lane, and 0 Cherry Lane.

If the City Council accepts the Planning and Zoning Commission and votes to approve the zoning map amendment from BC to HC staff recommends the conditions of approval required by the City Engineering Division, as follows:

**General:**
1) At time of development of the site, the developer shall extend all public utilities to and through the site in accord with current City Policy and Master Plans. These improvements will include, but not be limited to-
   a. Sewer main and service(s)
   b. Water main and service(s)
   c. Pressure Irrigation
   d. Storm drainage-both on and off-site
   e. Gravity Irrigation-Either continued delivery to, or wastewater from adjacent properties

2) Granting of any access or facility easements for and to the City of Nampa and any other utility company or jurisdictional entity as necessary for the operation and maintenance of any utility existing, proposed, or relocated with the development of this site.

3) Abandonment of any existing domestic well or septic systems will be accomplished under the guidelines established by:
   a. Domestic Well - the Idaho Department of Water Resources
   b. Septic Systems – Southwest District Health Department
   c. Copies of all related documents certifying that the well and septic systems have been abandoned shall be forwarded to the City of Nampa Engineering Division for the project files.

**Access and Right-of-Way**
1) With development of the property, access points will be required to meet the current adopted Access Management Policy.
2) Right-of-way dedication – Required
   a. East Cherry Lane - Functional Classification is an arterial. Annexation will only be required to the prescriptive right-of-way of East Cherry Lane.

**Item #6-3. - annexation and zoning** to HC (Healthcare) for property located at 0 Cherry Lane and 0 Ten Lane (Two parcels totaling 21.511 acres located in a portion of the NE ¼ of the NW ¼ of Section 9, T3N, R2W, BM) for The Land Group representing St. Luke’s Regional Medical Center Ltd (ANN-00110-18).

Norm Holm presented the following staff report explaining that the request is for Annexation and Zoning to HC (Healthcare) for property located at 0 Cherry Lane and 0 Ten Lane for The Land Group representing St. Luke’s Regional Medical Center LTD for future hospital planning.

**General Information**

**Planning and Zoning Recommendation:** Approval subject to specified conditions. **Planning and Zoning History:** The property has been used for agricultural purposes in the past. **Status of Applicant:** Owner Representative. **Annexation Location:** East of S. Midland Blvd. on the south side of Cherry Lane at 0 Cherry Lane and 0 Ten Lane. **Total Size:** Two parcels totaling 21.511 acres located in a portion of the NE ¼ of the NW ¼ of Section 9, T3N, R2W, BM. **Existing Zoning:** County AG (Agricultural). **Proposed Zoning:** HC (Healthcare). **Existing Uses:** Agricultural crop land.

**Comprehensive Plan Designation:** Light Industrial with Business Park to the west and Light Industrial to the north, south, and east. The requested HC zoning upon annexation is interpreted as not strictly conforming with the Proposed Future Land Use Map as presently adopted. Staff has included this property in the current Proposed Future Land Use Map update in process redesignating the proposed future land use as Public.

**Applicable Regulations:** In order for a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. The property adjoins existing city limits on the west adjacent the St. Luke’s owned property, as well as on the east adjacent already annexed Light Industrial zoned lands.

**Applicant Reason for Annexation and Zoning:** For future development for St. Luke’s Hospital purposes.

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Public Utilities: 12” sewer main located in N. Midland Blvd. and Cherry Lane with 8” and 10” stubs into the adjacent hospital property to the west. 12” and 10” water mains located in and around the adjacent hospital property to the west. 12” irrigation main located in N. Midland Blvd. and a portion of Cherry Lane with 8” mains extended into the adjacent hospital property to the west. Public Services: Police and fire already service city incorporated areas surrounding the location. Physical Site Characteristics: Existing agricultural crop land. Transportation: The property has frontage on and access from Cherry Lane on the north.

Correspondence: Dave Hawk, Plant Manager of the Amalgamated Sugar Company attended the Planning and Zoning Commission hearing indicating undecided regarding his position on the annexation and zoning to HC. He expressed that annexing and zoning to HC would conflict with the existing comprehensive plan future land use map for industrial use. He noted factory water ponds directly to the south, the location of dirt from processing across the road and the potential negative impacts of the adjacent sugar factory raised by neighbors (including aroma). (see attached letter)

No other written correspondence has been received from any other area property owners, resident or business owners regarding opposition to or support for the requested annexation and zoning to HC for hospital purposes.

Staff Findings and Discussion

If the City Council accepts the Planning and Zoning Commission recommendation and votes to approve the annexation and zoning, the following findings are recommended:

1) The property adjoins existing city limits on the west adjacent the St. Luke’s owned property, as well as on the east adjacent already annexed Light Industrial zoned lands.

2) The area can reasonably be assumed to be available for the orderly development of the city with the city limits having grown into the area and the adjacent lands to the west and east having been annexed, zoned, and/or developed for hospital or industrial purposes.

3) The requested HC zoning upon annexation is interpreted as not strictly conforming with the Proposed Future Land Use Map as presently adopted. Staff has included this property in the current Proposed Future Land Use Map update in process re-designating it as Public.

4) The proposed HC zoning is reasonably compatible with existing and proposed healthcare and industrial land uses in the area.

5) The applicant desires annexation and zoning to HC to facilitate future development for St. Luke’s Hospital purposes.

Recommended Conditions of Approval for annexation and zoning to HC (Healthcare) for property located at 0 Cherry Lane and 0 Ten Lane.
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If the City Council votes to approve the Annexation and Zoning to HC staff recommends the following conditions required by the City Engineering Division (same as recommended for the rezone application):

**General:**
1) At time of development of the site, the developer shall extend all public utilities to and through the site in accord with current City Policy and Master Plans. These improvements will include, but not be limited to-
   a. Sewer main and service(s)
   b. Water main and service(s)
   c. Pressure Irrigation
   d. Storm drainage-both on and off-site
   e. Gravity Irrigation-Either continued delivery to, or wastewater from adjacent properties
2) Granting of any access or facility easements for and to the City of Nampa and any other utility company or jurisdictional entity as necessary for the operation and maintenance of any utility existing, proposed, or relocated with the development of this site.
3) Abandonment of any existing domestic well or septic systems will be accomplished under the guidelines established by:
   a. Domestic Well - the Idaho Department of Water Resources
   b. Septic Systems – Southwest District Health Department
   c. Copies of all related documents certifying that the well and septic systems have been abandoned shall be forwarded to the City of Nampa Engineering Division for the project files.

**Access and Right-of-Way**
4) With development of the property, access points will be required to meet the current adopted Access Management Policy.
5) Right-of-way dedication – Required
   a. East Cherry Lane - Functional Classification is an arterial. Annexation will only be required to the prescriptive right-of-way of East Cherry Lane.

No one appeared in favor of or in opposition to both requests.

**MOVED** by Rodriguez and **SECONDED** by Haverfield to close both public hearings. Mayor Kling asked all in favor say aye with all Councilmembers present voting **AYE**. Mayor Kling declared the

**MOTION CARRIED**

**MOVED** by Haverfield and **SECONDED** by Levi to approve the zoning map amendment from BC (Community Business) to HC (Healthcare) for property located at 9870 W. St. Luke’s Dr., 9850 W. St. Luke’s Dr., 9860 W. St. Luke’s Dr., 0 Cherry Lane, and 0 Cherry Lane. (Five
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parcels totaling 33.08 acres located in a portion of the NW ¼ of the NW ¼ of Section 9, T3N, R2W, BM) for The Land Group representing St. Luke’s Regional Medical Center Ltd as presented with conditions and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED.

MOVED by Haverfield and SECONDED by Levi to approve the annexation and zoning to HC (Healthcare) for property located at 0 Cherry Lane and 0 Ten Lane (Two parcels totaling 21.511 acres located in a portion of the NE ¼ of the NW ¼ of Section 9, T3N, R2W, BM) for The Land Group representing St. Luke’s Regional Medical Center Ltd as presented with staff conditions and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED.

Item #6-4. - Mayor Kling opened a public hearing for annexation and zoning to RS7 (Single-Family Residential – 7,000 sq. ft.) at 0 Northside Blvd. for Kinghorn Place Subdivision on the south side of Spruce St. west of Northside Blvd. (A 63.50-acre parcel of land in a portion of the SE ¼ of Section 33, T4N, R2W, BM) for Trilogy Idaho - Corey Barton. (ANN-00111-18).

Kent Brown, 3161 East Springwood, Meridian presented the request.

Senior Planner Kristi Watkins presented the following staff report explaining that the request is for annexation and zoning assignment of land to RS-7 in order to facilitate build-out of a 230 lot (218 building and 12 common lots) detached, single-family residential subdivision on the land area referenced hereafter (hereinafter, collectively, the “Project”, alternatively the “Development”, or “Application package”, or “Entitlements”) for Kinghorn Place Subdivision (218 single-family residential lots & 12 common lots) for Trilogy Idaho/Kent Brown.

History: The Nampa City Planning and Zoning Commission, during their scheduled public meeting of February 12, 2019, voted to recommend to the City Council that they approve the above annexation and zoning assignment request. Subsequent to that action, the Commission voted to approve the above referenced preliminary plat request. The Commission made their zoning entitlement recommendation and their plat approval contingent on Developer/Development compliance with the following condition(s):

As pertaining to the requested Project/Subdivision approval:

1. Requirements imposed by the Nampa Engineering Division listed in the memo authored by Daniel Badger on February 12, 2019;
   a. Dedicate the required 50’ from section line for ROW for Northside Blvd,
   b. Dedicate the required 40’ from section line for ROW for Spruce Street,
c. The construction of the irrigation station will need to be coordinated with the construction of the Hartland Subdivision to the east,
d. To provide domestic water to this site, construction will need to be coordinated with the Hartland Subdivision to the east or brought in from the intersection of Madison and Ustick,
e. A Pedestrian crossing shall be installed with Phase 1 of this development to cross Northside at Marigold St,
f. Provide a Geotech report for review and approval,
g. Install northbound and southbound left turn lanes at the intersection of Northside and Marigold,
h. Install southbound right turn lane at the intersection of Northside and Marigold St. Provide a timing/phasing schedule for construction of the traffic mitigations or the improvements will be required with the first phase of development.

2. Make necessary street name corrections as listed in a February 6, 2019 email printout from the Nampa City Engineering Division, GIS Section, authored by Alex Main; and,

3. Dedicate an area 20’ (feet) from the top of bank along the north side of Mason Creek, within the common lot 13, block1, to the City of Nampa and emplace a pathway within said area, per a January 09, 2019 email printout from the Nampa Parks Department authored by Cody Swander; and,

4. A 5’ wide pathway connection is to be provided from Fern Leaf Way to the 12’ pathway along Mason Creek through the open space located in Lot 13, Block 1, adjacent to Lot 25, Block 1, see attached memo Planning Memo authored by Doug Critchfield on February 6, 2019; and,

5. Recognize easements in place for Pioneer Irrigation and Bureau of Reclamation as per the January 14, 2019 letter from Pioneer Irrigation authored by Mark Zirschky; and,

6. The water system for the Development shall be completely installed and able to deliver water prior to any Building Permits being issued within the development. The water shall be enough in volume and pressure to provide adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable; and,

7. Prior to filing for a final plat approval for any portion of the Project, the Developer’s engineer shall correct any spelling, grammar, punctuation and/or numbering errors that may be evident on the plat face and/or in the proposed plat development notes and include said corrections in a revised preliminary plat plan set that shall be remitted to the City. The
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Staff has provided the Nampa City Council with all the relevant report/packet documentation or visual information available to us at the time this report was generated. We anticipate that the Applicant’s representative(s) may have visual displays of their concept plan for the build-out of the Property at the City Council’s public hearing wherein the application package associated with this report will be appraised.

**Annexation/(Re)Zoning Conclusions of Law**

10-2-3 (C) Annexations and/or Rezones/Zoning assignments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and agree with the adopted Comprehensive Plan for the neighborhood.

Notification of the City Council hearing was done in accordance with legal requirements. An environmental impact study (EIS) was not called for in conjunction with the Application package submittal as such is not normally required saved when called for by City Engineering under special circumstances. Any extant street frontage improvements along Northside Boulevard, should the Application be approved, will be required to be emplaced at the time of Project build-out per adopted City policy and practice. No taking of other parties’ property(ies) will be effectuated should the Project develop. In Nampa’s case, street improvements and school construction accompany and follow, respectively, land development.

**Findings of Fact & Notes Regarding Annexation/(Re)zoning**

**Zoning: Regarding Applicant’s Zoning Map Amendment Request (to RS-7) Staff finds:**

1. **Current Jurisdiction/Status:** That the Property is currently within Nampa City’s Impact Area, and, is either owned or optioned by the Applicant or that the Applicant has the Property owner’s permission to apply for the entitlement and plat applications made the subject of this report; and,

2. **Current and Surrounding Zoning:** That the Property is presently under Canyon County jurisdiction. See the attached Vicinity Map; and,

   **Existing zoning:** **North:** AG (Agricultural Canyon County zoning); **South:** AG (Agricultural Canyon County zoning); **East:** RS 7; **West:** AG (Agricultural Canyon County zoning)

3. **Immediately Surrounding Land Uses:** Agriculture, Religious facility, Elementary school, Rural residential, open land and suburban single-family residential land uses surround or lie near the Property; and,
4. **Proposed Zoning:** That the proposed RS 7 district, “…is intended for medium density, urban single-family residential and compatible uses. A stable and healthful environment, together with the full range of urban services, makes this an important land use district with in the community”; and,

5. **Reasonable:** That it may be variously argued that consideration for annexing the Property is reasonable given that: a) the City has received an application to annex the Property by amending its official zoning map by the Property owner or an Applicant having a valid, legal interest in the same; and, b) annexation and zoning assignment is a legally recognized legislative act long sanctioned under American administrative law; and, c) that the Applicant intends to develop all or a portion of the Property; and, d) City utility services are, or may be made, available to the Property; and, e) emergency services are available to the Property; and, f) that the Property abuts City land zoned for residential (RS) subdivision development; and, g) land uses in the nearby area, and, more particularly site development both suggest that RS zoning would be an acceptable fit for the area (other properties) given that RS zoning was already approved for the properties to the west; and,

6. **Public Interest:** That Nampa has determined that it is in the public interest to provide varying residential-housing opportunities for its citizens and the current real estate market is pressing a need for additional housing inventory/product; and,

7. **Promotion of Zoning Purpose(s):** That among the general (and Nampa endorsed) purposes of zoning is to promote orderly, systematic development and patterns thereof which preserve and/or enhance public health, safety and welfare. Included in our zoning regulations, therefore, are standards governing residential development which pertain to allowable land uses, building setbacks, building aesthetics, provision of parking and service drives, property landscaping, etc. Staff notes that any site development will be regulated by, and through, the building permit review process and in accordance with the RS Zone’s already adopted regulations (e.g., standards that govern land use, building setbacks, landscaping, subdivision design, etc.); and,

8. **Comprehensive Plan:** The Property is positioned in a “Medium Density Residential” (MDR) “setting” per the Future Land Use Map associated with the City’s adopted Comprehensive Plan. Said setting sanctions buildout of residential subdivisions with net density yields of 4-9 dwelling units/acre. The Development proposes a density of 3.48 dwelling units per acre; and,

9. **Services:** That utility and emergency services are, or can be made, available to the Property…

**Recommendation and Conditions of Approval**
Regular Council  
March 18, 2019

**Recommendation:** Given the findings noted above, annexation and zoning to RS 7 zoning is certainly an appropriate request and is and recommended for approval for the referenced Property...

**As Pertaining to the Annexation/Zoning Entitlement Request:**

N/A at the time of this report’s publication…a Development Agreement may be required, especially if Council wishes to regulate (generally) site design, dwelling unit density, building aesthetics or location placement above and beyond what the RS 7 Zone prescribes [and in reaction to future, possible, building construction on the Property]; however, Staff finds no reason, in this instance, to recommend that course of action.

Daniel Badger addressed Council on the plat action was to have the developer install a pedestrian crossing on Northside and they have agreed to do that. It is not something that is identified in our capital improvement plan and therefore it is something that we requested that they do.

No one appeared in favor of or in opposition to the request.

**MOVED** by Haverfield and **SECONDED** by Rodriguez to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the 

**MOTION CARRIED**

**MOVED** by Rodriguez and **SECONDED** by Skaug to approve the public hearing for annexation and zoning to RS7 (Single-Family Residential – 7,000 sq. ft.) at 0 Northside Blvd. for Kinghorn Place Subdivision on the south side of Spruce St. west of Northside Blvd. (A 63.50-acre parcel of land in a portion of the SE ¼ of Section 33, T4N, R2W, BM) for Trilogy Idaho - Corey Barton as presented with staff recommended conditions and authorize the City Attorney draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the 

**MOTION CARRIED**

**Item #6-5.** - Mayor Kling opened a public hearing for creation of Sidewalk LID 167.

Daniel Badger presented the following staff report explaining that LID 167 will provide a funding mechanism for property owners within the identified boundaries, as shown on Exhibit "A" to construct or reconstruct curb, gutter, sidewalks, pedestrian ramps and drive approaches as an improvement to their property

The area identified in exhibit "A" contains approximately 4,872 parcels.
Resolution of Intent number 15-2019 was passed by Nampa City Council February 19, 2019.

Notice of public hearing on this resolution was published in the Idaho Press Tribune for 3 consecutive daily issues starting on March 5, 2019.

Per City Council's direction on February 4, 2019 to proceed with a voluntary only sidewalk LID project, Engineering has completed the following:

- Notified all property owners included in the previously presented sidewalk LID of Council's 2/4/19 direction.
- Notified the remaining 44 voluntary property owners of this public hearing via letters and newspaper publication.

$200,000.00 is the total estimated cost for the improvements. An estimated $150,000.00 of this total will be assessed to property owners for the cost of improvements.

$50,000.00 of the funds will be provided by Street Division for pedestrian ramps and alley approaches.

We received a letter of Friday, a request from one of the property owners at 307 South State Street, Benjamin and Brooke Fisher to be removed they have undertaken to hire a contractor independently.

Councilmembers asked questions.

No one appeared in favor of or in opposition to the request.

MOVED by Hogaboam and SECONDED by Haverfield to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the

MOTION CARRIED

MOVED by Bruner and SECONDED by Haverfield to approve the creation of Local Improvement District (LID) 167 for construction of curb, gutter and sidewalks and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

(4) Staff Communications

Item #4-1. – Public Works Director Tom Points presented a staff report to update the council on current projects as follows:
Impact Fees Data – It would be useful for the decision makers to have the map of what our priorities were when we built the impact fee and we can put on there what the level of service is for those intersections that we want to fix. We have a lot of tools nowadays besides the mobility that can show the safety of various intersections.

Davis Avenue and Phyllis Canal Pipe Failure - Engineering Staff received a bridge inspection report from Hughes Engineering for the Phyllis Canal bridge at Davis Avenue. The report identified an existing storm drain line through the northeast abutment has failed and a cavity has formed behind the abutment and below Davis Avenue (see below). Pioneer Irrigation District does not allow for discharge of storm water into their supply canals and have asked that the City find an alternative discharge point. Engineering has identified a solution to create a seepage bed or pond west of the existing Lincoln Pool facility.

The failed pipe needs stabilized prior to water entering the Phyllis Canal (estimated first week of April). The Street Division will grout the end of pipe and excavate a temporary pond west of the Lincoln Pool. This temporary solution will allow Engineering to further evaluate the options and proceed with a design by a consultant or City staff. Final seepage bed/pond construction would then be contracted out. The FY 19 stormwater budget for construction is $150,000. These funds will be allocated to this emergency repair.
Fiscal Year 2019 Snow and Ice Control Summary Report – Jeff Barnes, P.E., Deputy Public Works Director (Transportation), and Don Barr, Street Superintendent, will present the attached Fiscal Year 2019 Snow and Ice Control Summary Report the day of this staff report.

Website – Info, Updates, Snow Plow Activity Map
Staff & Equipment

4 Of These

1 Of These
Customer Service

- Facebook
- Website-  http://www.cityofnampa.us/snow
- Email-  snow@cityofnampa.us
- Dedicated Snow Phone Line—208 -468-5577
- Non-Emergency Follow Up Within 24 Hours
Regular Council
March 18, 2019

FY18-19 Summary

- Total Staff Hours: 1,500 Hours
- Salt: 603 Cubic Yards
- Sand: 50 Cubic Yards
- Salt Brine: 70,000 Gallons
- Mag Chloride: 18,000 Gallons

Salt Brine Innovation

Streets Staff Researched Options
Constructed Brine Building
Purchased Unit for $37,000
1/10 Cost of Mag Chloride
Mix Product On-Site, No Procurement
Greater Application Rates
Higher Level of Service
Councilmembers asked questions and made comments.

**Item #4-2. – Facilities Update – Patrick Sullivan**

I would like to bring you up to speed and give you an update on our space planning efforts for the First Interstate building, City Hall, Utility Bill and the Hugh Nichols Public Safety building. We have been meeting with the department and division heads and going through how we are going …. We have already moved into the second floor of the First Interstate building – Public Works, Engineering, and GIS they moved in on the 15th of February. Now we are working on finalizing space planning, and budgeting for the reuse of the basement and the first floor. In that space we are going to be putting all the departments that have to do with land development – Planning and Zoning and permitting so we will truly have a one stop shop for the development community.

We will on the first floor we will end up having economic development, planning and zoning, environmental compliance division that deals with erosion control permits. We will have engineering’s development service program over their and the building department and the inspectors pulled over from the Family Justice Center and pull over the administrative office of facilities.

The building purchase is planned for late June purchase agreement. The remodel with occur in the fall of 2019 and the department moves will happen in January and February of 2020.
We are also working on space planning and budgeting to move other departments in Nampa City Hall, the Utility Billing building and the Hugh Nichols Public Safety building. We are working to consolidate and move departments together, so they have better communication because of having adjacent functions. Those moves will occur after we have moved the development services group into the First Interstate Bank building.

(5) New Business

Item #5-3. - Mayor Kling presented the request to authorize the Mayor to sign an amendment to the Nampa Municipal Airport Taxi Lane Pavement Construction Agreement with Mad River, LLC, relieving Mad River’s obligation of installing the taxi lane C-4 extension improvements.

Tom Points presented a staff report explaining that the on June 16, 2018, City Council approved the attached Nampa Municipal Airport Taxi Lane Pavement Construction Agreement (Agreement) with Mad River, LLC for the extension of taxi lane C-4. (see Agreement, Attachment A) (see Vicinity Map, Attachment B)

The Agreement required Mad River, LLC to install the taxi lane C-4 extension as part of their hangar construction.

In November 2018, the City received preliminary approval for a Federal Aviation Administration (FAA) grant to install multiple taxi lanes and a taxiway at the Nampa Municipal Airport. The grant includes funding for the taxi lane C-4 extension.

To relieve Mad River’s obligation of installing the taxi lane improvements under the original Agreement, staff requested the City’s legal counsel to draft an amendment to the Agreement which stipulates:

- The City will install the taxi lane C-4 extension with FAA funding
- Mad River extend the 8” sewer mainline services approximately 135 feet to the eastern edge of taxi lane C-4. This work was completed by Mad River at an expense of $15,225.00. Originally, this portion of sewer extension was to be completed by the east adjacent lease holder who withdrew his application. The City would have been responsible for this sewer extension and credits this work to Mad River to be used as their compensation for amending the Agreement
- Mad River is relieved of the requirement to design and construct taxi lane C-4 improvements set forth in Section “2” of the Agreement, in favor of extending the sewer 135’ (as stated above) and a one-time payment from Contractor to City in the amount of One Dollar ($1.00)

The February 11, 2019, and March 11, 2019, Nampa Airport Commission meetings were cancelled due to lack of quorum. Staff requests Council authorization of the Amendment to Nampa
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Municipal Airport taxi lane Pavement Construction Agreement (see Amendment, Attachment C) under extension of rules.

MOVED by Bruner and SECONDED by Rodriguez to authorize the Mayor to sign Amendment to Nampa Municipal Airport taxi lane Pavement Construction Agreement with Mad River, LLC relieving Mad River’s obligation of installing the taxi lane C-4 extension improvement. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #5-4. - Mayor Kling presented the request to authorize the Mayor to sign an agreement to waive first right of refusal and terminate lease with Mad River, LLC dated June 18, 2019 and authorize the Mayor to sign the Nampa Municipal Airport Land Lease Agreement with KMAN, LLC effective February 20, 2019, for Lot 2022. (reviewed and approved by legal counsel)

Tom Points presented a staff report explaining that on June 18, 2018, Mad River, LLC (Tim and Julie Schelhorn) signed a 20-year land lease for Lot 2022. (see Vicinity Map, Attachment A)

On January 9, 2019, Airport staff received a letter from Mad River, LLC (Lessee) offering Nampa Municipal Airport first right of refusal.

The Lessee also made known they had received an offer to purchase the land lease, with improvements, from KMAN, LLC. (Adam and Brigitte Sholton)

On February 4, 2019, KMAN, LLC submitted a lease application.

On February 11, 2019, Lessee signed and returned the termination agreement

○ The termination agreement is contingent upon the sale of the land lease with improvements

On February 15, 2019, KMAN, LLC signed and returned the land lease agreement

The February 11, 2019, and March 11, 2019, Nampa Airport Commission meetings were cancelled due to lack of quorum. Staff requests Council authorization of the Agreement to Waive First Right of Refusal and Terminate Lease with Mad River, LLC (Attachment B) dated June 18, 2018, and sign new Nampa Municipal Airport Land Lease Agreement (Attachment C) with KMAN, LLC effective February 20, 2019, for Lot 2022 under extension of rules.

MOVED by Haverfield and SECONDED by Hogaboam to authorize the Mayor to sign, (1) Agreement to Waive First Right of Refusal and Terminate Lease with Mad River, LLC dated June 18, 2018, and (2) Nampa Municipal Airport Land Lease Agreement with KMAN, LLC, effective
February 20, 2019, for Lot 2022. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

**MOTION CARRIED**

**Item #5-5.** - Mayor Kling presented the request for the reappointment of Bruce Wiley to the Nampa Bicycle and Pedestrian Advisory Committee.

**MOVED** by Rodriguez and **SECONDED** by Hogaboam to approve the reappointment of Bruce Wiley to the Nampa Bicycle and Pedestrian Advisory Committee. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

**MOTION CARRIED**

**Item #5-6.** - Mayor Kling presented the request to approve the Community Development Block Grant 2019 application guidelines as presented.

Economic Development Robyn Sellers presented a staff report explaining that staff is requesting City Council to adopt the application guidelines for CDBG Program 2019. These guidelines address the CDBG programmatic requirements. The application guidance provides information about expectation for the program to potential applicants. The guidance helps the City ensure that funds are spend in a timely manner and in compliance with HUD requirements.

There were some minor changes to the guidelines this year from last year’s application guidelines based on needed clarifications and due to reflect the 5-year consolidated plan. Minor changes were made as follows:

- Updated priorities, goals and objectives based on information obtained from the 5-year consolidated plan
- Updated the timeline and deadline dates.
- Updated low-moderate income limits chart.
- Updated the volunteer hourly match rate of $24.69 up from $24.14

**MOVED** by Bruner and **SECONDED** by Rodriguez to adopt the City of Nampa’s Community Development Block Grant Program Year 2019 Application Guidelines. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

**MOTION CARRIED**

**Item #5-7.** - Mayor Kling presented the request to request for approval to increase the grant award related to the Family Justice Center Roofing and HVAC Renovation.

Robyn Sellers presented a staff report explaining that he Family Justice Center building has several updates and fixes that are needed. The largest portion of the HVAC system needs to be upgraded. The roofing is very old and needs to be replaced and electrical work brought up to code. Attached
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to this memo is the scope of work and bid for the project that outlines the cost of the project and specific work activities. City staff proposes to use the CDBG funds already allocated for the Family Justice Center project for program year 2018 and funds to reallocated from prior program years 2015, 2016 and 2017.

Original November 5, 2018 Council Approved Funding Allocation:

<table>
<thead>
<tr>
<th>CDBG Fund Family Justice Center</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PY 2018 Project Year Allocation</td>
<td>$126,564.00</td>
</tr>
<tr>
<td>PY 2017 funds to be reallocated</td>
<td>$166,233.22</td>
</tr>
<tr>
<td>PY 2016 funds to reallocated</td>
<td>$114,163.26</td>
</tr>
<tr>
<td>PY 2015 funds to reallocated</td>
<td>$23,569.88</td>
</tr>
<tr>
<td><strong>Total CDBG funds available</strong></td>
<td><strong>$430,530.36</strong></td>
</tr>
</tbody>
</table>

Recommended change to funding levels to meet February 15, 2019 contract amount and allow for a 2% overage to cover unforeseen issues:

<table>
<thead>
<tr>
<th>CDBG Fund Family Justice Center</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PY 2018 Project Year Allocation</td>
<td>$126,564.00</td>
</tr>
<tr>
<td>PY 2017 funds to be reallocated</td>
<td>$182,551.86</td>
</tr>
<tr>
<td>PY 2016 funds to reallocated</td>
<td>$114,163.26</td>
</tr>
<tr>
<td>PY 2015 funds to reallocated</td>
<td>$23,569.88</td>
</tr>
<tr>
<td><strong>Total CDBG funds available</strong></td>
<td><strong>$446,849.00</strong></td>
</tr>
</tbody>
</table>

The total cost identified in the bid by Garland/DBS Inc is $436,849. The original cost as approved by City Council on November 5, 2018 was for $430,530.36. The increase cost reflected in the February 2019 contract will be covered by the reallocation of funds from the 2017 program year. Due to the nature of the work, we are requesting an approval of funding above the cost provided by Garland to allow for unforeseen expenses that could arise during the remodel project. We are requesting the council approve the additional $16,318.68 reallocation from the 2017 program year grant to the 2018 Family Justice Center remodel. The increase will break down as follows:

- $6,318.64 - Contract Price Increase
- $10,000.00 – 2% Overage for unforeseen changes in the project costs.

As required by Housing and Urban Development an environmental review was performed and was determined to need additional mitigating factors related to the asbestos abatement. The removal of asbestos in some layers of the roofing material and insulation located in the elevator shaft. As such, the Family Justice Center project approved previously by City Council was subject to an additional public notification period which began on 02/12/2019 and was completed on 02/27/2019. A formal request for the release of funds from HUD was submitted on 02/28/2019 and the anticipate official release of funds is scheduled to arrive 03/18/2019 per our HUD representative.
MOVED by Hogaboam and SECONDED by Levi to approve the amended Family Justice Center 2018 Program Year grant award contingent on the release of the funds from HUD. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #5-8. - Mayor Kling presented the request to award the bid and authorize the Mayor to sign the contract with Garland/DBS, Inc. for the roof replacement, electrical work and mechanical work at the Mangum Building. The project is funded by CDBG.

Facilities Superintendent Brian Foster presented a staff report explaining that the proposed project budget of $436,849 will be financed by CDBG funding; an initial budget of $430,530.36 was approved at the November 5, 2018 City Council Meeting. The cost increase of $6,318.64 will be covered by reallocated CDBG Funding. Matthew Jamison, from Nampa Economic Development, has informed Facilities that the project is at an appropriate phase to request contract approval.

Documents have been reviewed by Legal.

Facilities Development, as part the Department of Building Safety and Facilities Development, is charged with maintaining and improving City property. Facilities Development has identified the need for Roof Replacement, Electrical Work and Mechanical Work at the Mangum Building. The Proposer provides all management, supervision, labor, materials, supplies, and equipment, and will plan, schedule, coordinate and assure effective performance of all services described herein.

Acquisition will be made utilizing a cooperative purchasing agreement with U.S. Communities.

The contractor will be required to provide necessary bonds, insurance and other documents before the agreement can be executed and the Notice to Proceed issued.

MOVED by Haverfield and SECONDED by Rodriguez to award the bid and authorize Mayor Kling to sign a design and construction contract with Garland/DBS, Inc. for the roof replacement and mechanical and electrical work at the Mangum Building, not to exceed contract amount of $436,849 contingent on the release of funding from HUD. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #5-9. - Mayor Kling presented the request to award the bid and authorize the Mayor to sign the contract with TVR, Inc. for the replacement of the City Hall Chiller.

Brian Foster presented a staff report explaining that this project is to be funded by Facilities. The approved FY19 project budget is $215,000. Design and Engineering fees are $24,900, the construction contract is $195,710.30, the total project cost is $220,610.30. Facilities will fund the
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budget overage of $5,610.30 from the Facilities Operating Budget. (The original FY19 budget request of $240,000 for this project was decreased by council to $215,000 during the FY2019 budget approval process.)

Documents have been reviewed and approved by Legal.

Facilities Development, as part the Department of Building Safety and Facilities Development, is charged with maintaining and improving City property. Facilities has identified a need the replacement of the Chiller at City Hall. The proposed contractor provides all management, supervision, labor, materials, supplies, and equipment, and will plan, schedule, coordinate and assure effective performance of all services described herein.

Facilities Development solicited bids from contractors for the Chiller Replacement Project. A pre-bid walk through was conducted at the project site on February 12, 2019 at 10:00 a.m.

A total of five (5) bids were received on February 26, 2019.

The apparent low bid was received from TVR, Inc.

Contractor will be required to provide necessary bonds, insurance and other documents before the agreement can be executed and the Notice to Proceed issued.

Councilmember Bruner asked questions.

MOVED by Rodriguez and SECONDED by Hogaboam to award the bid and authorize Mayor Kling to sign contract with TVR, Inc. for the City Hall Chiller Replacement not to exceed contract amount of $195,710.30. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-10. – The following Resolution was presented:

City Engineer Daniel Badger presented a staff report explaining that the City allows for payment of connection fees on existing buildings connecting to the City's water, sewer, or irrigation using a LID.

Engineering has 12 property owners who have made use of this mechanism to connect to City utilities as shown on attached exhibit A.

All 12 properties voluntarily requested to be included in this LID.
These properties have already connected to the utilities they are assessed for.

The total dollar value of this LID is $38,995,67.

Engineering has reviewed the requests and recommends creating the LID.

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, IDAHO, FOR CITY UTILITY EXTENSIONS AND CONNECTIONS WITHIN SAID CITY; TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 163 FOR NAMPA, IDAHO, FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS TO BE LEVIED AND ASSESSED UPON THE PROPERTY BENEFITED BY SUCH IMPROVEMENTS; DECLARING SAID IMPROVEMENTS TO BE FURTHER AND ADDITIONAL IMPROVEMENTS; STATING THE ESTIMATED TOTAL COST OF SUCH IMPROVEMENTS AND THE KIND OF CHARACTER THEREOF; FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OF THE CREATION OF SUCH DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY CLERK; FIXING A TIME WHEN SUCH PROTESTS SHALL BE HEARD AND CONSIDERED BY THE COUNCIL; AND DIRECTING NOTICE THEREOF TO BE GIVEN.

MOVED by Haverfield and SECONDED by Levi to pass the resolution as presented and authorize to hold a public hearing on April 1, 2019, for consideration of the City’s intention to create Utility LID 163. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 18-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-11. - Mayor Kling presented the request for discussion of National League of Cities Service Line Agreement.

Mayor Kling presented the following staff report from the National League of Cities:

Recent Harris Poll results (2000 adults surveyed)

- Nearly 2 in 5 Americans don’t have the necessary funds set aside to cover a $500 repair (including almost half of millennials)
- 1 in 2 Americans describe their current state of household finances as either fair, poor, or terrible.
- 3 in 10 Americans aged 37+ cited they had no money set aside for emergency repairs.
- 46% of respondents had an emergency repair in the last 12 months.
- 80% of respondents either strongly or somewhat agreed with the statement: Local community governments should be responsible for educating homeowners about external water lines on their property that are not covered by homeowners’ insurance, the city/town or the local utility
(i.e., meaning that if a problem were to occur, the homeowner would be solely responsible for the cost out of pocket).

**WHY CHOOSE UTILITY SERVICE PARTNERS?**

- EXPERIENCE
- REPUTATION
- PARTNERSHIP

This award underscores one of the primary reasons the National League of Cities selected USP as a partner and extended our agreement for another five years. The organization’s exemplary record of customer service and transparency is what has driven the success of this partnership over the years.

— Clarence Anthony, Executive Director
National League of Cities

**PROGRAM BENEFITS**
- Helps address the public policy issue of aging infrastructure
- No cost for the Municipality to participate/Turnkey approach
- Ongoing Revenue Stream & NLC dues payment for the Municipality
- Free Public Awareness Campaign
- Educates homeowners about their lateral line responsibilities
- Peace of Mind - with one toll-free call a reputable contractor is dispatched
- All repairs performed to code by local licensed contractors
- Contractors undergo rigorous vetting process to ensure quality service
Homeowner repair protection for broken, cracked, or leaking water and sewer lines from the point of utility connection to the home exterior.

**Coverage includes:**
- Educating homeowners about their service line responsibilities
- Up to $8,500 coverage per repair incident (includes public street & sidewalk cutting).
- No annual or lifetime limits, deductibles, service fees, forms, or paperwork
- 24/7/365 availability
- No long-term contracts – month to month
- No pre-inspections required before coverage begins – 30 day waiting period

Homeowner repair protection for in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry.

**Coverage includes:**
- Up to $3,000 coverage per repair incident
- Includes coverage for broken or leaking water, sewer, or drain lines under the slab or basement floor
- Repair of clogged toilets
- No annual or lifetime limits, deductibles, service fees, forms, or paperwork
- 24/7/365 availability
• No long-term contracts – month to month
• No pre-inspections required before coverage begins – 30 day waiting period

Incremental Revenue Stream
• City receives $.50 per month per paid warranty agreement
• Paid as royalty each January
• Yours to use as you wish
  • Examples:
    • Low income utility assistance program
    • Offset water bill/leak
    • Donate to charity
    • Use towards NLC/State League dues
• Can decline revenue
  • Savings passed directly to residents

MARKETING APPROACH
• Only market by direct mail - no door to door or telemarketing
• Limited to 3 mailing campaigns per year
• Would never mail without your review and approval of marketing material before every campaign
• Marketing clearly states city does not provide program
• Participation always voluntary for the homeowner
• City role: logo & signature
  • Economy of scale

• Consumers can enroll one of three ways:
  • Calling into our toll-free number that is provided on the mailing
  • Returning the bottom of the letter to us in the self-addressed stamped envelope provided
  • Visiting our consumer website www.slwofa.com at any time

OVER 600 MUNICIPAL PARTNERS IN 39 STATES

PROGRAM SUCCESS & NOTES
• Endorsement =/= Exclusivity
• Currently serving over 3.7 million customers
• Saved customers over $394 million in repair costs over the past 3 years
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- 97% claim approval rating  
- 99.6% claims satisfaction rate  
- 82.5% customer retention rate  
- Currently over 1,300 contractors in network  
- 9 of every 10 customers surveyed have recommended the program to friends, family, and neighbors

Councilmembers asked question and made comments and decided to hold on a decision.

(7) Unfinished Business

Item #7-1. – The following Resolution was presented:

Beth Ineck presented a staff report explaining that in accordance with City Council direction at the February 19th meeting staff has prepared an update to the parking management policies regarding time limits for downtown Nampa.

The current parking ordinance identifies that time limitations by zone can be established through City Council approval and parking policies. The applicable section of the code is identified below:

7-2-10: HOURS OF PARKING REGULATION DEFINED; PARKING ZONES:

Parking within parking zones and loading zones, except as otherwise specified in subsection 7-2-4C of this chapter, is regulated during the time between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. of every day, unless otherwise stated on such signs; provided, however, the regulation of parking shall not include any Sunday or state holiday.

A. The parking services office will determine the designation and location of such parking zones. Parking services shall submit to the city council a written recommendation specifying the area(s) proposed for designation and the reasons for designation. Upon ratification of the recommendations, the council shall direct the parking services office to erect signs in the designated area(s) indicating the parking zone(s) and the time limits for parking.

B. Parking services will determine the days of the week that the zone will be in effect, and the hours of enforcement for such zones.

C. The parking services office will determine the design of the signs for proper posting of the zone.

D. Parking services will identify any areas in which loading zones, no parking areas, and other such items should be required or maintained for public safety or to maintain previous commitments. (Ord. 4009, 3-5-2012)
As stated in the code above, this serves as the written recommendation to City Council to revise the time limited parking in the historic district to reflect a zoned management system establishing an area of on-street parking which is regulated as 2-hour parking and a zone regulated as 4-hour parking.

The following areas are recommended to change to a 4-hour time limit:

- Front Street between 12th Avenue and 14th Avenue
- 1st Street between 14th Avenue and 15th Avenue
- 1st Street between 10th Avenue and 12th Avenue
- 2nd Street between 10th Avenue and 12th Avenue
- 2nd Street between 14th Avenue and 15th Avenue
- 3rd Street between 10th Avenue and 15th Avenue
- 10th Avenue between Front and 4th Street
- 11th Avenue between Front and 4th Street
- 12th Avenue between Front and 1st Street
- 12th Avenue between 3rd and 4th Street
- 13th Avenue between Front and 1st Street
- 13th Avenue between 3rd and 4th Street
- 14th Avenue between Front and 1st Street
- 14th Avenue between 3rd and 4th Street

Unregulated parking will continue on 15th Avenue and 4th Street
Within the two zones there are a few areas with exceptions to the standard time limits and those will remain in effect as they exist today. Those areas include:

- 10-minute parking next to the Nampa Library on 3rd Street South
- 30 minute-parking on 1st street south adjacent to the old Nampa Library owned by Mussell Construction
- Museum only parking for employees on Front Street

This change in time restrictions will result in a budgetary impact to the parking budget. we anticipate the need to modify 60 parking signs throughout the 4-hour zone prior to the enforcement of the new time restriction. we do not yet have an estimated cost of the modifications of those signs. staff also anticipates a decrease in ticket revenue. for fiscal year 2019 we anticipate the revenue budget to decrease by at least $5,000 resulting in a net impact of $7,500 which will need to be offset with general fund balance.

Councilmembers asked questions and made comments.

RESOLUTION OF THE NAMPA CITY COUNCIL AUTHORIZING AND ADOPTING THE DOWNTOWN PARKING MANAGEMENT PLAN FOR THE CITY OF NAMPA.

MOVED by Skaug and SECONDED by Rodriguez to pass the resolution as presented. Mayor Kling asked for a roll call vote with Councilmembers Hogaboam, Rodriguez, Skaug voting YES. Councilmembers Bruner, Levi, Haverfield voting NO the Mayor voted YES to break the tie. The Mayor declared the resolution passed, numbered it 19-2018 and directed the clerk to record it as required.

MOTION CARRIED

8-1. 1st reading of ordinance for Annexation and Zoning to Light Industrial at 58 and 0 N. Kings Rd. for construction of Storage Units (A combined 3.87 acre or 168,577 sq. ft. portion of the South Half of the NW ¼ of the SW ¼ of Section 24, T3N, R2W, BM) for Cody Lane-Trek Investment Group (PH was 9-17-2018)

8-2. 1st reading of ordinance for Annexation and Zoning to RD (Two-Family Residential) for Mattingly Creek Subdivision at 2008 W. Orchard Ave. (A 3.5-acre portion of the SE ¼ of the SW ¼ of Section 17, T3N, R2W, BM – 11 Two Unit Single Family Residential Attached lots on 3.5 acres for a total of 22 dwelling units on 3.5 acres or 6.29 dwelling units/gross acre) for Pontifex Capital, LLC represented by Bob Taunton, Taunton Group LLC (ANN 105-18) (PH was 1-22-2019)

8-3. 1st reading of ordinance for modification of an Annexation and Zoning Development Agreement (Ord. 3554 – Instr. # 200629961) between BB One LLC and the City of Nampa by amending Exhibit B - Commitments and Conditions, and introducing an Exhibit C -
Regular Council
March 18, 2019

Preliminary Plat for Laguna Farm Apartments pertaining to Parcel #R3041700000 (1652 Idaho Center Blvd.) a 24.53-acre property in a GB2 (Gateway Business 2) zoning district in Government Lot 1 and the NE ¼ of the NW ¼ of Section 7, T3N, R1W, BM - for Kent Brown representing FIG Laguna Farms LLC (DAMO 027-18) (PH was 2-4-2019)

8-4. Annexation and Zoning to IL (Light Industrial) at 0 Cherry Lane (Parcel R30839011A0) for construction of a Warehousing facility (Tax 03066 – 24.39-acre portion of the south half of the SE ¼ of Section 4 T3N R2W BM), for Richard Evans (ANN-00109-2018). (PH was 2-19-2019)

(9) Executive Session

Item #9-1- Mayor Kling presented the request to adjourn into Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student.

MOVED by Rodriguez and SECONDED by Bruner to adjourn into executive session at 9:45 p.m. pursuant to Idaho Code 74-206 (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. The Mayor asked for a roll call vote with all councilmembers present voting YES. The Mayor declared the MOTION CARRIED

MOVED by Skaug and SECONDED by Haverfield to conclude the executive session at 10:30 p.m. during which time discussion was held regarding Idaho Code 74-206 (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

MOVED by Skaug and SECONDED by Haverfield to adjourn the meeting at 10:31 p.m. The Mayor declared the MOTION CARRIED

Passed this 1st day of April 2019.

______________________________
MAYOR

ATTEST:

______________________________
CITY CLERK

Page 50
NAMPA PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
TUESDAY, MARCH 12, 2019, 6:30 P.M.

Members:  Lance McGrath - Chairman  Harold Kropp
Peggy Sellman – Vice Chair  Bret Miller
Matthew Garner  Ron Van Auker, Jr
Adam Hutchings  Norm Holm, Director
Steve Kehoe  Kristi Watkins – Senior Planner
Jeff Kirkman  Daniel Badger – City Engineer

Chairman McGrath called the meeting to order at 6:32 p.m.

Approval of Minutes:  Sellman motioned and Miller seconded to approve the Minutes of the February 26, 2019 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions.  City Councilor Haverfield reported on the City Council meeting of March 4, 2019: 1) City Council did approve the Amendments to the Nampa City Code, Title 3, Chapter 7 – Impact Fees; 2) City Council also approved Amendments to the Nampa City Code – Title 10, new Design Review Chapter 34; 3) Appeal of the Denial by the Planning Commission for the 72 unit apartment complex on Merchant Way, near Treasure Valley Marketplace.  After review the City Council approved the Appeal, to allow approval of the Conditional Use Permit for the apartments with conditions to include meeting the Ordinance regarding parking, and the ADA parking requirements, as well as screening along the east side of the property where it abuts an industrial facility.

Chairman McGrath proceeded to the business items on the agenda.

Business Item No. 1:
Final Plat Approval for Carriage Hill West Subdivision No. 2 on the east side of Midway Rd between W Iowa Ave and Lake Lowell Ave. (A portion of the NW ¼ of Section 31 T3N R2W BM – 44 Single Family Residential lots, within an RS-7 zoning district, on 11.25 acres, or 3.91 lots/gross acre), for Engineering Solutions, LLP, representing Toll Southwest, LLC. (SPF-00082-2019).

Senior Planner Watkins:
• Watkins indicated the location of the proposed subdivision at the southeast corner of Lake Lowell Ave and Midway Ave, within an RS-7 zoning district.
• Watkins reviewed the Staff Report and the Engineering Division memorandum, dated March 12, 2019, authored by Daniel Badger.
• Staff finds the proposed Final Plat for Carriage Hill West Subdivision No. 2 conforms, or substantially conforms to the approved Preliminary Plat for the Carriage Hill West Subdivision, and complies with the relevant RS-7 Zoning Code and City of Nampa Subdivision standards pertaining to the proposed development.
• Staff, added Watkins, recommends approval for Carriage Hill West Subdivision No. 2, contingent upon compliance by the applicant/developer with the recommended conditions of approval listed in the Staff Report and those listed in the Engineering Division memorandum.
• Garner noted the Engineering Division memorandum indicated there should be a secondary access for the subdivision due to the number of lots in the development and inquired if that would change the plat.
• Badger replied that requirement would not significantly change the plat because they would more than likely be extending the existing collector road out to Midway Rd upon construction of Phase 3, probably concurrently with Phase 2, so there would be no significant change to the proposed plat.
• Chairman McGrath referred to the letter from the Boise Project Board of Control and inquired about the pressurized irrigation system for the proposed development.
• City Engineer Badger replied the Carriage Hill West Subdivision would be served by City of Nampa pressurized irrigation.

Miller motioned and Garner seconded to recommend to City Council approval of the Final Plat for Carriage Hill West Subdivision No. 2 for Toll Southwest LLC, subject to:

Generally, Applicant/Development shall:

1. Comply with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the city pertaining to the approved Preliminary Plat of/for Carriage Hill West Subdivision.

More specifically, compliance with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):

Specifically:

a) Compliance with the requirement(s) listed in the January 24, 2019 e-mail from Nampa Highway District No. 1, authored by Eddy Thiel.

b) Compliance with the requirement(s) listed in the January 29, 2019 letter from Boise Project Board of Control, authored by Thomas Ritthaler.

c) Compliance with the requirement(s) listed in the February 25, 2019 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.

d) Compliance with the requirements listed in the March 12, 2019 memorandum from the City Engineering Division, authored by Daniel Badger.

2. Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes.

Motion carried.

Business Item No. 2:

Final Plat Approval for Lava Peak Subdivision at the SW corner of the intersection of E Locust Lane and Southside Blvd in the NE ¼ of Section 11 T2N R2W BM – 29 Single Family Residential lots on 6.85 acres, or 4.23 lots/gross acre), for Matt Schultz representing Quatro Properties Nampa, Inc. (SPF-00083-2019)

Senior Planner Watkins:

• Watkins indicated the location of the proposed development at the southwest corner of Southside Blvd and E Locust Ln.

• Staff finds, continued Watkins, the proposed subdivision conforms, or substantially conforms within acceptable limits to the approved Preliminary Plat for Lava Peak Subdivision and complies with the relevant RS-6 Zoning Codes and City of Nampa Subdivision standards pertaining to the proposed development.

• Watkins indicated the Engineering Division memorandum dated March 12, 2019, authored by Daniel Badger.

• Staff recommends Lava Peak Subdivision Final Plat be approved contingent upon compliance by the applicant/developer with the recommended conditions of approval listed in the Staff Report and those listed in the Engineering Division memorandum.

• Kropp inquired if there would be any commercial use on the subject property and Watkins replied there would not.

Miller motioned and Garner seconded to recommend to City Council Final Plat approval for Lava Peak Subdivision for Matt Schultz, representing Quatro Properties Nampa, Inc, subject to:

Generally, Applicant/Development shall:

1. Comply with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the City pertaining to the approved Preliminary Plat of/for Lava Peak Subdivision.

More specifically, compliance with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):

Specifically:

a) Compliance with the requirement(s) listed in the January 24, 2019 e-mail from Nampa Building Department, authored by Neil Jones.
b) Compliance with the requirement(s) listed in the February 15, 2019 letter from Idaho Transportation Department, authored by Sarah Arjona.
c) Compliance with the requirement(s) listed in the February 20, 2019 memorandum from the City of Nampa Engineering Division, GIS Section, authored by Alex Main.
d) Compliance with the Engineering Division memorandum dated February 27, 2019, authored by Nicole Fletcher.

2. Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes.

Motion carried.

Business Item No. 3:
Final Plat Approval for Canyon Creek Subdivision No. 5 on the west side of Can-Ada Rd between Cherry Lane and Ustick Rd at 17447 N Can Ada Rd. (A parcel of land located in the SE ¼ of Section 1 T3N R2W BM – 47 buildable lots on 15.53 acres for 3.23 lots per gross acre), for Bailey Engineering representing Toll Southwest, LLC (SPF-00084-2019).

Senior Planner Watkins:
- Watkins indicated the location of the proposed development, north of Cherry Ln and west of N Can-Ada Rd in an RS-7 zoning district.
- Staff finds, continued Watkins, the proposed subdivision Final Plat for Canyon Creek Subdivision No. 5 conforms, or substantially conforms, within acceptable limits, to the approved Preliminary Plat for Canyon Creek Subdivision. The Final Plat complies with the relevant RS-7 Zoning Codes and City of Nampa Subdivision standards pertaining to the proposed development.
- Staff recommends Canyon Creek Subdivision No. 5 Final Plat be approved contingent upon compliance by the applicant/developer with the recommended conditions of approval listed in the Staff Report and those listed in the Engineering Division memorandum.

Miller motioned and Kirkman seconded to recommend to City Council approval of the Canyon Creek Subdivision No. 5 for Bailey Engineering, representing Toll Southwest, LLC, subject to:

1. Generally, Applicant/Development shall comply with all City department/division or outside agency requirements pertinent to this matter. This is to include any applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the City pertaining to the approved Preliminary Plat of/or Canyon Creek Subdivision unless otherwise adjusted upon approval by the Nampa Planning and Zoning Commission acting within the scope of their authority and in conformance to adopted City Code.

More specifically, comply with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):

a) A memorandum from the Nampa Engineering Division dated March 6, 2019, authored by Nicole Fletcher, recommends approval of the Final Plat and lists comments pertaining to the Plat and construction drawings that will need to be addressed by the project engineer prior to construction.

b) Compliance with the requirement(s) listed on the February 25, 2019 letter from the Nampa Engineering GIS Dept, authored by Alex Main, that requests the following changes/additions prior to Final Plat signature:
   1) N Yuma Ave should be N Yuma Way
   2) E Payson St should be E Payson Dr
   3) Include areas of all individual lots, in square feet, listed in lot and/or table

2. Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes.

Motion carried.

Business Item No. 4:
Request for a Second 1-Year Extension of Preliminary Plat Approval for Silver Star Subdivision in an RS-8.5, RS-12 and RS-18 (Single Family Residential – 8,500 sq ft, 12,000 sq ft and 18,000 sq ft) zoned area west of Star Rd and south of Ustick Rd (234 Single Family Residential Lots on 85.07 acres, 2.75 dwelling units per

Nampa Planning and Zoning Commission Meeting – March 12, 2019
Page 3
acre – a portion of the NW ¼ of Section 5 T3N R1W BM), for Engineering Solutions, LLP representing Star Development, Inc. (SPP-00014-2017 formerly SUB660-15). Request to extend 10/10/17 approval which expired 02/15/2019 to 02/15/2020.

Planning Director Holm:
• Holm advised the first extension was from 10/10/2017 to 02/15/2019 and the applicants were requesting to extend another year to 02/15/2020.
• In response to a question from Kirkman, Badger advised Impact Fees would be paid at the time of Building Permit issuance, and based on the date of the submittal of the Building Permit.
• Badger noted the subject development would incur significant off-site costs related to it, and extending the plat would not vest the development with lower impact fees.
• In response to a question from McGrath, Badger stated the subdivision was vested in their rights to discharge to the Birch sewer and that was a vested right by the Birch Sewer Agreement. Badger reported there would be adequate sewer capacity to serve the Silver Star Subdivision.

Kirkman motioned and Sellman seconded to grant the second request for extension of the Preliminary Plat Approval for Silver Star Subdivision, for Engineering Solutions, LLP, representing Star Development, Inc., to February 15, 2020, subject to compliance with all previous conditions attached to the plat.
Motion carried.

Business Item No. 5:
Request for a First 1-Year Extension of Subdivision Final Plat Approval for Modena Subdivision at 17590 N Franklin Blvd. (A portion of the N ¼ Section 2 T3N R2W BM, located on the east side of N Franklin Blvd, one half mile south of Ustick Rd – 32 Single Family Residential lots on 11.74 acres or 2.73 lots/gross acre) for 1099 LLC (SPF-00046-2018). Request to extend 03/13/2018 approval which expires 03/13/2019 to 03/13/2020.

Planning Director Holm:
• Holm stated the Final Plat was approved on March 13, of 2018 and expires March 13, 2019.
• The applicants, continued Holm were requesting the approval be extended to March 13, 2020.
• Kirkman inquired if the extension of the subject development would interfere with any other development or improvements occurring in that vicinity.
• Badger reported the proposed subdivision was awaiting development of the first phase of Feather Cove Subdivision before they can proceed.
• The sewer for Modena Subdivision, added Badger, was sandwiched between the Meriwether Park Subdivision and the proposed Feather Cove Subdivision and it appeared the Feather Cove development anticipated starting this summer and therefore, the Modena Subdivision would likely move forward as soon as the sewer was available to them, and would not be holding up any other development.

Kirkman motioned and Sellman seconded to grant the request for the first one year extension of the Final Plat for Modena Subdivision, for Engineering Solutions, LLP, representing 1099 LLC, to March 13, 2020, subject to compliance with all previous conditions attached to the plat.
Motion carried.

Chairman McGrath proceeded to the public hearing items on the agenda at 7:00 p.m.

Public Hearing Item No. 1:
Annexation and Zoning to BC (Community Business) at 0 Star Road (Parcel R3036301200) on the south side of Ustick Road east of Star Road for access to City utilities for a mixed-use development (A 4.72-acre parcel situated in the NW ¼ Section 5 T3N R1W BM, Tax 99106 in Lot 4), for Matt Garner representing JABR LLC – Justin Reynolds and Alan Bean (ANN 112-19).
Matt Garner recused himself from the Commission for public hearing item No. 1.

Chairman McGrath proceeded to public hearing.

Randy Haverfield, Architecture Northwest, 224 16th Ave S, Nampa – representing the applicant:
- Mr Haverfield stated the application was for annexation and zoning to BC for the subject property. The Comprehensive Plan, continued Mr Haverfield, indicated the area designation of Community Mixed Use, and the BC zoning would fall within that designation.
- The developer, advised Mr Haverfield, was requesting annexation in order to gain access to City utilities, rather than staying in the County. The property is contiguous to the City of Nampa along the south boundary line.
- The developer has reviewed the Staff Report and recommended conditions of approval and is in agreement with those.

Planning Director Holm:
- Holm indicated an aerial view of the subject property, on the south side of Ustick Rd, with Sterling Nursery located to the east.
- The Annexation and BC zoning, added Holm, would conform to the Community Mixed Use designation for the Comprehensive Plan Future Land Use map.
- Holm noted the concept plan for the subject property indicated a storage facility on the south end of the property, stated Holm, with other potential commercial/mixed uses on the remainder of the property.
- Holm stated there had been no comments received from surrounding property owners or residents.
- Chairman McGrath inquired about the pipeline easement shown on the site plan and Mr Haverfield replied it was a high pressure gas line.

Chairman McGrath proceeded to public testimony.

Lavon Webb of 4663 Ustick Rd, Nampa - in favor but did not wish to speak.
Dan King of 4663 Ustick Rd, Nampa – in favor but did not wish to speak.
Mike Gable of 5680 E Franklin Rd, Nampa – in favor but did not wish to speak.

Kehoe motioned and Sellman seconded to close public hearing. Motion carried.

Kirkman motioned and Kehoe seconded to recommend to City Council Annexation and BC zoning for 0 Star Rd (Parcel R3036301200) on the south side of Ustick Rd, east of Star Rd, for Matt Garner representing JABR LLC – Justin Reynolds and Alan Bean, subject to:

1. At time of development of the site, the developer will need to meet with City staff to discuss City utility extensions and design requirements to serve the site.
2. City Water: Currently located approximately 1.60 miles to the southwest on Cherry Lane.
3. City Sewer: Parcel is in the Purdam drainage basin. Existing trunk line is currently located approximately 3.50 miles to the west on Ustick Road.
4. Pressure Irrigation: Currently located approximately 1.70 miles southwest on Can-Ada Road just north of Cherry Lane.
5. Granting of any access or facility easements for and to the City of Nampa and any other utility company or jurisdictional entity as necessary for the operation and maintenance of any utility existing, proposed, or relocated with the development of this site.
6. With development of the property, access points will be required to meet the current adopted Access Management Policy.
   a) Ustick Road – Functional Classification is an arterial. Annexation will only be required to the prescriptive right-of-way of Ustick Road. Dedication required to be fifty (50) feet from centerline to Nampa Highway District No. 1.

Motion carried with Hutchings, Kehoe, Kropp, Miller, Kirkman Sellman and Van Auker, Jr in favor and Garner recused.
Public Hearing Item No. 2:
Conditional Use Permit for a Call Center and Administrative Offices for Collection Bureau Inc, in an IL (Light Industrial) zoning district at 8925 Birch Lane, Building 100. (A portion of a 20.57 acre parcel being Tax 08310 in the SW ¼ Section 10 T3N R2W BM), for Collection Bureau Incorporated (CUP-00132-2019).

Chairman McGrath proceeded to public hearing.
The applicant was not present.

Senior Planner Watkins:
- Watkins explained the Conditional Use Application was required because the previous office occupying the property was the administrative office for Pepsi Co - an accessory use to the manufacturing/distribution business, and Pepsi Co have now moved their offices to a different location on the property.
- The applicants then applied for Certificate of Occupancy and moved into the subject building.
- However, added Watkins, the current Land Use Chart only allowed professional offices in the IL zone with approval of a Conditional Use Permit.
- Therefore, the intent was to bring the subject office into compliance with the current Code.
- Watkins reviewed the Staff Report and noted the collection bureau offices would not be a huge impact on that particular area.
- The subject office, continued Watkins, was located within an IL zoning district and the surrounding uses were all industrially related.
- No objections had been received, stated Watkins, regarding the collection bureau administrative offices.
- Watkins reviewed the Staff Report and recommended conditions of approval.
- Kehoe inquired if Pepsi Co had vacated the entire building or just a portion of the building.
- Watkins advised that Pepsi Co is still located on the property, and they just downsized their administrative offices and moved them into the main building.
- Watkins indicated the location of the small separate building on the property, the location of the collection bureau office, that was not a part of the main manufacturing/distribution building.

Chairman McGrath proceeded to public testimony.
No public comment forthcoming.

Sellman motioned and Hutchings seconded to close public hearing. Motion carried.

Kirkland motioned and Kehoe seconded to approve the Conditional Use Permit for a professional office and debt collection call center for an IL zoned property at 8925 E Birch Lane, Building 100, for Collection Bureau Inc, subject to:
1. Generally: Owner/operator/Applicant(s) shall comply with all applicable requirements [including obtaining proper permits] as may be imposed by City agencies appropriately involved in the review of the request (e.g. Nampa Fire, Building, Planning and Zoning and Engineering Departments, etc) as the Conditional Use Permit approval does not, and shall not, have the effect of abrogating the need to comply with lawful requirements administered by those agencies. Motion carried.

Meeting adjourned at 7:20 p.m.

Norman L Holm, Planning Director ________________________________
:sm
**City of Nampa**  
**Board of Appraisers Meeting**  
**Wednesday, March 6, 2019**  
**MEETING MINUTES**

<table>
<thead>
<tr>
<th>Welcome and Roll Call</th>
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<tr>
<td><strong>Board Attendees:</strong> Citizens at Large Sharon Harris, Hubert Osborne, David Peterson; Tom Points, Public Works Director; Doug Racine, Finance Director; Daniel Badger, City Engineer</td>
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<td><strong>Additional Attendees:</strong> Mayor Kling; Nate Runyan, Deputy Public Works Director (Water); Deborah Spille, Treasurer; Mark Hilty, City Attorney; Sheri Murray, Executive Assistant</td>
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<td><strong>Utility Customer:</strong> Errin Love, Mother Earth Brew Company</td>
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<th>Proposed Amendments to Agenda</th>
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<tr>
<td>• No requests received to amend Agenda</td>
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<th>Staff Communications</th>
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<tbody>
<tr>
<td><strong>1) Underlying Irrigation Districts Summary of Landowner Requests for Exclusion of Water Rights</strong> – Daniel Badger, P.E., City Engineer</td>
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<tr>
<td>• No requests received from underlying irrigation districts this quarter</td>
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<tr>
<td><strong>2) City Summary of Landowner Irrigation Tax Exclusion and/or No Benefit Rate Requests</strong> – Daniel Badger, P.E., City Engineer</td>
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<tr>
<td>• No requests received from Nampa irrigation customers this quarter</td>
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<td><strong>3) Idaho Supreme Court Hookup Fees Calculations</strong> – Daniel Badger, P.E., City Engineer</td>
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<td>• Tom Points summarized the subject documentation provided to the Board</td>
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<td>• Mark Hilty provided history of the North Idaho Building Contractors Association (NIBCA) vs. City of Hayden case regarding the calculation of hookup fees. Ultimately, the Supreme Court of the State of Idaho ruled hookup fees be calculated using the Loomis methodology. In calculating recent hookup fee increases, Nampa already has been careful to follow Loomis</td>
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<td>• Daniel Badger provided a “Total Wastewater Influent” handout and information regarding hookup fees for customer classes SE1 – SE6, and industrial users</td>
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<td>o Calculating City EDUs was called into question by Hubert Osborne. Discussion held about system capacity and customer usage. Legal opinion provided. Mark Hilty, and staff, will look further into Hubert’s concerns about calculating EDU hookup fees. Additional discussion will be held at the next Board meeting</td>
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Unfinished Business

1) Action Item: Proposed Modifications to Utility Billing Rebilling Policy – Deborah Spille, Treasurer

- Information provided regarding recommendations to modify the Utility Rebilling policy
- Board members expressed concern about the lack of clarity in the existing policy, and recommended modifiers, and requested additional and/or different language be put in place

MOTION made, Seconded, to modify the Utility Rebilling policy with correcting language offered by Board members*. 6 YES votes, 0 NO votes. MOTION PASSED

- Following the motion, further discussion was held to insert additional language as to how utility customers can appeal the billing correction if they disagree
- Recommendation made to add the following language to section 2, “Customers may appeal Utility Bills to the Board of Appraisers pursuant to Nampa City Code 3-1-1.”

MOTION made, Seconded, to add the following language to section 2 of the Utility Rebilling policy: “Customers may appeal Utility Bills to the Board of Appraisers pursuant to Nampa City Code 3-1-1.”* 6 YES votes, 0 NO votes. MOTION PASSED

*Language as motioned by Board members is outlined as follows:

<table>
<thead>
<tr>
<th>City of Nampa Utility Billing</th>
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<tbody>
<tr>
<td>401 3rd St. South</td>
</tr>
<tr>
<td>Nampa, ID 83651</td>
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<td>(208) 468-5711</td>
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<tr>
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<tr>
<td>029-10004-2010</td>
<td>Utility Rebilling</td>
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<td>1</td>
<td>January 28, 2010</td>
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Policy

Description – A rebilling policy that addresses the time period of rebilling, circumstances for rebilling, refunds and additional payments.
1. **Errors in Preparation – Malfunctions – Failure to Bill:** Whenever the billing for utility service was not accurately determined for reasons such as a meter malfunctioned or failed, bills were estimated, metering equipment was incorrectly installed, programmed or calibrated, bills were inaccurately prepared, or the utility failed to bill for service, the utility shall **prepare a corrected billing immediately correct the customer account for future billing.** Further, where the circumstances indicate that the customer knew or should have known the utility was underbilling the account, utility may bill the customer the correct amount, as near as can be calculated, for a period not to exceed two (2) years from discovery of the inaccuracy. In that event, customer shall be given the opportunity to make payment arrangements on the corrected amount **not to exceed a six (6) month repayment period.**

2. **Rebilling Time Period:** When it is determined that a malfunction, **or error or failure to bill** has occurred and has resulted in the customer being overcharged or undercharged, **or undercharged or unbillled,** the utility shall **rebill the customer for a period not to exceed two (2) years from the time of the malfunction, error or failure to bill correct the billing error for the identified period not to exceed two (2) years from the malfunction or error.** Customers may appeal Utility Bills to the Board of Appraisers pursuant to Nampa City Code 3-1-1.

3. **Refunds:** The utility shall promptly prepare a corrected billing indicating the refund due to the customer and issue a credit on the customer’s account. When the credit amount exceeds a billing period’s normal billed amount for said customer, the customer shall be notified and may request a refund of the amount in excess of one period’s billing.

4. **Additional Payments:** The utility shall promptly prepare a corrected billing for a customer who has been undercharged or unbillled indicating the amount owed to the utility. An unbillled or undercharged customer shall be given the opportunity to make payment arrangements on the amount not to exceed a six (6) month repayment period.

*Source: Public Utilities Commission, Rules 203 and 204*
**New Business**

1) **Action Item:** Mother Earth Brew Company Wastewater Billing Correction – *Nate Runyan, P.E., Deputy Public Works Director (Water)*
   - History provided regarding Mother Earth Brew Company’s (MEBC) November 2017 wastewater commercial discharge permit’s monthly sewer bill calculations based upon “average historical concentration data and actual monthly flow” methodology
   - In December 2018, staff identified a calculating error in the October 2018 monthly bill as it was calculated using actual data provided by MEBC
   - An audit of MEBC’s monthly billing was performed. Discovery was made that monthly bills for April, June, July, and September 2018 had also been assessed using actual data, resulting in a total, underbilled amount of $1,228.70
   - The City billed MEBC for the underbilled amount in accordance with the Utility Billing Rebilling Policy
   - MEBC paid the total amount and requested methodology be calculated on actual data, and the undercharge be credited to their sewer account
   - Staff reviewed the company’s wastewater history and agreed. Using actual data also aligns with the “cost of service” model for customer billing
   - On January 15, 2019, a new wastewater permit was issued, which included, “monthly sewer billing will be calculated using actual pound constituent data received by the City from MEBC”

MOTION made, Seconded, to provide a credit to Mother Earth Brew Company’s utility sewer account in the amount of $1,228.70. 6 YES votes, 0 NO votes. MOTION PASSED

2) **Action Item:** Fiscal Year 2020 Domestic Water Rates and Fees Increase Recommendation – *Tom Points, P.E., Public Works Director*
   - Information provided on recommended fiscal year 2020 domestic water rates and fees increase of 9%, effective October 1, 2019, as established in the 2018 cost of service study rate analysis
   - Discussion held
   - Providing education and information to customers as to why increase is necessary recommended
   - Programs to assist citizens with utility bills also highlighted
     - Staff reported exploration is currently being performed and additional effort will be ongoing

MOTION made, Seconded, to approve fiscal year 2020 domestic water rates and fees increase of 9%, effective October 1, 2019. 6 YES votes, 0 NO votes. MOTION PASSED
### 3) Action Item: Fiscal Year 2020 Wastewater Rates and Fees Increase

**Recommendation – Tom Points, P.E., Public Works Director**

- Information provided on recommended fiscal year 2020 wastewater rates and fees increase of 16.75%, effective October 1, 2019, as established in the 2018 cost of service study rate analysis
- Discussion held

MOTION made, Seconded, to approve fiscal year 2020 wastewater rates and fees increase of 16.75%, effective October 1, 2019. 6 YES votes, 0 NO votes. MOTION PASSED

### 4) Action Item: Fiscal Year 2020 Domestic Water Hookup Fees Increase

**Recommendation – Tom Points, P.E., Public Works Director**

- Information provided on recommended fiscal year 2020 domestic water hookup fees, effective October 1, 2019, by Engineering News-Record (ENR) Index of 3.39%; Producer Price Index West (PPI-West) of 6.09%, or no increase
- Discussion held

MOTION made, Seconded, to increase fiscal year 2020 domestic water hookup fees by Producer Price Index West (PPI-West) of 6.09%. 6 YES votes, 0 NO votes. MOTION PASSED

### 5) Action Item: Fiscal Year 2020 Wastewater Hookup Fees Increase

**Recommendation – Tom Points, P.E., Public Works Director**

- Information provided on recommended fiscal year 2020 wastewater hookup fees, effective October 1, 2019, by Engineering News-Record (ENR) Index of 3.39%; Producer Price Index West (PPI-West) Index of 6.09%, or no increase
- Discussion held

MOTION made, Seconded, to increase fiscal year 2020 wastewater hookup fees by Producer Price Index West (PPI-West) of 6.09%. 6 YES votes, 0 NO votes. MOTION PASSED

Meeting Adjourned

*See “Attachment A” for March 6, 2019, Board of Appraisers meeting agenda and packet.*
CONSENT TO BID
Local Improvement District (LID)
Sidewalk LID 167

- LID 167 will provide a funding mechanism for property owners within the identified boundaries, as shown on Exhibit A to construct or reconstruct curb, gutter, sidewalks, pedestrian ramps and drive approaches as an improvement to their property

- The 44 participating properties are identified in Exhibit A

- $200,000.00 is the total estimated cost for the improvements. An estimated $150,000.00 of this total will be assessed to property owners for the cost of improvements. $50,000.00 of the funds will be provided by Street Division for pedestrian ramps and alley approaches

- Bidding is to take place in April with construction anticipated to start in May

- The Ordinance creating the LID was approved by Council at the April 1, 2019 meeting

REQUEST: Council authorization to proceed with bid process for LID 167
Street Division
Purchase of Pavement Marking Thermo Plastics
(Reviewed and Approved by Legal Counsel)
(As Approved in Fiscal Year 2019 Budget)

- Public Works Street Division proposes to replace pavement marking thermo plastics for crosswalks, stop bars and arrows on City roadways following the completion of patching, crack sealing, chipping and fog sealing activities

- Pavement marking activity will correlate with the East Greenhurst Road rebuild project, and Public Works Asset Management Program maintenance in Zones D1 and D2

- Estimated cost for the pavement marking thermo plastics is $40,000.00. Staff requests the expenditure be made through the piggyback bidding process

- As per Idaho Code 67-2803(1), the piggyback process allows any governmental agency to use the bid of another governmental agency to establish the price for procurement, provided the initial process satisfied the public bidding rules and the supplier is willing to honor the price

- Flint Trading, a thermo plastic distributor, was awarded the Idaho Transportation Department pavement marking contract (BPO162401103) (see Exhibit A)

- The selected distributor states it will honor the same pricing for the City of Nampa

- This approved expense will be funded from the fiscal year 2019 Street Division Pavement Management Operations budget of $40,000

REQUEST: Authorize immediate piggyback purchase of pavement marking thermo plastics from Flint Trading, contract BPO162401103, at an estimated cost of $40,000.00, for Street Division.
Idaho Transportation Department

CHANGE ORDER - 04
PLEASE DO NOT DUPLICATE THIS ORDER.

Change Order Summary

| Purchase Order Number: | BPO152400400 |
| Account Number:       | AC-1          |
| Revision Number:      | 04            |
| Change Order Date:    | September 24, 2018 |
| Service Start Date:   | November 12, 2018 |
| Service End Date:     | November 11, 2019 |
| Payment Method:       | Invoice       |
| Payment Terms:        | No Payment Terms specified |
| Currency              | USD           |
| FOB Instruction:      | Destination   |
| Attachment(s):        | ChangeLog.htm : Purchase Order Change |

Supplier

Jessica Townsend
FLINT TRADING INC
PO BOX 160
THOMASVILLE, NC 27361
Phone: 336-475-6600-
Fax: 336-475-7900
Email: jtownsend@flinttrading.com

Buyer Contact

Kirk Anderson
Tel: 208-334-8084
Fax: 208-332-4109
kirk.anderson@itd.idaho.gov

Bill To Address

ITD
Idaho Transportation Department
PO Box 7129
Boise, Idaho 83707
Phone: 
Fax: 
Email: 
Mail Stop: 

Ship To Address

ITD
Idaho Transportation Department
3311 W. State Street
Boise, Idaho 83703
Phone: 
Fax: 
Email: 
Mail Stop: 

Instructions

BPO152400400-04, Thermoplastic Pavement and Concrete Markings Category I and II for the Idaho Department of Transportation (the "Contract") is renewed for an additional period of time, as provided above. All of the terms and conditions contained in the Contract shall remain in full force and effect, except as expressly modified herein. Contractor's signed renewal letter is attached and incorporated herein by reference.

Note: The dollar amount listed in the contract renewal pricing is an estimate and cannot be guaranteed. The actual dollar amount of the Contract may be more or less depending on the orders placed by the State; or
may be dependent upon the specific terms of the Contract.

Original Contract: $44,111.50
Amendment 1: $143,341.70
Amendment 2: $143,341.70
Amendment 3: $143,341.70
Amendment 4: $143,341.70
Total Contract: $617,478.30

<table>
<thead>
<tr>
<th>Supplier Part Number</th>
<th>Quantity</th>
<th>Back Order</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.00</td>
<td>0</td>
<td>ANN</td>
<td>143,341.70</td>
<td>$143,341.70</td>
</tr>
</tbody>
</table>

Item Description
BPO152400400-02 Thermoplastic Pavement and Concrete Markings Category I & II

Delivery Date: October 31, 2017
Shipping Method: Delivery
Shipping Instructions: Products shipped to ordering ITD District.
Ship FOB: Destination
Attachment(s)
Special Instructions: Billing/Invoices to be sent to ordering ITD Districts.

<table>
<thead>
<tr>
<th>Sub-Total (USD)</th>
<th>$143,341.70</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Tax (USD)</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTAL: (USD)</td>
<td>$143,341.70</td>
</tr>
</tbody>
</table>

Note: If there is a ☑ next to an item's unit price, that indicates that the price has been discounted.

Signature: [Signature]
Signed By: Arianne Quignon
IDAHO STATE BOARD OF EXAMINERS
Request for Recognition of Assignment

“Assignor” as used herein is Flint Trading, Inc.
Address 4161 Piedmont Parkway, Suite 370
Greensboro, NC 27410

“Assignee” as used herein is Ennis-Flint, Inc.
Address 4161 Piedmont Parkway, Suite 370
Greensboro, NC 27410

“Board” as used herein is the State Board of Examiners, State of Idaho.

“Controller” as used herein is the Idaho State Controller and Secretary to the Board.

WHEREAS, the State of Idaho is or may be obligated to make payments to Assignor pursuant to its contractual or other obligations, more particularly described as follows:

Contract BPO152400400, a Contract for Thermoplastic Pavement and Concrete Markings - Category 1 & 2, for the Idaho Transportation Department

WHEREAS, Assignor has agreed with Assignee to assign all rights of payment for the above obligations to Assignee as reflected by the attached Agreement; and

NOW THEREFORE, pursuant to I.C. Sec. 67-1027, Assignee requests the Board to specially approve assignment of the above obligations on the conditions listed below:

(1) Assignee agreed that its rights shall be subordinate to any claims the State of Idaho or any of its agencies or instrumentalities have or may have against Assignor now or in the future. These claims include, but are not limited to, contracts, tort claims, taxes, fines or penalties of any sort.

(2) If the state receives more than one claim against the amounts owed to Assignor, Assignee shall pay the state the total cost of evaluating such claims. These costs include, but are not limited to...
reasonable attorney's fees for the evaluation of the conflicting claims and any expenses necessary for such
evaluation, including but not limited to, photocopying, transcript costs or any travel costs as necessary. It
is intended that the State of Idaho be made whole in the event that there is any dispute over the sums
involved.

(3) As to any payments made by the state to Assignee on the above-referenced obligations, Assignee agrees to defend, indemnify and hold harmless the State of Idaho for any claims made against the state resulting from such payments to Assignee. It is intended that the State of Idaho be made whole in any dispute involving payments made to Assignee.

The undersigned certifies that he/she is duly authorized by Assignee to execute this Agreement.

DATED this 27th day of August, 2018.

ASSIGNEE

Signature: ____________________________
Name: Laura A. Greer
Title: Corporate Secretary

ASSIGNOR

Signature: ____________________________
Name: Zina Brooks
Title: Vice President - Contract Administration

State of North Carolina: ss.
County of Guilford: ss.

On this 27th day of August, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Laura A. Greer known to me to be the ASSIGNEE whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Davidson County
Residing at Davidson County
My commission expires November 15, 2021 (SEAL)
State of North Carolina
County of Guilford

On this 9th day of August, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Zina Brooks, known to me to be the ASSIGNOR whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Brandon D Woolf, Secretary
State Board of Examiners and
Idaho State Controller

Note: a) After the Assignee and Assignor have completed this form, please mail to:
Idaho State Controller
P.O. Box 83720
700 West State Street
Boise, Idaho 83720-0011

b) After the State Board of Examiners approves the assignment, an executed copy will be mailed to each party.

The Request for Recognition of Assignment form to be used pursuant to Idaho Code 67-1027. The form will be submitted to the State Board of Examiners for approval after it has been completed and
returned to the State Controller's Office. For more information please contact the State Controller's Office, 208-334-3100, or brdexam@sco.idaho.gov.
DISPOSAL OF FACILITIES DEVELOPMENT VEHICLE

- Facilities and Fleet Services has identified one (1) vehicle for disposal.

- Facilities Staff requests the following vehicles be declared surplus property:

<table>
<thead>
<tr>
<th>Item</th>
<th>Serial Number</th>
<th>Estimated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996 Ford F-150</td>
<td>2FTEF15YOTCA31593</td>
<td>$1,000</td>
</tr>
</tbody>
</table>

- Facilities and Fleet Services requests the Mayor and City Council approve the identified vehicle for disposal.

- Disposal falls within Public Works Fleet Services guidelines for funding, acquisition, maintenance, replacement and disposal of City fleet assets

- Fleet Services recommends disposal via Public Sale.

- Facilities Division Staff concurs with this recommendation

REQUEST:

1) Declare the equipment, as outlined above, as surplus property
2) Dispose of identified surplus property as recommend by Staff
RESOLUTION NO.  20-2019

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, A MUNICIPAL CORPORATION OF IDAHO, AUTHORIZING THE DISPOSITION OF CERTAIN CITY PROPERTY. (Facilities)

WHEREAS, the City Council has authorized and passed Resolution No. 25-2015, implementing City policy to declare personal property surplus and to provide for its disposal through sale, transfer, recycling, discarding, destruction, or exchange; and

WHEREAS, the City Clerk of the City of Nampa has proposed for disposal of certain property that the City no longer has use for; and

WHEREAS the approval for the disposal of the below listed property has been obtained from the City Attorney or his designee, and is in compliance with City policy.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, AS FOLLOWS:

1. That the attached listed property shall be disposed of under the direction and supervision of the City Clerk, and in accordance with City policy.

2. The staff of the City of Nampa is hereby authorized to take all necessary steps to carry out the authorization provided by this Resolution.


APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 1ST DAY OF APRIL, 2019.

Approved:

______________________________
Mayor Debbie Kling

ATTEST:

______________________________
City Clerk
CITY OF NAMPA  
DEPARTMENT PROPERTY DISPOSAL REQUEST

Permission is hereby requested to dispose of the following personal property declared surplus by the Council. Disposal will be in a manner meeting the best interests of the City and in accordance with Idaho Code and City Resolution No. 25-2015

<table>
<thead>
<tr>
<th>Disposal Method Code</th>
<th>Use Category</th>
<th>Qty.</th>
<th>Description of Item</th>
<th>Cond. Code</th>
<th>Estimated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Facilities Vehicle</td>
<td>1</td>
<td>1996 Ford F-150</td>
<td>F</td>
<td>1,000.00</td>
</tr>
</tbody>
</table>

Disposal Method Codes:

- 01  Transfer to another agency or department
- 02  Public Sale (Auction or sealed bid)
- 03  Leased property turned back
- 04  Recycle or sell for scrap
- 05  Unusable – ship to local dumpsite
- 06  Other: Disposition

Condition Codes:

- E  Excellent
- G  Good
- F  Fair
- R  Repairable
- U  Unusable

Requesting Department:
Facilities Division

Requesting Person Name (Print):
Brian Foster

Requesting Person Signature:

Received By:

Date Received:
4/1/19
<table>
<thead>
<tr>
<th>License Owner</th>
<th>Address</th>
<th>Council Approval</th>
<th>Alcohol Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ridgecrest Golf Club</td>
<td>3730 Ridgecrest Drive</td>
<td>2-4-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Pete’s Tavern</td>
<td>11 12th Ave. S</td>
<td>2-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Texas Roadhouse</td>
<td>1830 Caldwell Blvd.</td>
<td>2-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Tiny’s Lounge</td>
<td>10 12th Ave. S</td>
<td>2-4-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>TWC Inc. (Chevron)</td>
<td>3030 E Greenhurst Rd.</td>
<td>2-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Little Saigon</td>
<td>1305 2nd St. S</td>
<td>2-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Applebee’s</td>
<td>1527 Caldwell Blvd.</td>
<td>2-4-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Holliday Inn</td>
<td>16245 N Merchant Way</td>
<td>2-4-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Campos Market</td>
<td>3302 Caldwell Blvd.</td>
<td>2-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>The Steel Horse Saloon</td>
<td>102 11th Ave N</td>
<td>2-19-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Idaho Pizza Company</td>
<td>16151 Id Center Blvd</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Idaho Pizza Company</td>
<td>104 W Iowa Ave</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Gem Stop #10</td>
<td>323 Caldwell Blvd</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Gem Stop #32</td>
<td>111 S Midland</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Gem Stop #15</td>
<td>1604 2nd Ave S</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Gem Stop #11</td>
<td>4624 E Amity Ave</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Gem Stop #20</td>
<td>1520 S Middleton Rd</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Gem Stop #8</td>
<td>1400 Franklin Blvd</td>
<td>2-19-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Buffalo Wild Wings</td>
<td>2101 N Cassia St St 2111</td>
<td>2-19-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Sizzler Steakhouse</td>
<td>201 Caldwell Blvd</td>
<td>3-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Costco</td>
<td>16700 N Market Place</td>
<td>3-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>IOU Sushi</td>
<td>2107 N Cassia</td>
<td>3-4-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Shari’s Management Corp</td>
<td>1807 Caldwell Blvd</td>
<td>3-4-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Nampa Aerie #2103 FOE, Eagles</td>
<td>118 11th N</td>
<td>3-4-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Kickback Bar Inc.</td>
<td>3116 Garrity Blvd #145</td>
<td>3-18-19</td>
<td>Beer, Wine, Liquor</td>
</tr>
<tr>
<td>Italian to Go</td>
<td>1220 12th Ave S</td>
<td>3-18-19</td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Mongolian BBQ</td>
<td>1123 Caldwell Blvd</td>
<td></td>
<td>Beer, Wine</td>
</tr>
<tr>
<td>Pacific Sushi</td>
<td>624 12th Ave S</td>
<td></td>
<td>Beer, Wine</td>
</tr>
</tbody>
</table>
Proclamation
Office of the Mayor

Whereas, Cleaning For A Reason is a non-profit that provides free professional house cleaning to cancer patients. Cleaning For A Reason matches any household with a woman, man, or child battling cancer with cleaning companies who are willing to donate their time and services; and

Whereas, cancer is very real and affects so many, so a simple house cleaning can be of assistance to cancer patients and allow these patients to focus on their health, while the nonprofit focuses on patients’ homes during this time of need. For the patients and their families, this service is invaluable; and

Whereas, Cleaning For A Reason has more than 1,200 volunteer cleaning companies and continues to grow every year as more companies participate. Together they improve the lives of those stricken with cancer. There are millions of cancer patients, who do not have the resources to hire an outside service to clean during this difficult time; and

Whereas, Cleaning For A Reason must continue to help cancer patients and give back to the communities by making a difference in the lives of these individuals. A donation of any size is always greatly appreciated by Cleaning For A Reason in order to make this mission possible.

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim the week of April 18-24, 2019 as

“National Cleaning For a Reason Week”

in the City of Nampa. I encourage all citizens to recognize the contributions of Cleaning For A Reason and express appreciation for their commitment to free house cleanings for cancer patients in the hope of achieving optimum health and easing the stress of not only cancer patients, but also their families that often become the main caregiver.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 1st day of April in the year of our Lord two thousand nineteen.

Debbie Kling
Mayor, City of Nampa
CHILD ABUSE PREVENTION & AWARENESS MONTH

WHEREAS, the month of April is National Child Abuse Prevention & Awareness Month; and

WHEREAS, Canyon County recognizes that children are the key to the county’s future, success, prosperity and quality of life and while children are our most valuable resource, they are also our most vulnerable citizens; and

WHEREAS, every child deserves to grow up in a healthy, safe, nurturing environment and have an opportunity to thrive; and

WHEREAS, child abuse and neglect causes psychological, emotional and physical harm which can create lifelong problems for victims of abuse; and

WHEREAS, effective child abuse prevention strategies succeed because of the partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, prosecutor’s offices and the business community and by recognizing that prevention starts with each of us; and

WHEREAS: Canyon County in encouraging citizens throughout the county to display pinwheels, a happy symbol of childhood, during the month of April as part of the “Pinwheels for Prevention” campaign to create awareness of the need to prevent child abuse and neglect;

NOW, THEREFORE, we, the Canyon County Board of Commissioners, the Caldwell City Mayor, and Nampa City Mayor, do hereby proclaim April as Child Abuse Prevention & Awareness Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live throughout the year and especially in the month of April 2019.

Dated and signed on this ___ day of April 2019.

BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO

Pam White, Chairman

Tom Dale, Member

Leslie Van Beek, Member

ATTEST: CHRIS YAMAMOTO

By: __________________________
Deputy Clerk

NAMPA and CALDWELL MAYORS

Debbie Kling, Nampa Mayor

Garret L. Nancolas, Caldwell Mayor
Fiscal Year 2020 Capital Improvement Project Development

- Public Works Department (PWD) staff is in the process of determining which projects will be selected for design and construction as well as how much money must be budgeted to complete the projects.

- Asset management zones are utilized to assist staff in identifying the types of projects within a specified location throughout the City (see Exhibit A).

- There are exceptions where projects are selected outside of the asset management zone based on grant opportunities and critical needs.

- Each year all projects are identified within the specific zones utilizing the following:
  - Masterplans
    - Airport
    - Bike and Pedestrian
    - Sewer
    - Transportation
    - Pressure Irrigation
    - Water
  - Operations Data (field observations, calls, complaints, etc.)

- Meetings are held with PWD staff from the following divisions:
  - Engineering/GIS
  - Environmental Compliance
  - Public Works Administration (finance)
  - Streets
  - Wastewater
  - Water

- The initial meeting is to gather information with PWD representatives to list all potential projects. Budgets are not considered during this meeting.
After the initial meeting, the projects are placed on an interactive GIS map that allows division representatives to rank them based on a scoring matrix that considers the following items (see Exhibit B)

- Safety
- Category
- Capacity
- Condition
- Economic Development
- Companion Projects
- Importance

Once the highest ranked projects are identified, budgets are developed for each of those projects. The number of projects are determined to stay within the maximum budget for the various funding sources in fiscal year 2020

2019 Pressurized Irrigation Season

Water Division staff has been preparing the City’s municipal pressurized irrigation system for delivery of service to its customers. Irrigation water is anticipated to begin entering the canals from underlying irrigation districts the first week of April. Some customers will observe system pressure, but it will likely be intermittent as operators continue to test the system and find any damage that may have occurred over the winter or by accidental strikes during the off period. Full service is expected by mid-April.

Staff is pleased to report two new irrigation filtration systems (Creekside and Midland Park) are scheduled to be installed for the 2019 season. Customers in the area of South Middleton Road, Stanford Drive, West Roosevelt and West Greenhurst Road should experience cleaner irrigation water this summer. However, it may take some time this year to flush the lines of existing debris. Also, a new irrigation well on West Locust Lane should be in operation by the end of August. Customers in the area of Locust Lane, and north to West Greenhurst Road, should experience improved irrigation water quality and pressure. The attached maps (see Exhibit C) show the aforementioned locations for 2019 improvements, as well as information regarding irrigation filters installed from 2016 through 2018.

The City receives irrigation water from mountain reservoirs like Arrowrock, Lucky Peak and Anderson Ranch via various canals to irrigation water districts such as Nampa and Meridian, Pioneer, and Boise-Kuna. The City receives a majority of its irrigation water from the underlying districts which discharge water into other canals and ditches in Nampa. City pumps are used to draw the irrigation water to provide pressurized irrigation service to its customers. The length of the irrigation season is dependent on water in the reservoirs and canals. A press release is forthcoming to help inform customers of the upcoming irrigation season.
4th Street North Sewer Repair

On Friday, March 22, during routine, closed-circuit television (CCTV) inspection of sewer line near the intersection of 17th Avenue North and 4th Street North, Wastewater Division crews found a failed section of clay sewer pipe in need of immediate repair (see Exhibit D). Knife River quoted a repair cost of approximately $12,000 and repair is scheduled for Thursday March 28. The expense will be paid from the fiscal year 2019 Wastewater budget.

The remaining sections of existing sewer pipe are also in poor condition. Engineering Division staff plan to execute a change order to this fiscal year’s cast-in-place pipe contract in order to line this run of sewer pipe once the contract is awarded and executed. Based on cost estimates for fiscal year 2019 projects, staff believes there are adequate funds in the existing budget to perform this added repair without additional allocation of funds.

Street, Fleet Services, and Airport Divisions Fiscal Year 2019 Five-Year Workforce Plan

Attached for City Council review is the City of Nampa Public Works Department (Transportation) Fiscal Year 2020 Five-Year Workforce Plan for the Street, Airport, and Fleet Services Divisions (see Exhibit E). Also, the attached PowerPoint will be presented the same day as this staff report (see Exhibit F, Fiscal Year 2020 Workforce Plan).
Public Works Asset Management Zones

3/4/2019

For illustrative purposes only.
Summary
Each year, as part of the budget planning process, potential Capital Improvement Projects (CIP) are identified for the upcoming year. In order to make efficient use of available budget and resources the projects must be prioritized. Public Works staff has created a Ranking Criteria Matrix to use for ranking all the potential projects based upon a number of criteria.

Guidelines
• See Ranking Criteria Matrix
• GIS Staff will complete the rankings for these Criteria: 2-Category; 3-Capacity; 4-Condition

Steps
1. Go to https://nampa.maps.arcgis.com and login with your credentials.
2. Open the PW Project Ranking FY20 Application found on the home page or in the gallery. You can turn utility data and other layers on/off by going to the layers widget at the top right. There is other functionality in the map you can explore as well.

3. If necessary, filter the data for the pertinent projects (i.e. 02-Streets).
   a. Click the Group Filter button near the top right of the application.
      i. Click the drop-down arrow in the middle of the pop-up and select the Engineering Index type you want.
         1. Keep in mind some projects may have multiple funding sources so they may be in a different index type (i.e. culvert projects are in 02-Streets).
         2. There are two listings for Sewer. The first is for the Treatment Plant and the second is for Collections.
         3. The Group Filter doesn’t work currently for Park projects.
      ii. If you want to select multiple types use the Add Criteria button to add multiple selections.
iii. Click Apply. The filter should remain applied even if the widget is closed.

b. Ranking Projects

i. Click the Edit widget, found at the top right of the map. You can minimize the widget pop-up by clicking the chevrons (arrows) at the top of the widget.

ii. Once the edit tool is enabled click on a point or line you want to rank. A dialogue box will pop-up that with that project’s information.

iii. Scroll to the bottom of the pop-up. Click on the pencil icon to the right of the FY20 Project Ranking Table. This will take you to the related Ranking table.
iv. On the following screen click on the + icon. You will be adding a new ranking record for the project.

![Screen shot showing a + icon and a blank list box for adding data]

v. On the Ranking form enter your name, or initials. Provide any companion project names you think may be pertinent then enter the values you feel are appropriate for each criterion.

vi. Once you are done with the record click Save at the bottom of the pop-up window.

![Screen shot showing a Ranking form with data entries on a list]

vii. Repeat the steps above for each record to be ranked.

viii. Remember, if the Edit widget isn’t enabled, you may only see an identify window which won’t let you enter your values.

c. After you have completed your ranking you can close the application.

If you have any issues or questions about the application, please contact Craig Tarter.
2019 Irrigation Water Quality
Area of Interest
4th Street North Sewer Repair
Between 17th and 18th Avenues North
March 22, 2019
4th Street North Sewer Repair

- During routine inspection a failed clay pipe was identified
- Pipe was installed around 1915
- Failure required immediate repair
- Wastewater contacted Knife River for a quote
- Quoted price for the repair is approximately $12,000
4th Street North Sewer Repair

- Failed sewer pipe is located in a vacated alley now occupied by the Nampa Housing Authority
- Failure is located under the sidewalk shown
4th Street North Sewer Repair

• Pipe repair is scheduled for completion on Thursday, March 28, 2019
• The remaining sections of this pipe are also in disrepair
• Engineering is currently bidding the cast-in-place pipe project for this fiscal year
• Based on cost estimates for fiscal year 2019 projects, staff believes there are adequate funds in the existing budget to perform this added repair without additional allocation of funds.
City of Nampa Public Works Department (Transportation)

Fiscal Year 2020 Five-Year Workforce Plan

Street Division

Fleet Services Division

Airport Division

City of Nampa Public Works (Transportation)
Tom Points, P.E., Public Works Director
Jeff Barnes, P.E., Deputy Public Works Director (Transportation)
Don Bar, Street Division Superintendent
Doug Adams, Fleet Services Superintendent
Monte Hasl, Airport Superintendent

March 2019
EXECUTIVE SUMMARY

SUMMARIZED GOALS

The Street, Fleet Services, and Airport Divisions strive to be model or lead operations in the Treasure Valley. This Fiscal Year 2020 Five-Year Workforce Plan (Plan) provides a strategy for growth focusing on three primary organizational and operational goals:

1. **Enhance Customer Service and Operational Productivity**—Street, Fleet Services, and Airport Divisions identified almost $300,000 annual cost savings through operational innovation.

2. **Retain and Recruit Quality Employees, Decreasing Turnover**—The Plan identifies strategies to promote a positive, professional work culture, offer competitive wages, retain and recruit exceptional staff, improve productivity and reduce turnover. A recent salary survey indicated wages are 3-18% below that of neighboring agencies. The Plan proposes to use operational cost savings to pay for salary increases.

3. **Address Immediate and Long-Term Facility Space Needs**—Provide guidance for immediate space needs and long-range facility strategic planning efforts.

SUMMARIZED WORKFORCE PLAN

1. **Enhance Customer Service and Operational Productivity**

   **Street Division**—Identified $180,000 annual savings through the following operational innovations over a five-year period:

   a) Target 15% ($40,000/year) reduction in snow management costs and improved customer service.
   
   b) Target 15% ($100,000/year) reduction in local chip seal costs and improved customer service.
   
   c) Target 9% ($20,000/year) reduction in chip seal rock through application rate adjustments and reduced sweeping.
   
   d) Target 10% ($20,000/year) reduction in traffic management costs by implementing Intelligent Transportation System (ITS) technology including traffic management center by 2022.

   **Fleet Services Division**—Identified $73,000 annual savings through the following operational innovations over a five-year period:

   a) Target 80% sustained shop productivity (SSP) through operational refinement (industry standard is 70% SSP).
   
   b) Target 10% reduction in maintenance and repair costs by further implementing the 2015 Fleet Plan including:

      - 100% of four wheel alignments and emissions testing in-house ($10,000/year)
      - 100% Police and Fire vehicle upfitting in-house ($63,00/year)
Airport Division—Identified $35,000 in annual savings through the following operational innovations over a five year period:

a) Target 20% reduction ($15,000/year) in growth-related airfield, terminal building, lighting and facility maintenance costs.

b) Target 20% ($14,000/year) reduction in landscape and wildlife hazard maintenance costs.

c) Target 15% ($6,000/year) reduction in Federal Aviation Administration (FAA) grant administration costs.

Street, Fleet Services, and Airport Divisions identified $300,000 annual cost savings through operational innovation.

2. RETAIN AND RECRUIT QUALITY EMPLOYEES, DECREASING TURNOVER

Street Division

a) Add five (5) staff based on growth predictions. Funding according to Fiscal Year 2019 Transportation Funding Plan and efficiency cost savings:
   • Hire one (1) Street/Traffic Technician (2020)
   • Hire one (1) Heavy Equipment/Sweeper Operator (2021)
   • Hire one (1) Heavy Equipment/Sign Maintenance Technician (2022)
   • Hire one (1) Stormwater Maintenance Technician (2023, pending funding)
   • Hire one (1) Street/Traffic Technician (2024, pending funding)

b) Allocate funding for Street GIS Tech (Engineering) (2020).

c) Adjust salaries by 3-18% to compete with local agencies. Salary increases funded through efficiency cost savings.

Fleet Services Division

a) Add two (2) staff based on five year growth predictions:
   • Hire one (1) Fleet Technician (2021)
   • Hire one (1) Fleet Technician (2024)

b) Adjust salaries by 6-14% to compete with neighboring agencies.

Airport Division

a) Add one and one half (1.5) positions over five years based on growth predictions:
   • Hire one (1) Admin Assistant I (2020 part time, full time by 2023). The existing Admin Coordinator II position will be reclassified to an Airport Grant and Contract Tech in 2020 overseeing the new part time Admin Assistant I position
   • Hire part time (.5) seasonal Maintenance Tech I to assist with landscape and facility maintenance (2020-2024). The existing Operations and Maintenance Tech position may be reclassified to an Operations and Maintenance Coordinator by 2023 when the seasonal Maintenance Tech I position moves from seasonal to full or part time

b) Adjust salaries by 8-14% to compete with neighboring agencies and regional airports. Salary increases funded through efficiency cost savings.
3. **ADDRESS IMMEDIATE AND LONG-TERM FACILITY SPACE NEEDS**

Nampa Building and Facilities Department is working with CTA Architects to develop a Fiscal Year 2019 Citywide Facilities Master Plan utilizing the 2014 Fleet and Street Facility Master Plan (CTA Architects) as a foundational document. The Citywide Facilities Master Plan will be completed by September 2019. All divisions are working with Facilities to provide strategic planning data.

**Street Division**

a) Short-Term Expansion—Current administration and bathroom facilities are at capacity. New $50,000 restroom expansion proposed in 2020.

b) Long-Term Expansion—Refer to Fiscal Year 2019 Citywide Facilities Master Plan.

**Fleet Services Division**

a) Short-Term Expansion—New shop work bay by 2020. Funding from general allocations.

c) Long-Term Facility Expansion—Refer to Fiscal Year 2019 Citywide Facilities Master Plan:

- Add paint and body repair capabilities to save costs and improve level of service
- Add central City owned fueling station to save costs and improve emergency response capabilities

**Airport Division**

a) Fiscal Year 2019 Airport Master Plan Update Facility Strategies (T.O. Engineers; September 2019 completion). The Airport Master Plan update is underway, and short and long-term strategies are under consideration including:

- Terminal building expansion
- Airport office relocation to new terminal building
- City hangar expansion (public and private units)
- Acquire land south of Automated Weather Observation System (AWOS)
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1. **Public Works Mission and Vision**

The Street, Fleet Services, and Airport Divisions of the Public Works Department support the movement of goods, services and people within the City of Nampa. Recent community surveys reveal the top priorities for citizens is transportation and public safety. These three divisions play a critical role in advancing transportation services, and the mission and vision of the Public Works Department is described below:

**Mission:** Customer service oriented results  
**Vision:** Public health and safety  
   Infrastructure in good repair and operating at acceptable level of service  
   Support economic growth

2. **Workforce Plan Goals**

The Street, Fleet Services, and Airport Divisions strive to be lead agencies in the Treasure Valley. Strategic planning is essential to proactive management and making the best use of available resources. Nampa’s population has doubled since the year 2000, increasing from 52,000 to 98,000. By 2030, population is predicted to increase to 130,000. The Plan provides a blueprint for growth, focusing on three primary organizational and operational goals:

1. **Enhance Customer Service and Operational Productivity:** This Plan promotes a culture of continual improvement by identifying strategies to better serve the community, innovate operations, and make the best use of limited resources.
2. **Retain and Recruit Quality Employees, Decreasing Turnover:** This Plan identifies strategies to promote a positive work culture, offer competitive wages, retain and recruit exceptional staff, improve productivity and reduce turnover.
3. **Address Immediate and Long-Term Facility Space Needs:** This Plan provides guidance for immediate space needs and long-range facility strategic planning efforts.

3. **Organization Summary—Street, Fleet Services, and Airport Divisions**

**Street Division**

The Street Division maintains and operates a $1.5 billion dollar integrated transportation network made up of roads, bridges, traffic signals, stormwater utilities, and street lights which include:

**Oversight and Maintenance of:**
- 800 lane miles of asphalt roadway  
- 39 major bridges  
- 228 minor bridges/culverts  
- 67 traffic signals  
- 4 roundabout intersections  
- 38 pedestrian signals  
- 17 miles of paved pathway  
- 5,000 street lights  
- 500 miles of stormwater pipe  
- 6,500 stormwater structures  
- 20,000 pedestrian ramps  
- 1,200 miles of curb and gutter  
- 10 miles of guardrails  
- 20,000 street signs
Operational Work Overseeing:
- 33 Street staff (6 temporary)
- Chip seal, patching, crack seal operations
- Pavement striping
- Sand, salt, and gravel stockpiles
- Stormwater repair
- Snow plowing
- Sweeping
- Temporary traffic control
- Signalized intersection maintenance
- Street light repair and maintenance
- Sign fabrication and installation
- Vegetation mitigation in right-of-way

Figure 3-1 Street Division
Current Org Chart

The Street Division maintains and operates a $1.5 billion dollar integrated transportation network.
**FLEET SERVICES DIVISION**

The Fleet Services Division oversees the maintenance, procurement, strategic planning and environmental requirements for nearly 600 vehicles for all City departments. A highly trained technical staff maintains a wide variety of equipment including fire apparatus, heavy equipment, police cruisers, police motorcycles, parks machinery, general vehicles and small engines. Staff upfits new police and fire vehicles with state-of-the-art improvements such as communication equipment, computer technology, safety enhancements and equipment modifications.

Fleet Services oversees the following staff and infrastructure:

- Team of 11 highly skilled employees
- 573 vehicles valued at $30 million (replacement cost)
- 15 Fire apparatus
- 154 Police vehicles including SWAT and incident command
- 50 heavy equipment, backhoes, loaders, plows, graders, vactor trucks, sweepers
- 5 Police motorcycles
- 250 general purpose trucks and cars
- Approximately 100 small engine equipment—mowers, etc.

**Figure 3-2 Fleet Services Division Current Org Chart**

![Figure 3-2 Fleet Services Division Current Org Chart](image)
**AIRPORT DIVISION**

The Nampa Municipal Airport is a key aviation resource to the Treasure Valley. Professional pilots, business owners, corporate and recreational aircraft rely on the excellent services provided by our fixed base operator and multiple specialized aviation service providers. The Airport Division impacts 343 jobs and over $40 million per year in economic activity in Nampa (Idaho Airport System Plan, 2009, ITD Aeronautics). It is a “User Supported Airport” funded solely from hangar rents and other revenues generated by the Airport (no local taxes used for these purposes).

Airport amenities and services include:

- 242 acres of recreational and business hangers
- Home of the Warhawk Air Museum (35,000 visitors annually)
- Home of Civil Air Patrol
- World headquarters for Mission Aviation Fellowship
- 353 based aircraft
- 90,000 operations per year
- Gateway to Idaho backcountry destinations
- Experimental Aircraft Association
- Home of the Tower Grill
- T-Craft Aero Club (120 members)

Airport administration and operations include:

- Maintenance of 70 acres of taxiway and runway asphalt, signage, striping and lighting
- All lease and rental agreements
- Safety inspections and emergency response
- Maintenance of 26 City hangar buildings (229 spaces)
- Terminal and café oversight and maintenance
- Snow removal and weather system observation oversight

The Airport Division impacts 343 jobs and over $40 million per year in economic activity in Nampa.
4. **WORKFORCE PLAN**

1. **ENHANCE CUSTOMER SERVICE AND OPERATIONAL PRODUCTIVITY**

   **Street Division** (approximate $180,000 annual efficiency savings reallocated to salary adjustments and projects)

   **Target 15% ($40,000/Year) Reduction in Snow Management Costs and Improved Level of Service**—The Street Division implemented the use of salt for snow mitigation in fiscal year 2018 (replacing sand). In fiscal year 2019, Street staff began using salt brine (saltwater mixture) for roadway pretreatment reducing the need for the more expensive Magnesium Chloride. The use of salt, and salt brine improves the level of service, eliminates the need to sweep up sand, and vastly reduces material costs. Comparing typical snow years, the salt and salt brine system will save the City approximately $40,000 annually (see Chart 4.1 below).

   ![Figure 4.1 Salt/Salt Brine Cost Savings](chart)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Typical Year Using Sand/Mag Chloride</th>
<th>Typical Year Using Salt/Brine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical # Snow Events</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Snow Maintenance Hours</td>
<td>1,300</td>
<td>1,300</td>
</tr>
<tr>
<td>Street Sweeping of Sand</td>
<td>200</td>
<td>25</td>
</tr>
<tr>
<td>Salt (Cubic Yards, CY)</td>
<td>0</td>
<td>600</td>
</tr>
<tr>
<td>Sand (Cubic Yards, CY)</td>
<td>600</td>
<td>50</td>
</tr>
<tr>
<td>Salt Brine (Gallons)</td>
<td>0</td>
<td>75,000</td>
</tr>
<tr>
<td>Mag Chloride (Gallons)</td>
<td>75,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Total Cost</td>
<td>$178,000.00</td>
<td>$138,300.00</td>
</tr>
<tr>
<td>Total Cost Per Snow Event</td>
<td>$17,800.00</td>
<td>$13,830.00</td>
</tr>
</tbody>
</table>

   **Approximate Annual Cost Savings**  $39,700.00

   **Target 15% ($100,000/year) Reduction in Local Chip Seal Costs and Improved Customer Service**—The Street Division chip seals arterial roadways and outsources local road chip seal work. Starting in 2019, City crews will chip seal at least 1 million square feet (10-20 miles) of local roads per year. Street Division staff will provide a higher level of service at a reduced application cost. Outsourced chip seal contracting is approximately 40 cents/square foot compared to 30 cents/square foot in-house.

   **Target 9% ($20,000/year) Reduction in Chip Seal Rock Quantities**—Each year the Street Division reviews its operations to find efficiency improvements. In fiscal year 2018 staff adjusted rock distribution rates on the chipper from 23.9 lbs./cubic yard to 21.8 lbs./cubic yard. Oil application rates were reduced slightly to match rock application rates. This led to a 9% reduction in rock and oil used and significantly reduced required sweeping.

   **Target 10% ($20,000/year) Reduction in Traffic Management Costs by Implementing Intelligent Transportation System (ITS) Technology Including Traffic Management Center by 2022**—ITS technology will lower traffic maintenance costs, improve signal timing and reduce accidents. The City oversees approximately sixty (60) traffic signals, twenty-nine (29) of which are owned by the Idaho Transportation Department (ITD). Each signal has the future capacity to be remotely controlled using a central software program. Currently, technical staff
must drive to each signal to address operational issues or timing needs. The City will seek grant funding and partnership opportunities with ITD to install a central software program and necessary ITS system improvements by 2022.

**Fleet Services Division (approximate $73,000 annual efficiency savings reallocated to salary adjustments and projects)**

**Target 80% Sustained Shop Productivity (SSP)**—Fleet already exceeds SSP industry standards of 70% which includes all physical work on a vehicle outside of training, administration, and set up/tear down. Fleet is setting a goal of 80-85% SSP by reducing asset downtime, improving communications and providing additional staff training.

**Target 10% Reduction in Maintenance and Repair Costs by Further Implementing the Fleet Plan**—the Fleet Plan was approved by Council in 2015 and involved many innovations including a strategy to modernize the fleet. Other innovations in the Fleet Plan will be implemented including:

- **100% of Four Wheel Alignments and Emissions Testing In-House (approx. $10,000 annual savings)**—Fleet installed a four wheel alignment machine and emission control testing equipment in fiscal year 2019. All staff secured state certified emissions inspector certificates. Fleet streamlined the emissions testing system, conducting fifty-eight (58) due and past due vehicle inspections in-house. The efficiency improvements saved staff time and outsourced testing costs.

- **100% of Police and Fire Vehicle Upfitting In-House (approx. $63,000 annual savings)**—Police added eleven (11) new police cruisers and three (3) motorcycle units to the fleet in fiscal year 2019. In addition, Fire added two (2) pumper trucks and one (1) squad truck. After delivery, Fleet must extensively upfit each unit with state-of-the-art improvements such as communication equipment, computer technology, safety enhancements and equipment modifications. Fleet estimates an increase of four (4) vehicles and three (3) moto-units per year. Rather than outsourcing the vehicles and motorcycles, Fleet staff will absorb the extra hours to complete the work in-house, saving the City $63,000 in outsourced costs annually (four (4) vehicles @ $12,000 each and three (3) motorcycles @ 5,000 each).

**Airport Division (approximate 35,000 per year savings reallocated to salary adjustments and projects)**

**Target 20% reduction ($15,000/year) in growth-related airfield, terminal building, lighting, and facility maintenance**—The City added twenty-two (22) hangar units since 2013 with no staffing changes. Airport staff will absorb growth related maintenance increases and reduce outsourced labor costs.

**Target 20% ($14,000/year) Reduction in Landscape and Wildlife Hazard Maintenance Costs**—To reduce costs and improve level of service, Airport staff will assume oversight of most general landscape and wildlife hazard maintenance, reducing outsourced costs.

**Target 15% ($6,000/year) Reduction in FAA Grant Administration Costs**—The pursuit of grants is essential for the Airport to flourish. FAA grant applications are expected to increase in size and number from two (2) per year to three (3) per year. Rather than outsource the additional grant administration services, Airport staff will absorb the increased workload, saving approximately $6,000 per year.
2. **Retain and Recruit Quality Employees, Decreasing Turnover**

It is Public Works Department’s goal to further establish a positive, professional work culture, building on the unique opportunities in Nampa and exceptional existing workforce. A strong culture, competitive wages and challenging/diverse work experience will attract exceptional staff and reduce turnover.

A recent salary survey indicated wages are 3-18% below that of neighboring agencies. Since 2011, the Street Division has lost approximately one (1) employee per year to a neighboring city, highway district or public entity offering a higher salary for a comparable job. It takes approximately one year of salary to replace an experienced employee. This equates to over $400,000 in loss over a period of eight years.

In an informal recent survey, over one half of Street employees work a second job to make ends meet. Cost savings in this Plan will provide resources to increase salaries to provide for, retain, and recruit great employees.

**Street Division**

Transportation operations funding is anticipated to increase by approximately 4.7% annually over five years (average of Engineering News-Record (ENR), and Producer Price Index (PPI) West). In addition, the Fiscal Year 2019 Transportation Funding Plan proposes increases from impact fees and other sources. Based on a conservative 5% increase per year, one (1) employee is needed per year for the next five years. Employees hired in 2023 and 2024 are pending approval of new funding sources described in the Phase 3 of the Fiscal Year 2019 Transportation Funding Plan.

**Add Five (5) Staff Over Five Years**

*Hire one (1) Street/Traffic Technician (2020)*—Since 2012, the City has installed sixteen (16) new traffic signals and ten (10) pedestrian signals. In addition, approximately 150 new street lights are added annually. This position will provide technical operations support for the increased infrastructure.

*Hire one (1) Heavy Equipment/Sweeper Operators (2021)*—Chip seal and other roadway maintenance operations will nearly double in the next five years with the addition of local road responsibilities. This position will fill the need for increased chip seal operations and the desire to improve street sweeping level of service.

*Hire one (1) Heavy Equipment/Sign Maintenance Technician (2022)*—This position will provide growth related support for street and traffic maintenance.

*Hire one (1) Stormwater Maintenance Technician (2023, depending on funding)*—This position will clean, camera and maintain stormwater system appurtenances.

*Hire one (1) Street/Traffic Technician (2024, depending on funding)*—This position will help administrate traffic and Intelligent Transportation Service (ITS) operations.

**Adjust Salaries to Compete with Local Agencies**—Current salaries average 3-18% below local agencies and are at the low-end of the City’s current salary structure (see Figure 4.2). Salary increases will be funded from efficiency cost savings and no budget increase is requested.
Figure 4.2 Street Division Salary Comparison Summary (% Difference)

<table>
<thead>
<tr>
<th>Salary Range</th>
<th>Ada County Highway District (ACHD)</th>
<th>Nampa Highway District #1 (NHD1)</th>
<th>Canyon Highway District 4 (CHD4)</th>
<th>Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Higher Than Nampa's Current Salary Ranges (Average of All Positions)</td>
<td>Start 10% Mid 14% Top 16%</td>
<td>Start 28% Mid 15% Top 1%</td>
<td>Start 17% Mid 14% Top 12%</td>
<td>0%</td>
</tr>
</tbody>
</table>

**Fleet Services Division**

Add Two (2) Staff Over Five Years—Fleet estimates one (1) vehicle asset per one hundred sixty (160) residents. Based on 4.7% population growth, the City will add approximately 4,700 new residents or 27 new vehicle assets per year. One (1) Fleet technician can maintain approximately eighty (80) assets which equates to one new position approximately every 3 years.

*Hire one (1) Fleet Technician (2021)*

*Hire one (1) Fleet Technician (2024)*

Adjust Salaries to Compete with Local Agencies—Current salaries are on average 6-10% below local agencies mid-level salaries (average of 9% below local agencies low-level salaries) and near the lower end of the City’s current salary structure. Fleet conducted an informal salary survey comparing wages to Canyon County, City of Boise, Ada County Sherriff, Kendall Chevrolet and Dennis Dillon.

**Airport Division**

Add One and One Half (1.5) Staff Over Five Years

*Hire one (1) Admin Assistant I (2020 part time, full time by 2023)*—The Airport has developable property, the largest of which is a twenty (20) acre parcel on the southeast corner of the runway. It is anticipated that the number of private and commercial hangers will increase by approximately 10-15% in the next five years. The additional administration, taxilanes, taxiways, utilities and city buildings will require an additional employee. Funding for the position will be from new rent and lease payments on private and commercial hangars. The existing Admin Coordinator II position will be reclassified to an Airport Grant and Contract Tech in 2020 overseeing the new part time Admin Assistant I position.

*Hire part time (.5) seasonal Maintenance Tech I (2020-2024)*—Hire a temporary position to assist with landscape and facility maintenance as the Airport expands. The existing Operations and Maintenance Tech position may be reclassified to an Operations and Maintenance Coordinator by 2023 when the seasonal Maintenance Tech I position moves to full or part time.
Adjust Salaries to Compete with Regional Agencies—Current salaries are on average 8-14% below local and regional salaries, and near the low-end of the City's current salary structure. Salary increases will be funded from efficiency cost savings and no budget increase is requested.

3. **ADDRESS IMMEDIATE AND LONG-TERM FACILITY SPACE NEEDS**

Street, Fleet Services, and Airport Divisions are at maximum facility capacity and require short-term and long-term space expansion. Nampa Building and Facilities Department is developing a Fiscal Year 2019 Citywide Facilities Master Plan utilizing the 2014 Fleet and Street Facility Master Plan (CTA Architects) as a foundational document. All divisions are working with Facilities to provide strategic planning data.

**Street Division**

**Short-Term Facility Expansion**—Current administration and bathroom facilities are at capacity. New $50,000 restroom expansion is necessary in 2020 to serve 32 staff and at least 6 temporary workers.

**Long-Term Facility Expansion**—Transportation funding and staff increases require administration and equipment facility expansion. An administration and traffic management facility will be needed within five years (See 2014 Fleet and Street Facility Master Plan for space requirements). At least $200,000 per year will be requested to cover a $2.5 to 3 million dollars’ worth of facility expansion.

**Fleet Services Division**

**Short-Term Facility Expansion**—Shop work bays and storage areas are maximized. An additional work bay is needed in 2020 to provide capacity for new staff, increased vehicle units and additional vehicle upfitting. Fleet is requesting $50,000 in fiscal year 2020 funding for the work bay. Facility funding is through general allocations.

**Long-Term Facility Expansion**—Fleet is working with Facilities to complete the Fiscal Year 2019 Citywide Facility Master Plan. A major facility expansion is necessary by 2023 to support increased vehicle units and staffing. As part of long-term facility needs, a fueling station is proposed which would save the City forty (40) cents per gallon and provide 20,000 gallons of emergency supply. Fleet is requesting this be added to the Fiscal Year 2019 Citywide Facilities Master Plan.

**Airport Division**

**Fiscal Year 2019 Airport Master Plan Update Facility Strategies (T.O. Engineers; September 2019 completion)**. The Airport Master Plan is underway and will be completed by September 2019. The proposed strategies thus far are:

*Terminal Building Expansion*—The Nampa Municipal Airport is a destination location for 35,000 people per year. The current terminal building is deteriorated, undersized and
lacking in accessibility. A new terminal is proposed, and funding strategies are currently under consideration including public/private partnerships.

*Airport Office Relocation*—Staff offices can relocate to the proposed new terminal building, freeing up the existing office building for commercial subletting.

*City Hangar Expansion*—Construct or lease hangars on the twenty-acre City owned property.

*Add Land South of Automated Weather Observation System AWOS.*

### 4. Five-Year Organizational Charts

*Figure 4.3 Street Division Five-Year Org Chart (New or Revised Positions Highlighted)*

![Five-Year Organizational Chart](image-url)
Figure 4.4 Fleet Services Division Five-Year Org Chart (New or Revised Positions Highlighted)

Figure 4.5 Airport Division Five-Year Org Chart (New or Revised Positions Highlighted)
FY20 WORKFORCE PLAN

TOM POINTS, P.E., PUBLIC WORKS DIRECTOR
JEFF BARNES, P.E., DEPUTY PUBLIC WORKS DIRECTOR (TRANSPORTATION)
5 YEAR STRATEGY FOR EXCELLENCE...

1. Enhance Customer Service and Operational Productivity
2. Retain and Recruit Quality Employees, Decreasing Turnover
3. Addressing Immediate and Long Term Facility Needs
STREETS
GOAL 1 - CUSTOMER SERVICE AND OPERATIONAL EFFICIENCY

Salt and Salt Brine $40,000/Yr.

Chip Seal Innovations $120,000/Yr.

Intelligent Transportation System (ITS) $20,000/Yr.

$180,000/Yr. Savings
FLEET
GOAL 1 - CUSTOMER SERVICE AND OPERATIONAL EFFICIENCY

Four Wheel Alignments $5,000/Yr.

Emissions Testing $5,000/Yr.

100% Police and Fire Upfitting $63,000/Yr.

$73,000/Yr. Savings
AIRPORT
GOAL 1 - CUSTOMER SERVICE AND OPERATIONAL EFFICIENCY

Landscape and Wildlife Maintenance
$14,000/Yr.

Grant Administration
$6,000/Yr.

Growth Related Facility Maintenance
$15,000/Yr.

$35,000/Yr. Savings
APPROXIMATELY $300,000 PER YEAR SAVINGS THROUGH INNOVATION AND OPERATIONAL EFFICIENCY
GOAL 2
RETAİN AND RECRUIT QUALITY EMPLOYEES, DECREASING TURNOVER

• Strive to be Leaders in the Industry; Fostering a Positive, Professional Work Culture
• Strategic Staff Planning Based on Growth Projections
• Offer Competitive Compensation—Salaries are 3-19% lower than regional public entities
GOAL 2
RETAiN ANd RECRUiT QUALiTy EMPLOYEEs, 
DECREEsiNg TuRNoVER

• Reduce Turnover
  • Since 2011, Street Division has lost one person per year to other local agencies offering higher pay
  • It takes approximately one year of salary to replace an experienced employee
  • Equates to $400,000 loss since 2011
GOAL 3 – ADDRESSING IMMEDIATE AND LONG TERM FACILITY NEEDS

• Current space is at capacity
• Support Fiscal Year 2019 Citywide Facilities Master Plan underway
• Support Airport Master Plan facility expansion strategies (underway)
QUESTIONS?
Downtown Nampa Stakeholders

- City of Nampa
- Downtown Businesses
- BID
- Nampa Chamber of Commerce
- Tourism
- Community
- Arts & Historic Preservation Commission
- Nampa Development Corp
By Edward T. McMahon

Dollar for dollar, pound for pound, Main Street is one of the most effective economic development programs ever created.

A PROVEN ECONOMIC DEVELOPMENT STRATEGY
Amazon recently announced the location of its second global headquarters, (HQ2). It will be split between Crystal City, Virginia, a first ring suburb of Washington, D.C., and Long Island City, a New York City neighborhood in Queens. Almost 240 U.S. and Canadian cities bid for the headquarters, offering as much as $8 billion in economic incentives, but in the end, it all came down to a single factor: the ability to attract and retain talented workers. So, what are the lessons learned for the hundreds of communities that weren’t chosen?

One lesson is that economic incentives are not as important as community assets. Both DC and NYC have highly educated populations, easy access to an international airport, and functioning mass transit systems. Moreover, they both have the kind of walkable, mixed-use environments that attract young, talented workers. Cities hoping to recruit top talent should focus on building a great place.

Now there is nothing wrong with pursuing an economic development home run, but the truth is, most cities will never succeed in attracting the equivalent of an Amazon headquarters. What’s more, the strategy of throwing money at big business is completely unrealistic for the clear majority of smaller cities and towns. So, what is a better, more viable method of building a strong local economy?

THE MAIN STREET APPROACH

Dollar for dollar, pound for pound, Main Street is one of the most effective economic development programs ever created. Developed over 35 years ago, the Main Street four-point framework has a proven record in over 2,000 communities of creating new jobs and businesses while also rehabilitating countless historic buildings and revitalizing thousands of main streets and disinvested commercial corridors.

MAIN STREET IMPACT

<table>
<thead>
<tr>
<th>DOLLARS REINVESTED**:</th>
<th>$74.73 BILLION</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDINGS REHABILITATED:</td>
<td>276,790</td>
</tr>
<tr>
<td>NET GAIN IN JOBS:</td>
<td>614,716</td>
</tr>
<tr>
<td>NET GAIN IN BUSINESSES:</td>
<td>138,303</td>
</tr>
<tr>
<td>REINVESTMENT RATIO***:</td>
<td>$26.42:$1</td>
</tr>
</tbody>
</table>

These estimates are based on cumulative statistics gathered from 1980 to December 31, 2017, for all designated Main Street communities nationwide.

* On February 14, 2019, three months after the HQ2 announcement, Amazon abandoned its plan to locate in NYC due to local opposition.
** Total reinvestment in physical improvements from public and private sources.
*** This number is not cumulative and represents investment and organization budgets from January 1, 2017, to December 31, 2017.
Since its inception, Main Street communities have seen almost $75 billion in new investment. What’s more, in 2017, every $1 of public money invested in Main Street communities leveraged over $26 of private investment. This is economic development as if return on investment (ROI) mattered.

Main Street’s wholistic, incremental approach to community revitalization works—this has been proven time and time again. Now, let’s take a closer look at why it works:
THE POWER OF SMALL

Main Street was developed with the understanding that small steps, small businesses, small deals, and small developments can add up to big impact. Building small is sometimes harder, more time consuming and less flashy than building the one big thing, but it is also more realistic, more cost-effective, and more durable than putting all your eggs into one or two baskets.

Ironically, Main Street’s ability to understand and leverage the power of small is one of its greatest strengths, but also why it receives relatively little public funding or acknowledgment from state policy makers and traditional economic development professionals. Public officials like nothing better than announcing big projects—the bigger the better. Traditional economic development was about business recruitment and “elephant chasing.” City officials would, for example, build an industrial park on the edge of town and then try like crazy to attract some plant, factory, or distribution center to move there.

However, successful economic development is rarely about the one big thing. American communities are littered with projects that were sold as the “silver bullet” solution to a city’s economic woes. Whether it was a convention center, a casino, a new factory or a big box store out on the highway, city after city has followed the copycat logic of big project mania. Cities would be much better off dedicating their time and efforts toward smaller things that work synergistically together in a plan that makes sense.

Most new jobs are in small businesses, while most of state economic incentives go to big businesses. The U.S. Small Business Administration says that “small businesses generated 64% of new jobs over the 15-year period between 1993 and 2011.” They also say that middle market companies (those with revenues of less than $1 billion) produce three out of five jobs in high growth industries. Even in high-tech job centers, like North Carolina’s Triangle Research Park, most jobs are in small businesses. In 2018, it was reported that 60 percent of companies located there have 25 employees or less.
THE POWER OF PLACE

The Main Street Approach is also about creating better places. This is important because the link between quality of place and the ability to attract and retain residents and talent is becoming increasingly clear. Mick Cornett, the four-term mayor of Oklahoma City says that “economic development is really the result of creating places where people want to be.” Similarly, Steve McKnight, a Pittsburgh-based economic development consultant says that in today’s economy, “new investment is increasingly seeking locations based on the quality of place rather than the utility of location.”

In fact, the unique characteristics of place may be the only truly defensible source of competitive advantage in a world where people can choose to live or work almost anywhere. In 2017, the Lincoln Institute for Land Policy released Revitalizing America’s Smaller Legacy Cities, a report that examined the unique challenges of smaller, older industrial centers located primarily in the Midwest and Northeast. It described the trends affecting small and midsized cities: changing economies, declining manufacturing, growth in health care, increasing specialization, and diverging trajectories. It then set out promising strategies for success. Most of the strategies were unsurprising, but two stood out: “focus regional efforts on rebuilding a strong downtown and build on an authentic sense of place.”

The Lincoln Institute recognized, just as Main Street managers do, that downtowns play an outsized role in revitalizing America’s communities because they are the first place people will evaluate when judging the health of a community. This is true, even if the people doing the evaluating plan to locate their home or business outside of the downtown. Downtown’s outsized role in regional economic development was illustrated in another 2017 report entitled Core Values: Why American Companies are Moving Downtown. The report by Smart Growth America and Cushman Wakefield listed 500 major American companies that have either relocated to, expanded, or opened new offices in “walkable downtown locations” in the past five years. Some of the Fortune 500 companies that have announced moves from suburban sites to downtowns include Motorola, McDonald’s, Marriott, Quicken Loans, GE, Caterpillar, Conagra, and Walgreens, among many others.

When asked why they were moving, the number one reason was “to attract and retain talented workers,” and next was “to build brand identity and corporate culture.” A third reason was “to support creative collaboration.” So, there you have it. Downtowns are coming back to life because this is where both businesses and talent want to be.

IN SIMPLE TERMS, IF YOU DON’T HAVE A HEALTHY DOWNTOWN, YOU DON’T HAVE A HEALTHY CITY OR TOWN.
The traditional economic development strategy was about cheap land and cheap labor. It was about shotgun recruitment and low-cost positioning. In the old economy, quality of place didn’t really matter and the most important infrastructure investment was roads. Today, successful economic development is about laser recruitment and high-value positioning. Today, highly trained talent is more important than cheap labor and investing in education and workforce development is far more valuable than widening the highway. Today, we live in a world where capital is footloose. People and businesses can locate anywhere. Communities and regions are in a global competition to attract and retain talented workers. Unlike in previous generations, these workers are choosing where they want to live first and figuring out their job situations later.

The Power of Historic Assets

Often a community’s greatest asset is its historic building stock. Main Street leverages the value of historic buildings, ensuring that they are kept in use contributing to a community’s future. Here again, many public officials underestimate the value and importance of historic preservation. Some even see older buildings as an impediment to revitalization. So, what is the value of historic buildings and neighborhoods?

First, historic buildings physically connect us to the past. They tell us who we are and where we came from. A city without a past is like a man without a memory. Daniel Webster, nineteenth-century American statesman, recognized this when he said that “the man who feels no sentiment or veneration for the memory of his forefathers is himself unworthy of kindred regard and remembrance.” At its essence, saving a community’s historic buildings is about saving the heart and soul of a community.

Sentimentality aside, historic preservation is also an extraordinarily important tool for economic revitalization. Literally dozens of studies over several decades have documented that preservation is good for the economy.

Preservation Positively Affects Jobs, Property Values, Tourism, Downtown Revitalization, Affordable Housing, and Environmental Sustainability.

<table>
<thead>
<tr>
<th>20TH CENTURY MODEL</th>
<th>21ST CENTURY MODEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public sector leadership</td>
<td>Public/private partnerships</td>
</tr>
<tr>
<td>Shotgun recruitment strategy</td>
<td>Laser recruitment strategy</td>
</tr>
<tr>
<td>Low cost positioning</td>
<td>High value positioning</td>
</tr>
<tr>
<td>Cheap labor</td>
<td>Highly trained talent</td>
</tr>
<tr>
<td>Focus on what you DO NOT have</td>
<td>Focus on what you DO have</td>
</tr>
<tr>
<td>Quality of life unimportant</td>
<td>Quality of life critical</td>
</tr>
<tr>
<td>Driven by transactions</td>
<td>Driven by an overall vision</td>
</tr>
<tr>
<td>Key infrastructure = Roads</td>
<td>Key infrastructure = Education</td>
</tr>
</tbody>
</table>
What’s more, while renovation and redevelopment are not new, today’s market is embracing older space with new fervor.

In 2016, for example, the Urban Land Institute (ULI) reported in its annual *Emerging Trends in Real Estate Report* that “office space in rehabilitated industrial buildings (like former textile mills or warehouses) is now commanding rents above new Class A product.” When asked why, a ULI spokesman said it was because both employers and employees love space with authenticity and character. Historic industrial buildings also have large, open floor plans that make them flexible and adaptable—key attributes in a rapidly changing economy.

While it was once common to find corporate headquarters in sprawling suburban office parks, it is now just as common to find corporate offices in iconic historic buildings. Starbucks’ corporate offices, for example, are in a former Sears warehouse distribution center. Under Armour, the sports apparel company, has located its offices in a former detergent plant in Baltimore. Similarly, Converse Inc.’s offices are in a beautifully restored, but once derelict wharf on the Boston waterfront and Ford Motor Company recently announced plans to restore the monumental, but long-abandoned, Detroit Train Station for its new world technology center.

The hospitality industry has also caught on to the advantages of historic buildings. In Milwaukee, the former Pabst Brewery is now the Brewhouse Inn and Suites. In Buffalo, guest rooms have replaced patient rooms at the H.H. Richardson designed state mental hospital, which has been transformed into the luxurious Henry Hotel. And in Boston, the infamous Charles Street Jail is now the swanky Liberty Hotel.

The trend of adaptively reusing historic buildings for lodging facilities is not restricted to big cities or high-end brands.

In Waterloo, Iowa, the former John Deere factory just reopened as a Marriott Courtyard Hotel. In Petaluma, California, an abandoned silk mill has morphed into a Hampton Inn and in Grand Rapids, Michigan, a vacant downtown office building has been reborn as a Home-wood Suites Hotel.
WHAT CHOICE WILL YOU MAKE?

Economic development is about choices. Communities can spend all their time and money on business recruitment or they could focus on expanding existing businesses. When considering your community’s approach to economic development, ask yourself this question: what makes more sense? Is it a better strategy to provide subsidies and tax breaks for big businesses or would it be wiser to invest in creating a great place and educating a skilled workforce?

In considering this question, it is essential to recognize that the big business subsidy approach often pits one community against another. It moves economic activity around. Businesses often leave or threaten to leave after the subsidies run out and if you give a big subsidy to one company, every other company will likely demand the same treatment. At the end of the day, taxpayers will end up subsidizing huge global corporations and communities will have few options if the market shifts or the company flounders.

On the other hand, the Main Street Approach of investing in people and working to create a great place builds lasting assets that will pay dividends long after the initial investment. This approach also helps existing businesses. It helps create diverse, durable local economies and it is a more realistic strategy for smaller cities and towns. And, at the end of the day, taxpayers end up investing in themselves rather than subsidizing big businesses.

So, rather than spending millions trying to attract a big corporation or “silver bullet solution,” consider devoting just a small percentage of this amount to an economic development program with a proven track record of success and real return on investment. After all, for most communities, hitting an economic development home run is a lot harder than hitting a bunch of singles that can add up to even more.

WHAT MAKES MORE SENSE?

<table>
<thead>
<tr>
<th>SUBSIDIES FOR BIG BUSINESS</th>
<th>INVESTING IN A GREAT PLACE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pits one community against another</td>
<td>Creates lasting assets that will pay dividends long after initial investment</td>
</tr>
<tr>
<td>Moves economic activity around</td>
<td>Helps existing businesses</td>
</tr>
<tr>
<td>Businesses leave or threaten to leave after subsidies run out</td>
<td>Creates diverse, durable local economies</td>
</tr>
<tr>
<td>Puts all the eggs in one or two baskets</td>
<td>Communities invest in themselves</td>
</tr>
<tr>
<td>Taxpayers subsidize big business</td>
<td>A more realistic strategy for smaller cities and towns</td>
</tr>
</tbody>
</table>
At the time of Publication This Item Had no Supporting Documentation
NO PARKING REQUEST
WEST SANETTA DRIVE
(West Tacola Street to North Midland Boulevard)

- The Engineering Division recently received a no parking request along West Sanetta Drive near the business plazas near North Midland Boulevard.
- Occasionally vehicles park along West Sanetta Drive rather than parking within dedicated parking lots within the business plazas reducing the travel lanes.
- The existing roadway width conditions are as follows:
  - 31.5 feet total width (including gutter)
  - Of the 31.5 feet, 16 feet total width is used for parallel parking leaving 15.5 feet total roadway width for travel lanes.
- 15.5 feet is not wide enough for a travel lane each direction.
- To allow a travel lane in each direction, a No Parking zone must be established along both sides of West Sanetta Drive between West Tacola Street and North Midland Boulevard (see Exhibit “A”).
- Streets Division will supply the materials and install the No Parking signs.
- Engineering recommends approval of the No Parking zone.

REQUEST: Authorize the installation of a No Parking zone along both sides of West Sanetta Drive between West Tacola Street and North Midland Boulevard.
PROFESSIONAL SERVICES AGREEMENT
Greenhurst Road, Sunnybrook Drive to Canyon Street
ITD Key No.: 21999
(As Approved in FY19 Budget)

- The City secured grant funding through the Local Highway Safety Improvement Program (LHSIP) funds, administered by the Local Highway Technical Assistance Council (LHTAC), to improve roadway safety along Greenhurst Road.
- The state local agreement for the Greenhurst Road; Sunnybrook Drive to Canyon Street project was approved by Council on November 19, 2018.
- The project is funded 92.66% with Local Highway Safety Improvement Program funds secured through COMPASS with the City of Nampa providing 7.34% match using streets funds. Total project cost is currently estimated at $1,121,000.
- The project is currently programmed in COMPASS’ Transportation Improvement Program for design in FY2019 for $142,000 and construction in FY2021 for $979,000.
- This Greenhurst Road, Sunnybrook Drive to Canyon Street project will incorporate the following improvements to reduce or eliminate fatal and serious injury accidents for roadway users (see Exhibit A):
  - Install a traffic signal with pedestrian crossing facilities at the intersection of Greenhurst Road and Sunnybrook Drive
  - Install a pedestrian activated flashing beacon crossing light at the intersection of Greenhurst Road and Canyon Street
  - Install street lighting along Greenhurst Road in front South Middle School west of 12th Avenue South
  - Install raised medians between 12th Avenue South and Sunnybrook Drive
- Three consultant firms were requested to complete a Request for Information (RFI) process. Paragon Consulting, Inc. was selected to perform consultant services for the 21999 project.
- Paragon Consulting, Inc. has provided a professional services agreement that includes a scope of work and labor estimate to provide design and bidding services, for the 21999 Project, in the amount of $85,000.00 (see Exhibit B).
- Consultant design fees will be funded through the FY19 Streets Budget; as budgeted. Upon payment of consultant fees, reimbursement of 92.66% will be requested from ITD.
- Engineering Division has reviewed the Scope of Work and Labor Estimate and recommends approval.

REQUEST: Authorize Mayor and Public Works Director to sign the Task Order for Professional Services between the City of Nampa and Paragon Consulting, Inc. for the Greenhurst Road, Sunnybrook Drive to Canyon Street Project (Key Number 21999) in the amount of $85,000.00 Time and Materials Not to Exceed.
Exhibit A

LHSIP Project Location:
Greenhurst Road Safety Improvements
(S Canyon St to Sunnybrook Dr)
GREENHURST ROAD SAFETY IMPROVEMENTS,
S CANYON STREET TO
SUNNYBROOK DRIVE

LHSIP APPLICATION PROJECT FEATURES

- Install Pedestrian Activated Flashing Beacon Crosswalk (MUTCD Section 4L.03) & LED Street Light
- Install Median Curb To Enforce Right-In-Right-Out Approaches
- Install Traffic Signal With Crosswalks & Pedestrian Controls
- Install LED Street Light
- Install LED Street Light
- Install Traffic Signal With Crosswalks & Pedestrian Controls

NAMPA IDAHO

PROJECT NO.
FIGURE NO.
FIGURE 2
THIS AGREEMENT is made and entered into this _____ day of _________________, ________, by and between the CITY OF NAMPA, whose address is 411 Third Street South Nampa ID  83651, hereinafter called the "Sponsor," and PARAGON CONSULTING, INC., whose address is 157 W. 4th St., Kuna, ID, 83634, hereinafter called the "Consultant."

RATIFICATION

The Idaho Transportation Department, representing the Federal Highway Administration on all local federal-aid highway projects, is authorized to ratify all agreements for engineering services entered into between sponsoring local agencies and their retained consultants. All references to State used hereafter shall denote the Idaho Transportation Department.

NOW, THEREFORE, the parties hereby agree as follows:

The work covered by this Agreement is for the following project(s):

PROJECT NAME: GREENHURST RD; SUNNYBROOK TO CANYON ST, NAMPA
PROJECT NO: A021(999)
KEY NO: 21999

I. SUBCONSULTANTS

The Sponsor approves the Consultant's utilization of the following Subconsultants:

Sawtooth Land Surveying, LLC
Axiom-Points, LLC

II. AGREEMENT ADMINISTRATOR

This Agreement shall be administered by Amanda LaMott, TAP\Safety Engineer, LHTAC; (208) 344-0565; or an authorized representative.

III. DUTIES AND RESPONSIBILITIES OF CONSULTANT

A. DESCRIPTION OF WORK

The Consultant shall provide professional services as outlined in the attachment(s) and as further described herein.
1. The following attachments are made a part of this Agreement:
   a. Attachment No. 1 is the Consultant Agreement Specifications which are applicable to all agreements.
   b. Attachment No. 2 is the negotiated Scope of Work, Cost Estimate, and Man-Day Estimate.

In the case of discrepancy, this Agreement shall have precedence over Attachment No. 2, and Attachment No. 2 shall have precedence over Attachment No. 1.

2. Per Diem will be reimbursed at the current approved rates. These rates are listed at http://itd.idaho.gov/business/?target=consultant-agreements.

IV. DUTIES AND RESPONSIBILITIES OF SPONSOR AND/OR STATE

The Sponsor and/or State shall provide to the Consultant, upon request, copies of any records or data on hand which are pertinent to the work under the Agreement.

V. TIME AND NOTICE TO PROCEED

A. The Consultant shall start work under this Agreement no later than ten (10) calendar days from the receipt of the written notice to proceed with the work. The Consultant shall complete all work by 12/2/2019.

B. The Consultant shall remain available to perform additional work for an additional sixty days or until the Agreement is closed out, whichever comes first.

VI. BASIS OF PAYMENT

A. Payment Basis: Cost Plus Fixed Fee

B. Compensation Amount
   1. Not-To-Exceed Amount: $85,000.00
   2. Additional Services Amount: $0.00
   3. Total Agreement Amount: $85,000.00

C. Fixed Fee Amount: $7,400.00 (This is included in the Total Agreement Amount.)

D. Approved Overhead Rates for Prime Consultant and Subconsultants

   PARAGON CONSULTING, INC. 136.39%%
   SAWTOOTH LAND SURVEYING, LLC 117.69%%
   AXIOM-POINTS, LLC $110/hr
E. Reasonable increases in labor rates during the life of this Agreement will be accepted. Payroll additive rate, general administrative overhead rate, and unit prices are subject to adjustment during the life of this Agreement based on audit and negotiations. If the State approves an adjustment to the overhead rate or unit prices, the Consultant must then submit a written request to the Agreement Administrator requesting use of the approved rate(s) on this agreement. If the new rate(s) are accepted by the Agreement Administrator, they shall apply from the date the written request was made to the Agreement Administrator. An adjustment shall not change the Not-To-Exceed amount of the Agreement. For projects of duration greater than two years, the Not-To-Exceed amount be negotiated. In no case will rates be adjusted more than once per agreement year.

F. Professional Services Authorization and Invoice Summary (Authorization) No. 1 is issued in the amount of $85,000.00 to perform the work of this Agreement.

An additional services amount may be included in this Agreement. If so, the Sponsor will determine if additional services is required beyond the services outlined in Attachment No. 2. When additional services are required, the additional services amount of the Agreement will be utilized, and a subsequent Authorization will be issued.

IN WITNESS WHEREOF, the Parties hereto have set their hands on the day and year in this Agreement first written above.

PARAGON CONSULTING, INC.  
Consultant  
By: ___________________________  
Title: OWNER

CITY OF NAMPA  
Sponsor  
By: ___________________________  
Title: ___________________________

IDAHO TRANSPORTATION DEPARTMENT

By: ___________________________  
Title: ___________________________
ATTACHMENT NO. 1L

CONSULTANT AGREEMENT SPECIFICATIONS

These specifications supplement Local Professional Services Agreements and shall be attached to said Agreements.

A. DEFINITIONS

1. **Administrator**: Person directly responsible for administering the Professional Services Agreement (Agreement) on behalf of the Local Public Agency.

2. **Combined Overhead**: The sum of the payroll additives and general administrative overhead expressed as a percent of the direct labor cost.

3. **Cost**: Cost is the sum of the hourly charge out rate and other direct costs.

4. **Cost Plus Fixed Fee**: Cost Plus Fixed Fee is the sum of the payroll costs, combined overhead, and other direct costs, plus the fixed fee.

5. **CPM**: Critical Path Scheduling. The CPM will list work tasks, their durations, milestones and their dates, and State/Local review periods.

6. **Fixed Fee**: A dollar amount established to cover the Consultant's profit and business expenses not allocable to overhead. The fixed fee is based on a negotiated percent of direct labor cost and combined overhead and shall take into account the size, complexity, duration, and degree of risk involved in the work. The fee is “fixed,” i.e. it does not change. If extra work is authorized, an additional fixed fee can be negotiated, if appropriate.

7. **General Administrative Overhead (Indirect Expenses)**: The allowable overhead (indirect expenses) expressed as a percent of the direct labor cost.

8. **Hourly Charge Out Rate**: The negotiated hourly rate to be paid to the Consultant which includes all overhead for time worked directly on the project.

9. **Incentive/Disincentive Clause**: Allows for the increase or decrease of total Agreement amount paid based on factors established in the Agreement. Normally, these factors will be completion time and completion under budget.

10. **Lump Sum**: An agreed upon total amount, that will constitute full payment for all work described in the Agreement.

11. **Milestones**: Negotiated portions of projects to be completed within the negotiated time frame. Normally the time frame will be negotiated as a calendar date, but it could also be “working” or “calendar” days. As many milestones as the Consultant and the State/Sponsor believe necessary for the satisfactory completion of the Agreement will be negotiated.

12. **Not-To-Exceed Amount**: The Agreement amount is considered to be a Not-to-Exceed amount, which amount shall be the maximum amount payable and shall not be exceeded unless adjusted by a Supplemental Agreement.

13. **Other Direct Costs**: The out-of-pocket costs and expenses directly related to the project that are not a part of the normal company overhead expense.

14. **Payroll Additives**: All payroll additives allocable to payroll costs such as FICA, State Unemployment Compensation, Federal Unemployment Compensation, Group Insurance, Workmen's Compensation, Holiday, Vacation, and Sick Leave. The payroll additive is expressed as a percent of the direct labor cost.
15. **Payroll Costs (Direct Labor Cost):** The actual salaries paid to personnel for the time worked directly on the project. Payroll costs are referred to as direct labor cost.

16. **Per Diem Rates:** Per Diem will be reimbursed at actual cost. However, reimbursements shall not exceed the current approved rates. The current rates are listed on the following Web site: http://itd.idaho.gov/business/?target=consultant-agreements.

17. **Standard of Care:** The level or quality of service ordinarily provided by normally competent practitioners of good standing in that field, contemporaneously providing similar services in the same locality and under the same circumstances.

18. **State:** Normally “State” refers to the Idaho Transportation Department.

19. **Sponsor:** The “Sponsor” refers to the local public agency.

20. **Unit Prices:** The allowable charge out rate for units or items directly related to the project that are not a part of the normal overhead expense.

**NOTE:** All cost accounting procedures, definitions of terms, payroll cost, payroll additives, general administrative overhead, direct cost, and fixed fee shall comply with Federal Acquisition Regulations, 48 CFR, Part 31, and be supported by audit accepted by the State.

B. **STANDARDS OF PERFORMANCE**

Except as otherwise specifically provided for in the Consultant’s Scope of Work, the Consultant agrees that all work performed under the Agreement will be performed in accordance with Idaho Transportation Department Standards and other appropriate standards with generally acceptable standard of care. When the work is of a nature that requires checking, the checking shall be performed by a qualified person other than the one who performed the work.

C. **AGREEMENT ADMINISTRATOR**

The Agreement Administrator will administer the Agreement for performance and payment, and will decide all questions which may arise as to quality and acceptability of the work, rate of progress, definition of work to be performed, completion of milestones, and acceptable fulfillment of the Agreement. The Consultant shall address all correspondence, make all requests, and deliver all documents to the Administrator. The Administrator shall be responsible for the timely coordination of all reviews performed by the State or their representatives.

D. **PERSONNEL**

The Consultant shall provide adequate staff of experienced personnel or Subconsultants capable of and devoted to the successful accomplishment of work to be performed under the Agreement. The specific individuals or Subconsultants listed in this Agreement, including Project Manager, shall be subject to approval by the State and shall not be removed or replaced without the prior written approval of ITD. Replacement personnel submitted for approval must have qualifications, experience and expertise at least equal to those listed in the proposal.

E. **SUBCONSULTANTS**

The Consultant shall have sole responsibility for the management, direction, and control of each Subconsultant and shall be responsible and liable to the Sponsor for the satisfactory performance and quality of work performed by Subconsultants under the terms and conditions of this Agreement. The Consultant shall include all the applicable terms and conditions of this Agreement in each Subconsultant Agreement between the Consultant and Subconsultant, and provide the State with a copy of each Subconsultant Agreement prior to the Subconsultant beginning work. No other Subconsultant shall be used by the Consultant without prior written consent by the State.
F. PROFESSIONAL SERVICES AUTHORIZATION

1. A written PROFESSIONAL SERVICES AUTHORIZATION (PSA) will be issued by the State to authorize the Consultant to proceed with a specific portion of the work under this Agreement. The number of PSAs required to accomplish all the work under this Agreement is one to several. Each PSA will authorize a maximum dollar amount and specify the milestone(s) for which the PSA represents. The Sponsor assumes no obligation of any kind for expenses incurred by the Consultant prior to the issuance of the PSA; for any expenses incurred by the Consultant for services performed outside the work authorized by the PSA; and for any dollar amount greater than authorized by the PSA.

2. The Consultant’s work of this Agreement will be divided into milestones, each governed by a separate PSA. It is not necessary for a PSA to be completed prior to the issuance of the next PSA. The Consultant shall not perform work which has not been authorized by a PSA. When the money authorized by a PSA is nearly exhausted, the Consultant shall inform the Administrator and shall identify the need for additional authorization via issuance of the next PSA. The Administrator must concur with the Consultant prior to the issuance of the next PSA.

3. The Agreement is lump sum, unit cost, or cost plus fixed fee amount as indicated in this Agreement and may include an Additional Services amount for possible extra work not contemplated in the original scope of work. For the Consultant to receive payment for any work under the Additional Services Amount of this Agreement, said work must be authorized and performed under a PSA issued by the State specifically for the extra work. Should the Sponsor request that the Consultant perform additional services, the scope of work and method of payment will be negotiated. The basis of payment for additional work will be set up either as a Lump Sum or Cost Plus Fixed Fee.

G. PROJECT SCHEDULING

All negotiated agreements shall be accompanied by a critical path method schedule (CPM Schedule). The CPM Schedule will list the work tasks for the Agreement, their duration, negotiated milestones and their completion dates, including State/Local review periods. The format of this schedule shall be agreed on prior to signing the Agreement.

Along with the monthly progress report, the Consultant shall provide monthly CPM Schedule updates to the Agreement Administrator for approval. The CPM schedule shall show project percent completed on each task.

H. MONTHLY PROGRESS REPORT

The Consultant shall submit to the State a monthly progress report on Form ITD-771, as furnished by the State. When no work will be performed for a period of time, this requirement can be waived by written notice from the Agreement Administrator. However, at such time as work re-commences, the monthly progress reports shall resume.

The Consultant shall provide monthly progress schedule (CPM) updates to the Agreement Administrator.

The monthly progress report and schedule update will be submitted by the tenth of each month following the month being reported or as otherwise agreed to in the approved scope of work.

The Agreement Administrator will review the progress report and submit approved invoices for payment within two weeks of receiving the invoice, the associated monthly report and the schedule update.

Each progress report shall list invoices by PSA number and reference milestones.

I. PROGRESS AND FINAL PAYMENTS

1. Progress payments will be made once a month for services performed which qualify for payment under the terms and conditions of the Agreement. Such payment will be made based on invoices submitted by the Consultant in the format required by the State. The monthly invoice shall be submitted no later than the tenth of each month following the month being invoiced.
Lump Sum
Progress payments will be made based on a percentage of the work or milestones satisfactorily completed.

Cost Plus Fixed Fee
The Consultant shall submit a breakdown of costs by each item of work on the monthly invoice, and shall show the percent complete of each item of work, each milestone and percent complete of the entire Agreement. Progress payments will be made based on the invoice cost less the fixed fee for the work satisfactorily completed for each invoicing period. Said payment shall not exceed the percent complete of the entire Agreement. Upon satisfactory completion of each milestone, full payment for all approved work performed for that milestone will be made, including Fixed Fee.

Cost
The Consultant shall submit a breakdown of costs by each item of work on the monthly invoice, and shall show the percent complete of each item of work and percent complete of the entire Agreement. Progress payments will be made based on the invoiced cost for the work satisfactorily completed for each item of work. Said payment shall not exceed the percent complete of the entire Agreement.

Direct expenses will be reimbursed at actual cost, not to exceed the current approved rates as identified at http://itd.idaho.gov/business/?target=consultant-agreements.

For “Cost Plus Fixed Fee” and “Cost” agreements, invoices must include backup documentation to support expenditures as appropriate, and as requested by the Agreement Administrator. Such support may consist of copies of time sheets or cost accounting system print-out of employee time, and receipts for direct expenses.

2. The Sponsor will make full payment for the value of the services performed which qualify for payment. This full payment will apply until 95 percent of the work under each Project Agreement PSA or Supplemental Agreement has been completed. No further progress payments will be made until all work under the Agreement has been satisfactorily accomplished and accepted by the Sponsor. If at any time, the Sponsor determines that the work is not progressing in a satisfactory manner, further payments may be suspended or withheld for sums that are deemed appropriate for unsatisfactory services.

3. Final payment of all amounts retained shall be due 60 days after all work under the Agreement has been completed by the Consultant and accepted by the Sponsor. Such final payment will not be made until satisfactory evidence by affidavit is submitted to the State that all indebtedness incurred by the Consultant on this project has been fully satisfied.

4. Agreements which include an incentive/disincentive clause will normally have the clause applied only to the completion of the BID OPENING milestone. If the project is deemed by the Sponsor to be ready for advertisement, but advertisement is postponed at no fault of the Consultant, any incentive earned will be paid.

5. Payments to Subconsultants
The Consultant shall pay each subconsultant for satisfactory performance of its contract items no later than twenty (20) calendar days from receipt of each payment the Consultant receives from the State under this Agreement, in accordance with 49 CFR, Part 26. The Consultant shall return retainage payments to each subconsultant within twenty (20) calendar days after the subconsultant's work is satisfactorily completed. The Consultant will verify that payment or retainage has been released to the subconsultant or suppliers within the specified time for each partial payment or partial acceptance by the Department through entries in the Department’s online diversity tracking system during the corresponding monthly audits.

Prompt payment will be monitored and enforced through the Consultant’s reporting of monthly payments to its subconsultants and suppliers in the online diversity tracking system. Subconsultants, including lower tier subconsultants, suppliers, or both, will confirm the timeliness and the payment
amounts received utilizing the online diversity tracking system. Discrepancies will be investigated by the Contract Compliance Officer and the Contract Administrator. Payments to the subconsultants, including lower tier subconsultants, and including retainage release after the subconsultant or lower tier subconsultant’s work has been accepted, will be reported monthly by the Consultant or the subconsultant.

The Consultant will ensure its subconsultants, including lower tier subconsultants, and suppliers meet these requirements.

J. MISCELLANEOUS PROVISIONS

1. COVENANT AGAINST CONTINGENT FEES

   a. The Consultant warrants that they have not:

      Employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person to solicit or secure this Agreement, other than a bona fide employee of the firm;

      agreed, as an expressed or implied condition for obtaining this Agreement, to employ or retain the services of any firm or person in connection with carrying out this Agreement, or;

      paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee of the firm) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the Agreement.

   b. The Sponsor warrants that the above Consultant or its representative has not been required, directly or indirectly as an expressed or implied condition in connection with obtaining or carrying out this Agreement.

      Employ or retain, or agree to employ or retain, any firm or person, or;

      pay, or agree to pay to any firm, person or organization, any fee, contribution, donation or consideration of any kind.

2. PROHIBITION AGAINST HIRING PERSONNEL AND WORKING FOR CONTRACTOR

   In compliance with the Code of Federal Regulations, (23 CFR, Section 1.33, Conflict of Interest), the Consultant agrees that no one in their employ will work on a part time basis under this Agreement while also in the full-time employ of any Federal Agency, the State, or the Sponsor, without the written consent of the public employer of such person. The Consultant agrees that no one in their employ under any circumstances shall perform any services for the contractor on the construction of this project.

3. CHANGES IN WORK

   All changes in work shall conform to one or more of the following conditions and in no instance shall such change in work be undertaken without written order or written approval of the Sponsor.

   a. Increase in the work required by the Sponsor due to unforeseen circumstances.

   b. Revision in the work required by the Sponsor subsequent to acceptance of such work at the appropriate conference or after revision of such work as outlined at said conference.

   c. Items of work which are beyond the scope of intent of this Agreement and pre-approved by the Sponsor.

   d. Reduction in the work required by the Sponsor due to unforeseen circumstances.

   An increase in compensation will be considered when Department Design Standards or expectations have changed from the time of negotiation.

   Adjustment in compensation for either an increase or reduction in work shall be on a negotiated basis arrived at by mutual agreement between the Sponsor and the Consultant. During such
negotiations the Sponsor may examine the documented payrolls, transportation and subsistence costs paid employees actively engaged in the performance of a similar item or items of work on the project, and by estimated overhead and profit from such similar items or items of work.

Said mutual agreement for a negotiated increase or reduction in compensation shall be determined prior to commencement of operations for an increase in a specific item or items of work. In the case of Sponsor order for nonperformance, a reduction in the specific item or items of work will be made as soon as circumstances permit. In the event that a mutual agreement is not reached in negotiations for an increase in work, the Sponsor will use other methods to perform such item or items of work.

The mutually agreed amount shall be covered by a Supplemental Agreement and shall be added to or subtracted from the total amount of the original Agreement.

Adjustment of time to complete the work as may pertain to an increase or a reduction in the work shall be arrived at by mutual agreement of the Sponsor and the Consultant after study of the change in scope of the work.

4. DELAYS AND EXTENSIONS

Time adjustment may occur when the negotiated scope of work is increased or reduced through mutual agreement of the State and the Consultant.

Extensions of time may be granted for the following reasons:

a) Delays in major portions of the work caused by excessive time used in processing of submittals, delays caused by the State, or other similar items which are beyond the control of the Consultant.

b) Additional work ordered in writing by the Sponsor.

c) Department Design Standards have changed or expectations have changed from the time of negotiation.

5. TERMINATION

The Sponsor may terminate or abandon this Agreement at any time, without further obligation, upon giving notice of termination as hereinafter provided, for any of the following reasons:

a. Evidence that progress is being delayed consistently below the progress required in the current approved CPM Schedule.

b. Continued submission of sub-standard work.

c. Violation of any of the terms or conditions set forth in the Agreement, other than for the reasons set forth in a. and b. above.

d. At the convenience of the Sponsor.

Prior to giving notice of termination for the reasons set forth in a through c above, the Sponsor shall notify the Consultant in writing of any deficiencies or default in performance of the terms of this Agreement, and Consultant shall have ten (10) days thereafter in which to correct or remedy such default or deficiency. Upon their failure to do so within said ten (10) days, or for the reasons set forth in c above, such notice of termination in writing shall be given by the Sponsor. Upon receipt of said notice the Consultant shall immediately discontinue all work and service unless directed otherwise, and shall transfer all documents pertaining to the work and services covered under this Agreement, to the Sponsor. Upon receipt by the Sponsor of said documents, payment shall be made to Consultant as provided herein for all acceptable work and services.

6. DISPUTES

Should any dispute arise as to performance or abnormal conditions affecting the work, such dispute shall be referred to the Sponsor and the Director of the Idaho Transportation Department or his duly authorized representative(s) for determination.
Such determination shall be final and conclusive unless, within thirty (30) days of receipt of the decision Consultant files for mediation or arbitration. Consultant agrees that any mediation or arbitration hearing shall be conducted in Boise, Idaho. Consultant and Sponsor agree to be bound by the mediation agreement or the decision of the arbitration. Expenses incurred due to the mediation or arbitration will be shared equally by the Consultant and the Sponsor.

7. ACCEPTANCE OF WORK

a. The Consultant represents that all work submitted shall be in accordance with generally accepted professional practices and shall meet tolerances of accuracy required by State practices and procedures.

b. Acceptance of work will occur at phases appropriate to the terms of the Agreement and level of detail required by the State in its project development procedures.

c. It is understood by the Consultant that the Sponsor is relying upon the professional expertise and ability of the Consultant in performance of the Agreement. Any examination of the Consultant’s work product by the State/Sponsor will not be considered acceptance or approval of the work product which would relieve the Consultant for any liability or expense. Consultant is solely responsible for the propriety and integrity of its work product.

Acceptance or approval of any portion of Consultant’s work product by the Sponsor for payment, partial or final, shall not constitute a waiver of any rights the Sponsor may have against the Consultant. If due to errors, omissions and negligent acts by the Consultant, or its Subconsultants, agents or employees, in its work product, the Consultant shall make corrections to its work product at no expense to the Sponsor. The Consultant shall respond to the Sponsor’s notice of any error or omission within twenty-four hours of receipt, and give immediate attention to any corrections to minimize any delay to the construction contract. This may include, if directed by the Sponsor, visits to the site of the work.

If the Consultant discovers errors or omissions in its work product, it shall notify the State within seven days of discovery. Failure of the Consultant to notify the State shall be grounds for termination of the Agreement.

The Consultant’s liability for damages incurred by the Sponsor due to negligent acts, errors or omissions by the Consultant in its work product shall be borne by the Consultant. Increased construction costs resulting from errors, omissions or negligence in Consultant’s work product shall not be the Consultant’s responsibility unless the additional construction costs were the result of gross negligence of the Consultant.

8. OWNERSHIP OF DOCUMENTS

All material acquired or produced by the Consultant in conjunction with the preparation of the plans, study, or report, shall become the property of, and be delivered to, the Sponsor without restrictions or limitations of their further use. Any use of these materials by the Sponsor for purposes other than intended under this agreement shall be at the risk of the Sponsor. The Consultant has the right to make and retain copies of all data and documents for project files. Documents provided to the State may be public records under the Public Records Act §§ 74-101 through 74-126 and Idaho Code §§ 9-338 et seq, and thus subject to public disclosure unless excepted by the laws of the state of Idaho, otherwise ordered by the courts of the state of Idaho, and/or otherwise protected by relevant state and/or federal law.

9. AERIAL PHOTOGRAPHY

After aerial photography has been flown, processed and checked for coverage, the negatives shall be sent to the State at the address indicated on the Agreement for evaluation, labeling, and prints or diapositives as needed by the District and the Consultant. The negatives shall become the property of the State. Along with the negatives, the Consultant shall also deliver the Report of Calibration for the aerial camera used for the aerial photography, the flight maps, and the flight log. Once complete, a copy of the mapping shall be placed on a CD-ROM and sent to the address specified in the Agreement.
10. CADD SPECIFICATIONS

Two copies of all drawings shall be furnished to the Department upon completion of the contract. One copy shall be a durable reproducible of the drawing stamped and signed by the Engineer. An electronic stamp is acceptable, provided it is registered and approved with the Board of Professional Engineers and Land Surveyors. Roadway plans shall be furnished on 11” x 17” sheets. Structures plans shall be furnished on 22” x 34” sheets. The other copy shall be an electronic drawing file in a MicroStation .DGN file format. Electronic files shall be delivered on one of the following:

a. Standard CD-ROM format;
b. Standard DVD-ROM Format

Files shall be developed with MicroStation software, XM Version 8.09.X or higher; or converted to the MicroStation .DGN file format with all conversion errors corrected prior to delivery. If the consultant elects to convert files from other CADD software to the .DGN format, the consultant may be required at various times during the contract period to provide proof that all conversion errors can be corrected.

Refer to the CADD Manual for a complete set of CADD Standards. The manual is available at the following website: [http://apps.itd.idaho.gov/apps/manuals/manualsonline.html](http://apps.itd.idaho.gov/apps/manuals/manualsonline.html).

11. GEOTECHNICAL AND MATERIALS WORK

If geotechnical and materials work is required under this Agreement, the Consultant must ensure that any Subconsultant performing geotechnical and materials work be involved in the final design review. This does not mean that the geotechnical and materials Subconsultant must attend the actual final design review meeting, but does mean that the Subconsultant, will at a minimum, participate in the final design plans and proposal review to assure that all geotechnical and materials recommendations/issues it raised concerning the project have been addressed, or notify the Consultant of any outstanding issues.

12. HIGHWAY CONSTRUCTION ESTIMATING PROGRAM

The Idaho Transportation Department has adopted the Trns.Port Estimator™ Highway Construction Cost Estimation software package as the standard for developing all highway construction cost estimates. Consultants who prepare PS&E (Plans, Specifications and Estimate) packages for submittal to ITD are required to use Estimator. Further information is available at the following Web Site: [http://itd.idaho.gov/business/?target=consultant-agreements](http://itd.idaho.gov/business/?target=consultant-agreements).

13. INDEMNITY

a. Concerning claims of third parties, the Consultant shall indemnify, and hold harmless and defend the Sponsor from any and all damages of and against any and all suits, actions, claims or losses of every kind, nature and description, including costs, expenses and reasonable attorney fees that may be incurred by reason of any negligent act, error or omission of the Consultant in the prosecution of the work which is the subject of this Agreement.

b. Concerning claims of the Sponsor, the Consultant shall assume the liability and responsibility for negligent acts, errors or omissions caused by the Consultant or a Subconsultant or their agents or employees to the design, preparation of plans and/or specifications, or other assignments completed under this Agreement, to the standards accepted at the time of the Final Design Review, other established review periods.

c. Notwithstanding any other provision of this Agreement, the Consultant shall not be responsible for claims arising from the willful misconduct or negligent acts, errors, or omissions of the Sponsor for contamination of the project site which pre-exist the date of this Agreement or subsequent Task Authorizations. Pre-existing contamination shall include but not be limited to any contamination or the potential for contamination, or any risk to impairment of health related to the presence of hazardous materials or substances.
14. INSURANCE

The Consultant, certifying it is an independent contractor licensed in the State of Idaho, shall acquire and maintain commercial general liability insurance in the amount of $1,000,000.00 per occurrence, professional liability insurance in the amount of $1,000,000.00, and worker compensation insurance in accordance with Idaho Law.

The professional liability insurance coverage shall remain in force and effect for a minimum of one (1) year after acceptance of the construction project by the State (if applicable), otherwise for one (1) year after acceptance of the work by the State.

Regarding workers’ compensation insurance, the Consultant must provide either a certificate of workers’ compensation insurance issued by an insurance company licensed to write workers’ compensation insurance in the State of Idaho as evidence that the Consultant has a current Idaho workers’ compensation insurance policy in effect, or an extraterritorial certificate approved by the Idaho Industrial Commission from a state that has a current reciprocity agreement with the Idaho Industrial Commission.

The Consultant shall provide the State with certificates of insurance within ten (10) days of the Notice to Proceed.

15. ENDORSEMENT BY ENGINEER, ARCHITECT, LAND SURVEYOR, AND GEOLOGIST

Where applicable, the Professional Engineer, Architect, Land Surveyor, or Geologist in direct charge of the work or portion of work shall endorse the same. All plans, specifications, cost summaries, and reports shall be endorsed with the registration seal, signature, and date of the Idaho professional in direct charge of the work. In addition, the firm's legal name and address shall be clearly stamped or lettered on the tracing of each sheet of the plans. This endorsement certifies design responsibility in conformance with Idaho Code, ITD’s Design Manual, and acceptance of responsibility for all necessary revisions and correction of any errors or omissions in the project plans, specifications and reports relative to the project at no additional cost to the State based on a reasonable understanding of the project at the time of negotiation.

16. LEGAL COMPLIANCE

The Consultant at all times shall, as a professional, observe and comply with all Federal, State and local laws, by-laws, safety laws, and any and all codes, ordinances and regulations affecting the work in any manner and in accordance with the general standard of care. The Consultant agrees that any recourse to legal action pursuant to this agreement shall be brought in the District Court of the State of Idaho, situated in Ada County, Idaho.

17. SUBLETTING

The services to be performed under this Agreement shall not be assigned, sublet, or transferred except by written consent of the Sponsor. Written consent to sublet, transfer or assign any portions of the work shall not be construed to relieve the Consultant of any responsibility for the fulfillment of this Agreement or any portion thereof.

18. PERMITS AND LICENSES

The Consultant shall procure all permits and licenses, pay all charges, fees, and taxes and give all notices necessary and incidental to the due and lawful prosecution of the work.

19. PATENTS AND COPYRIGHTS

The Consultant shall hold and save the Sponsor and its agents harmless from any and all claims for infringement by reason of the use of any patented design, device, material process, trademark, and copyright.
20. NONDISCRIMINATION ASSURANCES

1050.20 Appendix A:

During the performance of work covered by this Agreement, the Consultant for themselves, their assignees and successors in interest agree as follows:


2. **Nondiscrimination.** The Consultant, with regard to the work performed by them during the term of this Agreement, shall not in any way discriminate against any employee or applicant for employment; subcontractor or solicitations for subcontract including procurement of materials and equipment; or any other individual or firm providing or proposing services based on race, color, sex, national origin, age, disability, limited English proficiency or economic status.

3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment.** In all solicitations, either by bidding or negotiation, made by the Consultant for work or services performed under subcontract, including procurement of materials and equipment, each potential subcontractor or supplier shall be made aware by the Consultant of the obligations of this Agreement and to the Civil Rights requirements based on race, color, sex, national origin, age, disability, limited English proficiency or economic status.

4. **Information and Reports.** The Consultant shall provide all information and reports required by regulations and/or directives and sources of information, and their facilities as may be determined by the State or the appropriate Federal Agency. The Consultant will be required to retain all records for a period of three (3) years after the final payment is made under the Agreement.

5. **Sanctions for Noncompliance.** In the event the Consultant or a Subconsultant is in noncompliance with the EEO Special Provisions, the State shall impose such sanctions as it or the appropriate Federal Agency may determine to be appropriate, including, but not limited to:
   - Withholding of payments to the Consultant until they have achieved compliance;
   - Suspension of the agreement, in whole or in part, until the Consultant or Subconsultant is found to be in compliance, with no progress payment being made during this time and no time extension made;
   - Cancellation, termination or suspension of the Agreement, in whole or in part;
   - Assess against the Consultant’s final payment on this Agreement or any progress payments on current or future Idaho Federal-aid Projects an administrative remedy by reducing the final payment or future progress payments in an amount equal to 10% of this agreement or $7,700, whichever is less.

6. **Incorporation of Provisions.** The Consultant will include the provisions of paragraphs 1 through 5 above in every subcontract of $10,000 or more, to include procurement of materials and leases of equipment unless exempt by the Acts, the Regulations, and directives pursuant thereto. The Consultant will take such action with respect to any subcontract or procurement as the State or the appropriate Federal Agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, that if the Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Consultant may request the State to enter into any litigation to protect the interest of the State. In addition, the Consultant may request the United States to enter into the litigation to protect the interests of the United States.
1050.20 Appendix E

During the performance of this contract, the Consultant, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with all non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123 ), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

21. INSPECTION OF COST RECORDS

The Consultant shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred on the project. They shall make such data available for inspection, and audit, by duly authorized personnel, at reasonable times during the life of this Agreement, and for a period of three (3) years subsequent to date of final payment under this Agreement, unless an audit has been announced or is underway; in that instance, records must be maintained until the audit is completed and any findings have been resolved. Failure to provide access to records may affect payment and may constitute a breach of contract.

22. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS
By signing this document the Consultant certifies to the best of his knowledge and belief that except as noted on an attached Exception, the company or its subcontractors, material suppliers, vendors or other lower tier participants on this project:

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;

b. have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records making false statements, or receiving stolen property;

c. are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and

d. have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NOTE: Exceptions will not necessarily result in denial of award, but will be considered in determining Consultant responsibility. For any exception noted, indicate to whom it applies, initiating agency and dates of action. Providing false information may result in criminal prosecution or administrative sanctions.

23. CERTIFICATION CONCERNING LOBBYING ACTIVITIES

By signing this document, the Consultant certifies to the best of their knowledge and belief that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

The Consultant also agrees that he or she shall require that the language of this certification shall be included in all lower tier subcontracts, which exceed $100,000, and that all such sub-recipients shall certify and disclose accordingly.

24. EMPLOYEE ELIGIBILITY

The Consultant warrants and takes the steps to verify that it does not knowingly hire or engage persons not authorized to work in the United States; and that any misrepresentation in this regard or any employment of person not authorized to work in the United States constitutes a material breach and shall be cause for the imposition of monetary penalties up to five percent (5%) of the contract price, per violation, and/or termination of its contract.
SCAPE OF WORK
FOR
CITY OF NAMPA
GREENHURST ROAD; SUNNYBROOK DRIVE TO CANYON STREET [NAMPA], KEY NO. 21999
PARAGON PROJECT NO. 005-19-001
CITY OF NAMPA PROJECT NO. ________
CITY OF NAMPA TASK ORDER NO. ________
MARCH 13, 2019

Prepared By:
Paragon Consulting, Inc.
157 W. 4th Street
Kuna, Idaho 83634

Project Manager:
Harry J. Nelson, P.E.
(208) 921-4915
Scope of Work

Date: March 13, 2019
Task Order Number: 
Project Number: 
Project Name: Greenhurst Road; Sunnybrook Drive to Canyon Street [Nampa], Key No. 21999
Consultant Company Address: 
   PARAGON Consulting, Inc.
   157 W. 4th Street
   Kuna, ID 83634
Consultant Project Manager/Contact Information: 
   Harry J. Nelson, P.E.
   (208) 921-4915 (Cell)
   hnelson@paragonfbk.com
Contract Amount: $85,000.00 (T/M NTE)
Duration: April 1, 2019 thru December 2, 2019 (245 Calendar Days)

Project Description and Assumptions:
This project, sponsored by the City of Nampa will improve the existing two-way stop intersection at Greenhurst Road and Sunnybrook Drive with the design and installation of a traffic signal and add a raised median at the West Walmart/Albertsons approach. In addition, lighting and pedestrian improvements will be designed along Greenhurst Road adjacent to South Middle School. These improvements will consist of 3 LED luminaires and one Rectangular Rapid Flashing Beacon (RRFB) Crossing. Design procedures for this project will follow the Idaho Transportation Department (ITD), Local Highway Technical Assistance Council (LHTAC) and federal aid process. This Project is funded through the Local Highway Safety Improvement Program (LHSIP), administered by LHTAC. This Project consists of selecting the proper signalization arrangement for the Sunnybrook intersection, RRFB design and placement, sizing and locating street luminaires, and securing design approval for the improvements. Depending on construction budget restraints, after addressing the above improvements, this project will also improve the Sunnybrook Drive approach to the Greenhurst intersection as well as necessary ADA ramp improvements along the roadway. The length of such improvements will be estimated in the Concept phase of the project.

Greenhurst Road is classified as an Arterial and Sunnybrook Drive is classified as a Local Road. This urban intersection is currently controlled by a two way stop with stop control on Sunnybrook Road and an approach accessing Walmart & multiple other stores in the northerly business parcel.

Technical reviews of the project’s plans and specifications will be completed by the City of Nampa with completeness reviews and approvals by LHTAC.

All signal, luminaire and RRFB component designs and specifications will be based on the City of Nampa Traffic Signal, Illumination and Electrical Systems Standards. Plans will be prepared to
resemble the City of Nampa Example Signal Plans, prepared in AutoCAD, on standard ITD plan sheet title blocks.

The project design will include the following tasks:

- **Surveying & Mapping (by Sawtooth Land Surveying with PARAGON oversight)**
  - Call for existing utility locates
  - Establish survey control
  - Supplemental survey of project area as needed
  - Survey of Sunnybrook Drive from Greenhurst Road to a later defined terminus as determined by construction budget restraints

- **Project Charter (Completed By LHTAC)**

- **Environmental (by Axiom Points with PARAGON oversight)**
  - Complete ITD-654 Form
  - ITD-1500 Form Completed by LHTAC with support from Axiom and Paragon for “Attachments” section. Axiom will include summary in Environmental Evaluation
  - ITD HQ Coordination to verify compliance with the criteria as stated in the First Amended Programmatic Agreement (August 2009) with Federal Highway Administration, the Idaho Transportation Department, The Advisory Council on Historic Preservation, and the Idaho State Historic Preservation Office regarding Minor Highway Projects. If project is deemed non-compliant by ITD HQ, cultural resource clearance will be considered extra work.
  - Determine if project will result in Section 4(f) of the Department of Transportation Act. It is assumed Section 4(f) evaluation will not be necessary.
  - Wetlands. No wetlands are assumed
  - Prepare a “No Effect” Evaluation
  - Complete ITD 652 Form
  - Hazardous Materials Summary for Environmental Evaluation
  - ITD 2784 NPDES General Permit Checklist
  - Evaluation of potential impacts to land use, access, and traffic safety
  - Public hearing. No public hearing is anticipated
  - Complete ITD 0280 Form
  - Complete Categorical Exclusion Document (assumes no potential environmental items are identified)
  - Environmental review & approval

- **Project Design**
  - Prepare project vicinity map
  - Prepare project information
  - Complete design standards
  - Document design exceptions
  - Layout existing geometrics
  - Identify sidewalk & pedestrian ramp requirements
  - Prepare Concept/Preliminary design plans
  - Prepare initial signal phasing
  - Identify signal, RRFB & luminaire support features (foundation location, mast arm length, lighting, signal head locations, signing, etc.)
o Identify Sunnybrook Drive rebuild extents (Roadway Section depths will follow the City of Nampa Design Standards for Local Residential Streets (N-820A)
o Identify & coordinate potential utility conflicts
o Identify signal detection systems
o Prepare final design plans
o Prepare special provisions
o Prepare quantities and cost estimates
o Final design review

• PS&E Submittal
  o Compile & respond to final design comments
  o Compile & submit PS&E package

Major project assumptions include the following:
• Improvements or modifications to the existing intersection configuration (hard surface improvements such as paving, curbing, sidewalks, etc.) are limited to the north/south approaches (Sunnybrook Dr. & Business Approach). Improvements along Greenhurst Road are not required other than to incorporate current ADA requirements
• The Infrastructure Project Charter will be completed by LHTAC
• “Concept” and “Preliminary” design stages identified in the ITD Design Manual are combined into one design phase with one informal submittal
• All signal components are based on City of Nampa standard equipment with no special equipment design required
• No right-of-way or easement negotiations or acquisitions are required
• Main signal interconnect and AC conduit will be installed prior to this project, mainline interconnect and AC wiring is limited to pulling proper wiring down corresponding conduits
• No special permits are required
• No environmental items are identified as potentially affected
• No public involvement program is included as part of the project and a request for waiver of public involvement and public hearing will be submitted for approval
• No Materials Phase Reports or geotechnical investigations are required –Materials Design Summary, Memorandum 17b is complete.
• The 2012 Idaho Standards for Public Works Construction as modified by the City of Nampa Standards are used as the basis of the design through the ITD process

PARAGON is sub-consulting the surveying and environmental services for this project to Sawtooth Land Surveying and Axiom Points, respectively. The Sawtooth Land Surveying and Axiom Points Scopes of Work are attached as “Exhibit C” and “Exhibit D”, respectively.

Scope of Work
Greenhurst Road; Sunnybrook Drive to Canyon Street
Nampa, Key No. 21999
1. Project Management

1.1. Kick Off Meeting – PARAGON will prepare agenda and conduct meeting with CITY staff to discuss project approach, schedule, available information, etc. PARAGON will record meeting minutes and transmit to CITY.

1.2. Council Meeting – PARAGON will prepare Nampa City Council write-ups and exhibits, attend council meeting(s) to answer questions, etc. Assume one (1) council meeting and two (2) council write-ups.

1.3. CITY Meetings – PARAGON will schedule design progress meetings at PROJECT milestones with CITY, prepare agenda and record minutes. Anticipated meetings include the following:
   - Pre-Operational Conference & Pre-Design site meeting
   - Progress meetings
   - Plans-In-Hand site meeting

1.4. Budget and Tracking – PARAGON will provide monthly progress report(s), detailing expenditures per task to date, percent of budget spent and percent complete. Provide schedule updates, progress report(s) and revisions. Monthly progress report(s) will be submitted with monthly invoice(s).

1.5. Sub-Consultant Administration – PARAGON will administer sub-consultant agreement(s), including providing Project instructions, reviewing sub-consultant deliverables, reviewing invoices and providing Project feedback.

2. Design Services

2.1. Public Outreach

2.1.1. Property Owner Coordination – PARAGON will prepare exhibits and informational material for use in identifying and communicating Project information to private property owners and meet with property owners to discuss potential impacts to access and frontage improvements.

   An initial contact letter will be prepared and mailed to introduce the design team and inform the owners of the upcoming design survey.

2.1.2. Public Mailers & Press Releases – PARAGON will compile information from the design & property owner meetings and provide the CITY with information pertinent for press releases as the design develops and prior to the start of construction. One design phase press release is anticipated along with one pre-construction press release.
2.2. **Project Charter (Completed By LHTAC)**

2.3. **Concept/Preliminary Design**

2.3.1. **Develop Topographic Map** – Existing field survey data and any supplemental survey information will be transferred electronically and placed in an X-Y-Z format. The files will be merged together into a single data file. The survey data will be imported into CAD and a complete topography will be drafted. This topographic file will be the basis of presentation mapping and final plans.

2.3.2. **Collect Traffic and Accident Data** – Not Required – The CITY collected traffic and accident data at the intersection in 2017. This data was used as the basis for the intersection warrant study.

2.3.3. **Traffic Engineering Study** – Not Required – The CITY completed an intersection warrant study in 2018. It is assumed that the referenced intersection warrant study along with the City of Nampa Traffic Signal, Illumination and Electrical Systems Standards fulfills the requirements of the ITD Traffic Engineering Study. Information from the referenced intersection warrant study will be incorporated into the Project Charter, as appropriate.

2.3.4. **Inventory of ADA Upgrades** – In order to meet the current ADA standards all sidewalks, pedestrian ramps, driveway approaches and cross-walks within the limits of the Project will be analyzed to determine the number and types of improvements necessary to bring these features to current standards.

2.3.5. **Project Vicinity Map and Description** – Prepare a project area Vicinity Map for use in communicating with other agencies, utility companies and adjacent property owners. A Project Description will be developed for use on project documents, reports, etc. The description will summarize the location, purpose, anticipated construction elements and any other unique elements of the project.

2.3.6. **Complete Design Standards** – The project design standards will be researched and detailed on the Project Charter. Design standards from AASHTO, the City of Nampa and the ITD Design Manual will be reviewed and incorporated as appropriate.

2.3.7. **Complete Alternatives Analysis** – Not required

2.3.8. **Set Preliminary Signal, RRFB & Luminaire Locations** – The signal location layout will be developed based on the approved Project Charter and the City of Nampa Transportation Master Plan roadway widths, where achievable within the existing right-of-way.
2.3.9. **Preliminary Utility Contacts** – Initial contact letters, with vicinity map and signal location layout, will be sent to appropriate utilities requesting information regarding location and possible conflicts throughout the project area.

2.3.10. **Preliminary Project Field Review** – A preliminary Project Field Review of the project base maps will be completed to identify all features requiring attention throughout the design process.

2.3.11. **Prepare & Submit Concept/Preliminary Design Plans** – An informal preliminary design review will be held with LHTAC and the City of Nampa. One (1) PDF copy of the submittal package will be submitted to the CITY, with one (1) PDF copy submitted to LHTAC. LHTAC and the CITY will distribute the documents as required.

**Minimum Deliverables:**

- Title Sheet
- Vicinity, Total Ownership Map & Special Maps
- Typical Sections
- Preliminary Traffic Signal Plans
- Preliminary Signing & Pavement Marking Plans
- Preliminary Traffic Control Plans
- Preliminary Estimate of Cost

### 2.4. Final Design

2.4.1. **Prepare Signal Design Plans** – PARAGON will prepare signal design plans in conjunction with the anticipated construction sequencing to build the project. The signal design plans will follow the requirements of the City of Nampa Traffic Signal, Illumination and Electrical Systems Standards and the City of Nampa Example Signal Plans and will include the following:

- Intersection geometrics, showing existing signage, existing pavement and pavement markings, location of pedestrian facilities, existing sidewalks, location of right-of-way, utilities, distance to nearest existing traffic signal and any other pertinent geometric considerations.
- Type of controller will be shown on the signal plans for the traffic signal & RRFB.
- The Phasing of the traffic signal will be included.
- Traffic signal supports will be shown for the mast arm, lighting and signs.
- Utility plan sheets will be included showing the type of utility, both new and existing, and showing any utility conflicts.
- Detection systems will be shown.
2.4.2. **Prepare Sidewalk & Pedestrian Ramp Plans** – PARAGON will identify potential deficiencies in the existing pedestrian ramps and sidewalks adjacent to the intersection. A design will be developed to make corrections to the existing sidewalk and pedestrian ramps at the intersection, including the installation of ADA detectable domes.

2.4.3. **Prepare Construction Traffic Control Plans** – PARAGON will prepare Construction Traffic Control Plans in conjunction with the anticipated construction sequencing to build the project.

2.4.4. **Prepare Signing & Striping Plans** – Signing and Striping Plans will be developed in accordance with the ITD Design Manual and the Traffic Manual. MUTCD requirements, as adopted by the State of Idaho, will be followed.

2.4.5. **Survey Control Map** – The Survey Control Map will be developed and finalized with all the information pertaining to the proposed traffic signal location. A plan sheet will be prepared for inclusion in the construction plans. This map will represent all the control necessary to construct the project.

2.4.6. **Utility Relocation Contacts** – Plans showing the project improvements in sufficient detail horizontally and vertically will be provided to the utility owners for verification of the location of facilities and in the case of conflict to identify the relocation of the utility.

2.4.7. **Prepare & Submit Utility Plans / Forms** – Once the location and any relocation of utilities are established, utility information will be included on the construction plans for use in completing the appropriate utility agreements and/or waivers. No separate utility plans will be prepared on this project.

2.4.8. **Erosion & Sediment Control Plans (ESCP)** – Erosion and Sediment Control measures, for the project, will be identified on separate plan sheets for inclusion with the final plans. It is anticipated that the erosion and sediment control measure will be limited to protection of existing drainage facilities.

2.4.9. **Summary Sheets & Final Quantities** – All the summary sheets will be completed and quantities for all bid items will be calculated and double-checked before being added to summary sheets.

2.4.10. **Prepare Special Provisions** – The special provisions will be completed in accordance with the ITD Design Manual as required for the project. Special provisions will be written only for items that do not have a standard specification, supplemental specification, or standard special provision. The City of Nampa standards will be incorporated into the special provisions.

2.4.11. **Prepare Construction Cost Estimate** – The Construction Cost Estimate will be prepared. The estimates will be based on ITD cost history (most current ITD unit price report) for
projects of similar type, size and location. The estimate will be prepared using the Estimator Software as required by ITD. The ITD-1150 will also be prepared and submitted.

2.4.12. **Acquire Special Permits, Clearances, etc.** – No special permits are anticipated for the project. If required, special permits will be acquired under a supplemental scope of work.

2.4.13. **Perform Quality Control Check** – PARAGON will perform a quality control check, including but not limited to, final cross check of summary sheets, plan sheets, and the estimate. Check plans for compliance with environmental commitments. Complete revisions as required.

2.4.14. **Prepare & Submit Final Design Plans** – Final design plans and construction documents will be assembled and submitted in accordance with the ITD Design Manual for review. One (1) PDF copy of the submittal package will be submitted to the CITY, with one (1) PDF copy submitted to LHTAC. The City will distribute the documents as required.

Minimum Deliverables:

- Title Sheet
- Vicinity, Total Ownership Map, & Special Maps
- Project Clearance Summary
- Roadway Summary Sheets
- Plan Sheets
- Detail Sheets
- Erosion & Sediment Control Plans
- Traffic Control Plans
- Signing Plans
- Estimate of Cost
- Preliminary Construction CPM Schedule

2.4.15. **Final Design Review Attendance** – A final design review meeting will be scheduled and the design team will submit review materials prior to the meeting with an agreed-upon lead-time such that an appropriate review can be accomplished. The review meeting will include discussions of the various design issues such as details, geometry, and utility work. It is expected that key design team members will be in attendance along with other agency personnel as necessary to obtain an in-depth review for the project.

2.5. **Plans, Specifications & Estimate (PS&E)**

2.5.1. **Perform Quality Control Check** – PARAGON will perform a quality control check, including but not limited to, final cross check of summary sheets, plan sheets, special provisions and the estimate for agreement in bid item number, units and/or quantities. Check plans for
compliance with environmental commitments. Complete Final Design revisions, as appropriate.

2.5.2. Compile & Submit PS&E Package for Review – PARAGON will submit the project and respond to questions/concerns by the CITY and LHTAC.

Minimum Deliverables (Electronic - 1 PDF to the CITY and to LHTAC):

- Plans
- Specifications
- Estimate of Cost
- PS&E Submittal Checklist
- Contract Time Determination

2.5.3. Prepare Resident Engineer’s File – Gather all information pertinent to the Resident Engineer and place in a well divided, easy to access file. This file will include such items as: Field Information (Field Notes, Topo, Special Sections, Preliminary Survey Notes); Quantity Calculations (Computation sheets, special procedures for designs); Correspondence that Affects Construction; Phone numbers and Affiliation of Contact Persons (City, Utilities, Consultants, Suppliers); Brochures (Showing specialty items, new material, out of the ordinary procedures); Resident Information; etc. One electronic file will be provided.

2.5.4. Final Adjustments per PS&E Review – Complete revisions as necessary and prepare final plans, specifications & estimate and other documents as required. All original project plans will be endorsed (stamped, signed and dated). The estimate of cost will be completed in ITD’s current format and will include a paper copy.

Minimum Deliverables (Electronic - 1 PDF to the CITY and to LHTAC):

- Original Plans
- Specifications
- Estimate of Cost
- Contract Time Determination

2.5.5. Post PS&E Revisions – Complete revisions and address comments that may be required to update plans, specifications and construction estimates prior to advertisement for bids. It is assumed that revisions will be minor, requiring 1 day of Project Manager and 1 day of Project Design Engineer time. Requirements beyond these assumptions will require additional services through a supplemental agreement.
3. Bid Support

3.1. Plan & Specification Interpretations – At the request of LHTAC, PARAGON will answer any questions which arise during the ITD bidding process.

4. Environmental Document

A sub-consultant, Axiom Points, will complete the Environmental Document for the Project.

In addition PARAGON will complete the following items associated with the Environmental Document:

4.1. Prepare Exhibits – Any maps, charts, or exhibits substantiating environmental investigation and documentation work will be prepared as required. This includes exhibit maps for environmental request letters, etc.

4.2. NPDES Checklist - PARAGON will complete the ITD-2784 form for identifying ground disturbance area for the Project.

4.3. Floodplain & Floodway – PARAGON will review floodplain data for the Project area and provide the information to the Environmental sub-consultant for inclusion in the Environmental Document.

4.4. Review Environmental Document – PARAGON will review the Environmental Document information and then forward the document to the CITY and LHTAC for review and comment.

4.5. Incorporate Environmental Document into Design – PARAGON will incorporate the various Environmental Document components into the design process. Additionally, PARAGON will incorporate the specific project requirements or mitigation measures identified in the Environmental Document into the design plans and specifications.

Project Schedule

PARAGON proposes to implement its services from April 1, 2019 thru December 2, 2019 (See attached “Exhibit A”, CPM Schedule) with the following approximate Milestones:

- Task Order Notice to Proceed – April 1, 2019
- Project Charter Approval – Completed By LHTAC
- Concept/Preliminary Design Review Submittal (Informal) – June 12, 2019
- Draft Environmental Document – June 28, 2019
- Environmental Approval – September 26, 2019
- Final Design Submittal – October 1, 2019
- PS&E Complete – December 2, 2019
Cost of Services

Services will be on a time and materials not-to-exceed (NTE) basis.

- Project Management $7,450.00
- Design $57,430.00
- Bid Support Services $770.00
- Environmental $14,800.00
- Field Survey $4,550.00

Total Cost of Services: $85,000.00

Attached is the labor estimate and cost summary (see attached “Exhibit B”).

Attachments:

- Exhibit A – CPM Schedule
- Exhibit B – Labor Estimate
- Exhibit C - Sawtooth Land Surveying, LLC SOW
- Exhibit D – Axiom Points SOW
Task Order Review Checklist

Project: Greenhurst Road; Sunnybrook Drive to Canyon Street [Nampa], Key No. 21999

Date: March 13, 2019

SOW should contain the following information:

1) Name of Project
   Yes ☒ No ☐

2) Name of Firm
   Yes ☒ No ☐

3) Contact Name and Number
   Yes ☒ No ☐

4) Current Date
   Yes ☒ No ☐

5) Page Numbers
   Yes ☒ No ☐

6) Outline of task(s) to be provided
   Yes ☒ No ☐
   a) PM, Design, Bid, Construction

7) Project Schedule
   Yes ☒ No ☐
   a) Milestone Dates and Cost Estimates at PM (Preliminary Design Portion), Design, Bid, Construction

8) Cost of Service
   Yes ☒ No ☐
   a) (fee for services to be noted "Time and Material Not to Exceed")

9) Any Key Understandings to be noted
   Yes ☒ No ☐

10) Cover letter with the correct contact information
    Yes ☒ No ☐
EXHIBIT A
Project CPM Schedule

GREENHURST ROAD; SUNNYBROOK DRIVE TO CANYON STREET [NAMPA],
KEY NO. 21999
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<td>Pre-Contract Activities</td>
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<td>4</td>
<td>Agreement Preparation</td>
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<td>Pre-Operational Conference</td>
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<td>8</td>
<td>Concept/Preliminary Design</td>
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<td>9</td>
<td>Surveying &amp; Mapping</td>
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<tr>
<td>10</td>
<td>Complete Design Standards</td>
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<td>11</td>
<td>Prepare Project Base Map</td>
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<td>12</td>
<td>Submit Concept/Preliminary Design Plans</td>
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<td>13</td>
<td>Informal Preliminary Design Review Meeting</td>
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<tr>
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<td>Plans, Specifications and Estimate (PS&amp;E)</td>
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<td>18</td>
<td>Final Design Revisions</td>
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<td>20</td>
<td>Prepare Resident Engineer's File</td>
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<td>21</td>
<td>Submit Final PS&amp;E Package</td>
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<td>29</td>
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EXHIBIT B
Labor Estimate

GREENHURST ROAD; SUNNYBROOK DRIVE TO CANYON STREET [NAMPA],
KEY NO. 21999
### A. SUMMARY ESTIMATED LABOR-DAY COSTS

<table>
<thead>
<tr>
<th>Labor Category</th>
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<th>Labor-Hours</th>
<th>Hrly Rate</th>
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<td>5 Clerical</td>
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**TOTAL RAW LABOR COST** = $26,198.40

### B. PAYROLL, FRINGE BENEFIT COSTS & OVERHEAD

| Rate | X 1.3639 = | 35,732.00 |

### C. NET FEE

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<th>Total Raw Labor &amp; Overhead</th>
<th>Net Fee</th>
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<td>$61,930.40</td>
<td>$7,431.65</td>
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**NEGOTIATED FEE** = $7,400.00

### D. FCCM

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<th>Total Raw Labor Cost</th>
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<td>$26,198.40</td>
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**PARAGON TOTAL** = $69,435.19

### E. SUBCONSULTANTS

- 1 Sawtooth Land Surveying = $4,592.24
- 2 Axiom Points = $11,000.00

**TOTAL** = $84,977.43

**NEGOTIATED NOT TO EXCEED AMOUNT** = $85,000.00
Greenhurst Road; Sunnybrook Drive To Canyon Street (Nampa)

Key Number: 21999

1 PROJECT MANAGEMENT

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<th>PM L-Days</th>
<th>Engineer L-Days</th>
<th>Design - Draft L-Days</th>
<th>Surveyor L-Days</th>
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<td><strong>3</strong></td>
<td><strong>0</strong></td>
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(Hours) 72 48 24 0 0 0

2 DESIGN SERVICES

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### 2.5 Plans, Specifications & Estimate (PS&E)

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**TOTAL - DESIGN SERVICES**

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### 3 BID SUPPORT SERVICES

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**TOTAL - BID SUPPORT SERVICES**

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### 4 ENVIRONMENTAL DOCUMENT

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**TOTAL - ENVIRONMENTAL DOCUMENT**

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<th>Draft</th>
<th>Surveyor</th>
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EXHIBIT C
Sawtooth Land Surveying, LLC
Scope of Work

GREENHURST ROAD; SUNNYBROOK DRIVE TO CANYON STREET [NAMPA],
KEY NO. 21999
Ground Survey - Work Plan For:

GROUND BASED MAPPING

STP-8463, GREENHURST RD;
SUNNYBROOK TO CANYON ST,

KN: 21999

Proposal No.: P19-029

Prepared for

Paragon Consulting, Inc.
FREIBURGER-BARTON-KAES

SAWTOOTH LAND SURVEYING, LLC
W. GREENHURST ROAD MAPPING

Purpose
The following work plan has been prepared to outline the Survey services to be provided for the Geospatial Data Development Support for the STP-8463, GREENHURST RD; SUNNYBROOK TO CANYON ST Mapping project. SAWTOOTH LAND SURVEYING, L.L.C. (SLS) will make GPS field observations, subsequently reduce, and then provide geodetic control values and semi-permanent GPS base Station control points for use in developing a surface model. The location of the ground features to be surveyed was determined by Paragon Consulting in the email from Harry Nelson dated 2-5-19.

Scope
SAWTOOTH LAND SURVEYING, L.L.C., (SLS) will set secondary project control at a minimum of the beginning of the project, the project midpoint, and the end of project, make GPS/Total Station field observations, subsequently reduce, and provide geodetic control values on field located 50’ cross sections for roadway centerline, asphalt shoulder, concrete curb, gutter & sidewalk, natural ground shots to 10’ behind back of walk, utility structures, utility locate paint, 150’ along each side street (Hillcrest Way) (back of walk to back of walk), signage, visible survey monumentation, and any other pertinent features as discussed. SLS’s field crews will use GPS RTK methodology to observe the aforementioned feature points as well as using the City of Nampa Datum for controlling the points. SLS will also collect any additional data that may be required for the RRFB and Traffic Signal design portion of the project.

The following are SLS’s surveying services to be performed:

Research
- Review the requested location of the existing site features prior to mobilization.
- A Digline location request will be submitted prior to site mobilization.
- Provide a .pdf copy of all available ROS, Plats, etc. along the corridor to Paragon.
- Compile all research and provide approximate GPS coordinates to the field crews for navigational purposes.
- Request additional information from the designated Paragon survey coordinator as needed prior to mobilization (and if necessary while on-site).

Mobilization
- Mobilization will be scheduled for the site upon acceptance of this proposal and is included in the estimated cost.
- All access permission requests to be completed by Paragon Consulting.
- Make arrangements for personnel and equipment to be at specific sites on schedule.
- Mobilization will begin after all necessary research has been completed.

Data Collection
- SLS will use Topcon dual frequency (L1/L2) GPS, GLONASS & GALILEO capable receivers.
- When using GPS, the coordinate system and initialization should be verified at the beginning of each survey setup or day by checking a known point.
- Field survey information shall be documented daily in a standard field notebook. Minimum information should include the date, temperature, wind speed, crew member initials, type of survey, instruments used, observed control points and check shots. Sketches shall be provided when applicable. The use of electronic field file notes is acceptable only for feature-specific notes.
- Verify the integrity of all primary and secondary control monuments and benchmarks to be used before commencement of surveying or mapping tasks. Identify areas that would require additional verification at regular intervals during the project.
- Routinely inspect instrumentation and equipment to ensure it is properly maintained and adjusted.
Understand and be cognizant of the local survey environment such as coordinate systems, control monuments, laws and regulations, topography, culture, hazards and access issues.

**Project Datum and Coordinate System**

It is assumed that the site will have existing physical control and associated WGS84 (NAD83-1999) values which will be used as checks to the Orbitech observations.

**Horizontal:** The horizontal coordinate system for this project will be the UTM (Universal Transverse Mercator) Zone 11, North, and will be referenced to the NAD83(1999) datum derived from City of Nampa Datum.

**Vertical:** It is assumed that the site will have existing physical control and associated orthometric elevations that will allow GPS ties to be made in order that site-compatible vertical values can be established. If this information is not practical, an OPUS solution will be used.

SLS will provide all survey coordinates of all points X, Y & Z to the nearest 0.001 feet. All distances are expressed in feet unless otherwise directed. A project adjustment factor for grid to ground coordinates and distances shall be provided for this work. Coordinate values for mapping shall be delivered at ground values unless directed otherwise.

**Quality Control**

- A senior review will be performed on all field activities, procedures, data collection efforts, network adjustments, calculations and deliverables.

**Deliverables**

- SLS will prepare and provide to Paragon Consulting a point report that will include point descriptions for each point as well as a digital file of the coordinate values for each point referenced to the appropriate UTM zone, NAD83 datum, both units of measurement will be in US Survey Feet.
- SLS will provide all survey coordinates of all points X, Y & Z to the nearest 0.001 feet. All distances are expressed in US Survey Feet unless otherwise directed. A project adjustment factor for grid to ground coordinates and distances shall be provided for this work.
- An AutoCAD file drawn at 40 scale containing the topographic data, and a surface file shall be provided in AutoCAD version 2018 unless otherwise directed.

**Schedule**

- One two-man fully equipped survey crew will begin mobilization within one week of issuance of the NTP, or as directed.
- Delays due to weather or other circumstances outside the control of SLS are not factored into the above-mentioned schedule of deliveries.

**Fee Schedule:**

See “SLS Cost Estimate Summary 2-5-19.xls” for cost estimate and man hour breakdown. -Not Included
Gus

Attached is the KMZ for the survey limits of the scope we were talking about. Below is the project information from the ITIP. Also attached are exhibits from the LHSIP application.

Project Name: STP-8463, GREENHURST RD; SUNNYBROOK TO CANYON ST Key No: 21999

Write your scope for supplemental survey we may need for the RRFB and Traffic signal which should be minimal because you've already surveyed from Midland to Juniper on Greenhurst Road. And then new survey for the KMZ location for asphalt, sidewalks, 10' behind sidewalks and 30' at approaches.

This is an ITD/LHTAC job so you know the drill on format.

Give me a hollar if you have questions.

Thanks
Harry
**A. SUMMARY ESTIMATED MAN-DAY COSTS**

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**TOTAL RAW LABOR COST** = $1,807.49

**B. PAYROLL, FRINGE BENEFIT COSTS & OVERHEAD**

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**NET FEE** = $2,127.23

**C. NET FEE**

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**TOTAL LABOR** = $4,470.29

**D. FCCM**

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**TOTAL LABOR** = $4,470.29

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<td>4 * MEALS (Days)</td>
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**TOTAL ESTIMATED EXPENSE** = $71.95

**F. SUBCONSULTANTS**

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**TOTAL** = $4,542.24

* As per the "FEDERAL PER DIEM RATES FOR IDAHO"
** See attached Subconsultant's Summary
*** Negotiated % Fee
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EXHIBIT D
Axiom-Points
Scope of Work

GREENHURST ROAD; SUNNYBROOK DRIVE TO CANYON STREET [NAMPA],
KEY NO. 21999
GENERAL ASSUMPTIONS

Data to be provided by Paragon, ITD and/or City of Nampa:
- Concept review
- Preliminary Design Plans
- Proposed Specifications and Plans

Major Deliverables to be provided by Axiom-Points:
- Approved ITD-654 Environmental Evaluation

Agreement Time:
- Notice to Proceed March 2019
- Draft Environmental Evaluation May 2019
- Final approved Environmental Evaluation July 2019

Project Description:

Greenhurst Road (South Canyon Street to Sunnybrook Drive) Safety improvements will include countermeasures to improve traffic and pedestrian safety. Sunnybrook Road (Greenhurst Road to East Southdale Avenue) includes roadway and pedestrian improvements.

Task 1. Administration

A. Progress Reports and Invoicing. Axiom-Points will complete and submit progress reports and invoices as defined in the Professional Agreement and/or herein and submitted monthly, unless otherwise directed. Invoices shall include backup documentation for all labor and direct expenses noted and shall be in the current format as recommended by Paragon or required. This task will include coordination with Paragon on a regular basis to assure the project remains on schedule and within budget. It is assumed meeting attendance will not be required and that Paragon will coordinate any essential information from project meetings to Axiom-Points as necessary. Separate progress reports and invoices will be submitted for each Project.

Deliverables:
- Invoices
- Backup Documentation
- Coordination

Task 2. Environmental Technical Studies & Reports

A. ITD-654 Environmental Evaluation Form. Axiom-Points will perform all work necessary to complete the ITD-654 Environmental Evaluation. Perform all work necessary to complete the form including all work required to address all criteria or impact areas. Determine if any criteria or impact areas required avoidance, minimization, or discussion. Paragon Consulting, Inc. (Paragon) will define the areas to be included in the environmental clearance on a map prior to commencement of any field work.

Deliverables:
- Attendance at site visit
- Completed ITD-654 Form
- Letter(s) of input from agencies (as required)

December 17, 2014
B. Cultural Resources. The project will require ITD 1500 submittal for the 1502 from ITD. LHTAC staff will coordinate the Determination of Significance and Effect and outcome of the 1502. Should the project require a Historic Site inventory, it is assumed LHTAC will also prepare and submit this to ITD. Axiom-Points will provide the necessary project information and review to be included in the Environmental Evaluation. Axiom-Points will provide the necessary coordination with LHTAC Staff as directed.

C. Section 4(f) Evaluation. Axiom-Points will determine if the project will result in historic properties or other property that will invoke Section 4(f) of the Department of Transportation Act. It is assumed a Section 4(f) Evaluation will not be necessary.

Deliverables:
- Summary or Inclusion in the Environmental Evaluation (as applicable)

D. Wetlands. It is assumed there are no wetlands in the project area.

E. Threatened, Endangered and Sensitive Species. Perform all work necessary to complete 'No Effect' (NE) Statements and/or an acceptable Biological Evaluation/Assessment (BE/BA) according to Section 7 of the Endangered Species Act and current ITD/FHWA guidelines. Identify Listed, Proposed, and Candidate species known or with potential habitat in the project area and evaluate the potential impacts of all alternatives carried forward in the environmental document, through consultation with ITD, USFWS, IDFG, and NMFS (as applicable). Project correspondence will be carried out by Paragon.

1. Threatened and Endangered Species List: A County wide list of Threatened and Endangered Species shall be obtained from the ITD website or District Environmental Planner.

2. Reconnaissance: Perform field reconnaissance to identify TES species or suitable habitat, and identify habitat and potential impacts for all alternatives. If a BA/BE is required, sensitive habitat shall be mapped and appropriate maps developed and included in the BE/BA and project plans (if applicable).

3. “No Effect” (NE) Statements: If a NE can be made for all species a BA/BE is not required. Otherwise, an NE statement shall be developed for all applicable species for inclusion into the BE/BA and environmental document. If reasonable potential exists to avoid and/or minimize impacts to sensitive species, alternatives shall be considered and a summary regarding the species included in the environmental document. The NE’s shall be submitted to ITD for review, comment or concurrence. Revisions will be considered incidental to the work.

4. Updates: An updated Threatened and Endangered Species list shall be obtained every 6 months through the duration of the environmental document preparation and/or until just prior to construction. If there are additions or changes to the updated species list which have not been addressed previously, the additions or changes to effected species shall be addressed in the Biological Evaluation (BE) and Environmental document, as necessary. Three (3) updates to the species shall be assumed, with not more than an 18 month timeframe from the Notice-to-Proceed.

5. Wildlife and Fish Resources Coordination. Coordination should be made as appropriate with Idaho Department of Fish and Game and other agencies as appropriate in order to consider their concerns with how the project may impact wildlife and fish resources. Obtain a letter(s) of input from the appropriate agency. Comments from these agencies should be addressed and the narrative should state what actions, if any, will be taken.

Deliverables:
- Field reconnaissance information
F. Hazardous Materials. This work includes an Administrative Review, an Initial Site Assessment (ISA-Phase I) and identification of potential asbestos and lead paint issues in the project area. All work shall be documented according to current ITD/FHWA guidelines. Investigate the current and historical uses of the project area using currently accepted techniques and informational sources. These include: 1) a review of public records as available (e.g., title reports, aerial photographs) and 2) interviews with property owners and other persons with knowledge of former uses of the locations along the options.

Inspect the project area to identify any evidence of hazardous materials, including but not limited to asbestos in concrete and lead based paint. Document the condition of the site using digital photography. Perform follow-up identification and interview the owners of potential waste sites. After completion of an Administrative Review and an Initial Site Assessment, complete and submit the ITD-652 form. The ITD 652 form shall include a conclusion as to the potential the project has of encountering hazardous materials.

A Preliminary Site Investigation (PSI-Phase II) and Final Site Assessments (FSA-Phase III) is not included in this scope of work:

Minimum Deliverables:
- Completed ITD 652 Form
- Summary in the Environmental Evaluation
- ITD 2784 NPDES General Permit Checklist

G. Land Use, Access, & Traffic Safety. Evaluate the potential impacts to land use, access, and traffic safety within the project area. Obtain land use data from local jurisdictions (e.g. transportation improvement plans, county comprehensive plan, zoning information, land use policies, land ownership, jurisdiction, etc.) and limited field investigations. Evaluate the potential impacts to access, including access control, and traffic safety.

H. Public Hearing Comment Evaluation & Summary. It is assumed that the project is not controversial and that there will not be any public involvement to be performed by Axiom-Points.

I. Review and complete 0280 Form. Complete the Conceptual Environmental Evaluation (ITD-0280). Prepare additional documentation as necessary or directed. A paragraph regarding environmental concerns will be provided. Complete revisions as required.

Minimum Deliverables:
- Conceptual Environmental Section of (ITD-0280)
- Supporting Documentation/Environmental Narrative
- Field Review and record search for screening environmental impacts

Task 3 – Environmental Evaluation
A. Environmental Evaluation (EE). Perform all work necessary to complete an Environmental Evaluation as required or directed. Complete all revisions as required.

1. State Location Map & Project Vicinity Sketch. Paragon will prepare a State Location Map which shows the general location of the project and a Project Vicinity Sketch that clearly identifies the project area including local landmarks.

2. ITD-654 or Environmental Checklist for State Funded Projects. Include the completed ITD-654 form or complete the Environmental Checklist for State Funded Projects form as required.

3. Purpose & Need, Project, and Termini/Limits Descriptions. Include the Purpose & Need descriptions, Project Description and Project Termini/Limits from the approved Concept Purpose & Need Report. Revise the descriptions in consultation with ITD as needed or directed. Approval by ITD, FHWA, and USACE (as applicable) will be required for revisions.

4. Project Area Photographs. Include project area photographs as needed or directed.

5. Environmental Evaluation Narrative. Prepare the Environmental Evaluation Narrative. Include required summaries and reports for all items per the Environmental Checklist for State Funded Projects or the ITD 654 Environmental Evaluation forms, as applicable.

6. Environmental Mitigation Summary Report. Prepare an Environmental Mitigation Summary Report that is complete, accurate, and reflects all mitigation as approved by ITD and applicable resource agencies.

7. Public Involvement Summary. It is assumed public involvement will not be performed. Any public contact will be summarized by Paragon and included in the EE by Axiom-Points.

8. Correspondence and Support Documentation. Assemble appropriate correspondence and/or support documentation. Group by ITD 654 item number and arranged by date, with the most current on top.


11. Environmental Evaluation (EE). Axiom-Points will prepare and assemble an EE and complete all revisions necessary to complete an acceptable document.

   a. Draft EE. Prepare a Draft EE and submit for review by ITD, ITD HQ, FHWA, and other agencies, as applicable. It is assumed that ITD will review the document and work with the Consultant to resolve any issues ITD may have prior to forwarding to other agencies. Any agency comments on the document will be collated by ITD and forwarded to the Consultant prior to the review meeting. Unless otherwise specified, the review period will be two weeks minimum after distribution of the document to all agencies.

   b. Review Comments. Prepare comment response to the Draft EE document. Revise document as required. It is assumed the Draft EE will have two iterations.

      Unless otherwise specified an electronic document shall be submitted for reviews.

   c. Final EE. Following the Review Meeting, prepare a Final EE. All issues and comments shall be addressed. The Final EE shall be submitted for review and comment by ITD and FHWA.
All subsequent comments and/or required revisions shall be addressed as required. It is assumed the Final EE will have no more than two iterations. Recommended Format & Content: Any changes or additions shall be coordinated with the Project Manager and Environmental Planner.

- State Location Map & Project Vicinity Sketch
- Environmental Checklist for State-Funded Projects (as applicable)
- ITD 654 (Environmental Evaluation) (as applicable)
- Purpose & Need, Project, and Termini/Limits Descriptions
- Project Area Photographs
- Environmental Evaluation Narrative
- Environmental Mitigation Summary Report
- Public Involvement Summary
- Correspondence and Support Documentation
- Technical Reports (as required)
- Summarized Concept Report

Deliverables:
- Draft Environmental Evaluation
- Final Environmental Evaluation
- ITD Review Documentation

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April 1, 2019

Mayor Chad Bell
City of Star
P.O. Box 130
Star, ID 83669

Re: City of Star Planning Area/Impact Area

Dear Mayor Bell:

On July 27th, 2018, Mark Butler, representing the City of Star's comprehensive plan update, met with City of Nampa Planning & Zoning Director -Norm Holm, as well as the City Engineer -Daniel Badger. Mr. Butler indicated the desire for the City of Star to plan for servicing an area currently in Nampa's existing impact area. He claimed that this effort was in preparation for the City of Star to expand it's Impact Area. As you may be aware, Title 67, Chapter 65 of Idaho's Local Land Use Planning Act states the following:

"Areas of city impact, together with plan and ordinance requirements, may cross county boundaries by agreement of the city and county concerned if the city is within three (3) miles of the adjoining county."

The City of Nampa's Impact Area has extended to the Boise River for close to two decades. The Canyon County commissioners recently reaffirmed their support of the impact area by approving amendments to the boundary on August 25, 2016.

Establishing this impact area boundary has allowed Nampa to dedicate resources toward more detailed planning for the area. Significant resources have been used to plan for land use, economic development, utilities, and transportation in that area.

After learning of Nampa's existing impact area and planning efforts already conducted, Mark Butler informed the City of his intention to remove Nampa's impact area from Star's proposed planning/impact area. We greatly appreciated his careful consideration of Nampa's planning efforts and established boundaries. We recently learned that this area was still being proposed to the public for City of Star's future impact area. We respectfully request that this area be removed from your proposed boundaries.
As mayor of a growing community, I'm sure you see the value of partnering with us to ensure the carefully planned growth in the valley. We are happy to meet with you and/or your staff to outline how we can coordinate our planning efforts where our boundaries touch. It has been said that "good fences make good neighbors." As your Respectfully submitted on behalf of the Nampa City Council, neighbor, we hope the established impact area boundary serves as a tool for partnership and relationship building. I appreciate your reasonable consideration of Nampa's position and look forward to receiving your response to our request to remove our existing Impact Area from your plans.

Respectfully submitted on behalf of the Nampa City Council,

Debbie Kling  
Mayor, City of Nampa

cc: Canyon County Commissioners  
Canyon County Development Services Department
Proposed Amendments to Sections of Nampa City Code(s) Title VI, Title VII, Title IX and Title X (ZTA 009-19).

Applicant: City of Nampa
File No: ZTA 009-19

Prepared by: Norman L. Holm
Date: March 20, 2019

Requested Action(s): Proposed Amendments to certain sections of Nampa City Code(s) Title VI, Title VII, Title IX and Title X (ZTA 009-19):

1) Amendment of Title 6, Chapter 2, Section 20, pertaining to Canine Licensing.
2) Amendment of Title 7, Chapter 2, Section 16, pertaining to parking of vehicles in specified places.
3) Amendment of Title 9, Chapter 1, Section 9, pertaining to the parking of an “unauthorized dwelling unit” on public rights-of-way(s).
5) Amendment of Title 10, Chapter 1, Section 5, regarding conformance of projects to entitlements issued.
6) Amendment of Title 10, Chapter 1, Section 18 regarding vision triangles.
7) Amendment of Title 10, Chapter 1, Section 19 refining existing standards for self/mini-storage projects in RP and BN Zones.
8) Amendment of Title 10, Chapter 2, Section 10 regarding requests for reconsideration.
9) Amendment of Title 10, Chapter 3, Section 2 regarding professional offices, medical/dental offices and non-professional/non-medical office types.
10) Amendment of Title 10, Chapter 4, Section 5 correcting GB 2 Zone regulations for minimum property size relating to non-multiple family dwellings.
11) Amendment to Title 10, Chapter 4, Section 9 clarifying required development improvements, landscaping requirements, and eliminating a berming requirement and landscaping code relevant to the railroad in the GB 2 Zone.
12) Amendment to Title 10, Chapter 4, Section 10 requiring enclosures for trash receptacles.
13) Amendment of Title 10, Chapter 8, Section 5 to include a limited number of varying refinements.
14) Amendment to Title 10, Chapter 8, Section 6 to add a RS4 zoning designation with associated standards.
15) Amendment of Title 10, Chapter 15, Section 9 deleting definitions being moved to Title 10, Chapter 1, Section 2.
16) Amendment of Title 10, Chapter 15, Section 6 deleting and revising references to definitions.
17) Amendment of Title 10, Chapter 16, Section 11 regarding trash enclosure screening.
18) Amendment of Title 10, Chapter 21, Section 3 pertaining to the number of dogs kept on a property in coordination with contemplated changes to Title 6, Chapter 2, Section 20.
19) Amendment of Title 10, Chapter 22, Section 4 to clarify parking requirements for multi-structure developments.
20) Amendment of Title 10, Chapter 22, Section 5 to clarify provisions pertaining to Site Improvement Permits.
21) Amendment of Title 10, Chapter 22, Section 6 to clarify requirements appertaining to the P-2 parking district, single-family dwellings, two through multiple-family parking requirements, and offices.
22) Amendment of Title 10, Chapter 22, Section 7 eliminating loading space [docks] unilateral installation requirement.
23) Amendment of Title 10, Chapter 23, Section 2 to add definitions.
24) Amendment of Title 10, Chapter 23, Section 8 to address abandonment of billboard signs.
25) Amendment of Title 10, Chapter 23, Section 20 to allow two subdivision identification signs per entry.
26) Amendment of Title 10, Chapter 24, Section 2 to improve grammar.
27) Amendment of Title 10, Chapter 25, Section 15 repealing and re-enacting the section to improve formatting and grammar, clarify scope and effect of modifications to CUP.
28) Amendment of Title 10, Chapter 27, Section 2 providing requirements for filing of applications to re-plat or convert common lots.
29) Amendment of Title 10, Chapter 27, Section 4 respecting master communities, infill developments, RS 4 developments, new requirements for infill and standard subdivisions (including in RS 4 Zones), qualifying regulations for “infill” subdivisions, short plat allowance and effectiveness clarifications.
30) Amendment of Title 10, Chapter 27, Section 6 path/bikeway inter and intra-connectivity requirements.
31) Amendment of Title 10, Chapter 27, Section 12 regarding correcting or amending plats including situations affecting common properties.
32) Amendment of Title 10, Chapter 29, Section 3 clarifying manufactured home dimension requirements and adjusting grammar.
33) Amendment of Title 10, Chapter 33, Section 4 to authorize the City Forester to participate in and reviewing commercial plans submitted to the City for permit(s).
City Legal Counsel and City Engineering have reviewed the amendments and have given their approval. If there are one (1) or more sections the City Council would like removed or revise, staff requests that the rest of the amendments move forward to adoption.

GENERAL INFORMATION

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommend to the City Council approval of City Code Text Amendments (ZTA 009-19) with the following revisions to Amendments 1, 3, and 18:

1) Amendment 1: Title 6-2-20, Licensing: Canine licensing, which had been requested by a citizen of Nampa, to change the number of dogs permitted in the City to three (3). The Commission considered the number of dogs permitted on a property should remain at two (2).
2) Amendment 3: Title 9-1-9 Residing on a Public Right-Of-Way: stating it shall be unlawful for any person(s) to reside or stay more than twenty-four (24) hours in an “unauthorized dwelling unit” on public rights of way. The Commission considered that seventy-two (72) hours would be more appropriate.
3) Amendment 18: Title 10-21-3 pertaining to the number of dogs kept on a property, in coordination with requested change to Title 6-2-20. The Commission considered that section should coordinate with Section 6-2-20, and the number of dogs should remain at two (2).

The City Council will need to determine whether they agree with the above recommended Planning and Zoning Commission revisions to Amendments 1, 3, and 18.

Correspondence: No opposing correspondence has been received from any interested parties regarding the proposed amendments.

Applicable Regulations: Section 10-2-3 D Conclusions of Law Pertinent to Proposed Zoning Ordinance Text Amendments: Before the commission recommends a text (content) amendment to the zoning ordinance, and, before the City Council approves any proposed zoning code amendment(s), the Commission and the City Council must individually find and conclude: 1. That the proposed amendment(s) is, are or would be reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.

STAFF RECOMMENDED FINDINGS

The following findings are recommended by staff:

1) Section 10-2-3 D. of Nampa City Code provides the standards for amending the City’s zoning ordinance.
2) The proposed Ordinance Amendments are appropriate because they are “reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.” Nampa City Code § 10-2-3-D.
3) The proposed Ordinance Amendments are in harmony with the City’s comprehensive plan—Nampa 2035.
4) The proposed Nampa City Code Text Amendments would also help achieve Nampa 2035 Comprehensive Plan’s Land Use Goal 7: Update the City’s Land Use Ordinances, and
Objective 13 and the associated 2 Strategies regarding amending the Zoning and Subdivision Ordinances.

STAFF NARRATIVE ON AMENDMENTS

Amendment 1:

6-2-20: LICENSING:
This amendment comes from a citizen who pointed out that surrounding jurisdictions allow for the keeping of three dogs – that moving to Nampa is difficult for those pet owners who come from other areas with one too many pets that then have to be surrendered or a Conditional Use Permit obtained to allow for the animals to remain with their owners. Some have opposed the notion of allowing more dogs due to the potential for an “up-tick” in complaints regarding barking dogs, animals at large, etc. Staff included the request with our other amendments as a courtesy to the citizen.

Amendment 2:

7-2-16: STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACE:
These amendments propose the repeal of the word “stand” from paragraph A of the section per the police department’s request. Added, with their blessing, is a line (#18) that controls parking in front of (i.e., blocking) a mailbox.

Amendment 3:

9-1-9: RESIDING ON A PUBLIC RIGHT-OF-WAY:
The minor change to this section helps strengthen the disallowance of residing in vehicles on City streets.

Amendment 4:

10-1-2: DEFINITIONS:
During drafting these code amendments, we noted that it would be “cleaner” to have varying definitions in other code sections all populated within the master zoning code definition listing in this section. A few redundant or replaceable definitions are also proposed for removal.

Amendment 5:

10-1-5: CONSTRUCTION AND USE TO BE STATED IN APPLICATIONS:
This amendment is intended to strengthen the requirement to conform a use or construction project to approved plans/certificates of occupancy.

Amendment 6:

10-1-18: Figures:
Engineering and P&Z Staff concur that the proposed change to the vision triangle standard is necessary. City Engineering some months ago met with Code Enforcement to review and educate their personnel regarding the proposed change(s). Code Enforcement staff agreed that the change could be readily enforced and would improve safety at varying intersections in town.
Amendment 7:

**10-1-19: PROFESSIONAL, PUBLIC MINI-STORAGE FACILITY DESIGN REGULATIONS:**
This amendment is to clarify and make reasonable the standards for mini-storage facilities in RP and BN Zones as presently constituted. In part, they reflect the City’s design review related practice applied to storage facilities whereby primary visual interest is given to those portions of buildings visible from a public right-of-way.

Amendment 8:

**10-2-10: REQUESTS FOR RECONSIDERATION:**
City legal counsel concur with Staff that this amendment helps clarify and better control reconsideration proceedings.

Amendment 9:

**10-3-2: SCHEDULE OF DISTRICT/ZONE LAND USE CONTROLS:**
To eliminate confusion regarding the management of various office types, additional identification of their sub-types is proposed in the table with a recommendation as to which zoning districts, they should be best entertained as permitted or conditional uses.

Amendment 10:

**10-4-5: PROPERTY DIMENSIONAL AND BULK REQUIREMENTS:**
Closing a loophole that left undefined the minimum lot areas for single-unit to four-unit dwellings in the GB zones is the purpose behind the proposed amendment.

Amendment 11:

**10-4-9: LANDSCAPING:**
These amendments are intended to reflect the actual property development improvements (on most properties within the GB Zones) as well as to recognize that landscape code requirements in other areas of our zoning ordinance address landscaping on properties in the GB Zones outside of this section. The largest change is to eliminate what has become, effectually, an obsolete berming requirement and berm illustration.

Amendment 12:

**10-4-10: DESIGN STANDARDS:**
A restatement of the need for an enclosure for trash receptacles.

Amendment 13:

**10-8-5: DETACHED ACCESSORY STRUCTURES:**
Clean-up edits.

Amendment 14:

**10-8-6: PROPERTY AREA, WIDTH, DEPTH, FRONTAGE AND SETBACK REQUIREMENTS:**
Staff believes it is time to react to the need for infill housing with an eye towards allowing smaller lots sizes in appropriate locations. This does not pre-empt the construction of single-family homes of size and design commensurate with what is being built in standard subdivisions now. A set of infill enhancement allowances in Chapter 27, the subdivision chapter, are being proposed to be placed in coordination with the new RS4 Zone introduction (please notice the exception on page 16 for the introduction of RS4 subdivisions).
Amendment 15:

10-15-6: DH DOWNTOWN HISTORIC SUBDISTRICT:
Recognizes and reacts to the change in the location of definitions (from chapter 15 to chapter 1).

Amendment 16:

10-15-9 DEFINITIONS:
The definitions in the front of chapter 15 are being moved to chapter 1 to reside with the balance of zoning code definitions.

Amendment 17:

10-16-11: DESIGN STANDARDS:
A simple iteration of the need for an enclosure for trash receptacles…

Amendment 18:

10-21-3: AGRICULTURAL ANIMALS AS PETS:
Proposed changes are reactionary to the possible allowance [number of dogs per household from two to three] sought for in 6-2-20 but without allowing for three (3) pot-bellied pigs.

Amendment 19:

10-22-4: COMMON/SHARED PARKING FACILITIES FOR MIXED USES AND OFF-SITE PARKING ALLOWANCE:
Adds a clarification.

Amendment 20:

10-22-5: PARKING AREA IMPROVEMENTS AND PLANS:
Adds a needed permit review time for Site Improvement Permits as well as an expression of their longevity; also gives RV parking areas the same off-paving allowance as that which exists for heavy equipment or high GVWR rated vehicles when in storage facilities or in commercial business ventures (e.g., sales lot areas devoted to RVs and similar).

Amendment 21:

10-22-6: SPECIAL PARKING AND LANDSCAPE CORRIDOR DISTRICTS AND SPACES REQUIRED:
The intent of a portion of the language is to reformat and clarify the language of the P-2 parking district. The other amendments found in the table are to reiterate (for dwellings) what is required in chapter 8 already respecting covered/enclosed parking, to also address ADA parking when associated with a shared parking arrangement, and, to revised office parking ratios to react to the apparent code deficiency in the number of spaces required for the same.

Amendment 22:

10-22-7: LOADING SPACES:
Rather than requiring loading docks for certain kinds of industries, Staff believes that the operations managers of the kinds of business types listed in the language proposed for deletion are fully capable of proposing loading docks for their buildings when needed.
Amendment 23:

**10-23-2: DEFINITIONS:**
A couple of needed sign code related definitions are proposed. Given the extent of sign code definitions and the regular handing out of our sign code chapter to companies, Staff believed it best to simply leave sign code definitions in chapter 23 instead of moving them to chapter 1.

Amendment 24:

**10-23-8: PROHIBITED SIGNS:**
The contemplated changes would strike an obsolete differentiation between “painted” and “poster” billboard signs and, more importantly, define when a billboard sign relocation permit is to be considered “abandoned” to circumvent the practice of one company trying to jump into the queue (given our cap and replace billboard inventory regulations) in order to obtain a permit to emplace a billboard when they learn another competitor is about to remove a billboard. This amendment has been reviewed and endorsed by legal counsel and comes on the heels of a case we dealt with in Nampa this past year or so [we were caught in the middle of two contending companies without having adequate regulations pertaining to the manner of handling transfers in such circumstances].

The allowance to have a private property owner pull a permit to transfer was an add-on request by a local business owner. Staff’s only concern with such an allowance [again, referring to the last sentence of paragraph 5 under section 8.J.] is whether there is a requirement that the sign permit only be “pulled” by a license sign contractor that would bear on the matter. Our code currently reads that way, but mayhap that isn’t necessary as long as they don’t get authorization to actually do the work in the field themselves.

Amendment 25:

**Table 10-23-20(E) PERMANENT SIGNS PERMITTED IN THE GB1/GB2/GBE ZONES:**
Correcting illumination type for Wall, marquee, canopy or awning signs.

**Table 10-23-20(K) PERMANENT SIGNS PERMITTED IN THE RS6, RS7, RS8.8, RS12, RS15. RS18. RS22. RA amd RD ZONES:**
Allowing two subdivision identification signs per entry.

Amendment 26:

**10-24-2: ACTIONS:**
Some grammatical tweak.

Amendment 27:

**10-25-15: CONDITIONAL USE EXPANSIONS AND MODIFICATIONS:**
This amendment includes primarily re-formatting and grammatical improvements. In addition, the percent of expansion to conditional uses and/or facilities requiring formal Planning Commission approval via a public hearing process has been reduced from those exceeding 25% to those exceeding 10%.

Amendment 28:

**10-27-2: PRELIMINARY PLAT APPLICATION FORM, CONTENT AND PROCESS:**
Reiterates the considerations necessary to convert common land to private and also reiterates how the application is to be handled in such situations.
Amendment 29:

10-27-4: SPECIAL SUBDIVISIONS AND DEVELOPMENTS:
This amendment revises our current infill density bonuses (outside of PUD’s). The amendments intend to help meet a market demand for small lots that can house homes and help provide more housing opportunities for our local market and add a requirement to such subdivisions to provide open space.

A “short plat’s” approval time frame, formerly absent, is now proposed to be added as 18 months, along with a clarification of the number of lots that may be handled by that process.

Amendment 30:

10-27-6: GENERAL DEVELOPMENT AND IMPROVEMENTS REQUIREMENTS:
This amendment is intended to support Nampa’s interest in having bike paths and introduce a requirement that where possible intra/inter-connectivity of paths be provided between and inside subdivisions.

Amendment 31:

10-27-12: CORRECTING/VACATING/AMENDING PLATS:
A few corrections, and re-iteration of standards to be used when accepting any change to a plat where a substantive/material change to its contents is proposed – especially changes to common properties. The changes alluded to are beyond the reach of Affidavits of Correction or similar surveyors’ instruments to fix errors.

Amendment 32:

10-29-3: DEVELOPMENT STANDARDS:
This section has adjustments to manufactured home standards as seem appropriate to Staff. They are still being treated as the equivalent of “stick-built” homes as required by state law. In addition, the amendment changes references to the previously adopted “uniform building code” to the presently adopted “international building code”.

Amendment 33:

10-33-4: CORRIDOR LANDSCAPING REGULATIONS:
This amendment introduces the City Forester’s involvement in commercial plan review. Their expertise in matters of tree plantings is a necessity.

ATTACHMENTS

1) Final Draft of ZTA 009-19 Nampa, Sections of Titles 6, 7, 9,10 Text Amendments (Pages 9-45)

2) Summary of ZTA 009-19 Nampa, Sections of Titles 6, 7, 9,10 Text Amendments (Pages 46-47)
ORDINANCE NO.________

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL AMENDING TITLE 6, CHAPTER 2, SECTION 6-2-20, PERTAINING TO CANINE LICENSING; AMENDING TITLE 7, CHAPTER 2, SECTION 7-2-16, PERTAINING TO STOPPING OR PARKING PROHIBITIONS IN CERTAIN PLACES; AMENDING TITLE 9, CHAPTER 1, SECTION 9-1-9, PERTAINING TO RESIDING ON A PUBLIC RIGHT OF WAY; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-2, PERTAINING TO CERTAIN DEFINITIONS; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-5, PERTAINING TO CONTENT OF APPLICATIONS; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-18, PERTAINING TO TABLES RELATING TO VISION CLEARANCE; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-19, PERTAINING TO MINI-STORAGE FACILITIES; AMENDING TITLE 10, CHAPTER 2, SECTION 10-2-10, PERTAINING TO REQUESTS FOR RECONSIDERATION; AMENDING TITLE 10, CHAPTER 3, SECTION 10-3-2, PERTAINING TO PERMITTED USES; AMENDING TITLE 10, CHAPTER 4, SECTION 10-4-5, PERTAINING TO DIMENSIONAL AND BULK REQUIREMENTS; AMENDING TITLE 10, CHAPTER 4, SECTION 10-4-9, PERTAINING TO LANDSCAPING; AMENDING TITLE 10, CHAPTER 4, SECTION 10-4-10, PERTAINING TO DESIGN STANDARDS; AMENDING TITLE 10, CHAPTER 8, SECTION 10-8-5, PERTAINING TO ACCESSORY STRUCTURES; AMENDING TITLE 10, CHAPTER 8, SECTION 10-8-6, PERTAINING TO SETBACK REQUIREMENTS; AMENDING TITLE 10, CHAPTER 15, SECTION 10-15-6, PERTAINING TO DOWNTOWN HISTORIC SUBDISTRICT; REPEALING TITLE 10, CHAPTER 15, SECTION 10-15-9; AMENDING TITLE 10, CHAPTER 16, SECTION 10-16-11, PERTAINING TO DESIGN STANDARDS; AMENDING TITLE 10, CHAPTER 21, SECTION 10-21-3, PERTAINING TO AGRICULTURAL ANIMALS; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-4, PERTAINING TO COMMON/SHARED PARKING FACILITIES; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-5, PERTAINING TO PARKING AREA IMPROVEMENTS; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-6, PERTAINING TO SPECIAL PARKING AND LANDSCAPE CORRIDOR DISTRICTS; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-7, PERTAINING TO LOADING SPACES; AMENDING TITLE 10, CHAPTER 23, SECTION 10-23-2, PERTAINING TO CERTAIN DEFINITIONS; AMENDING TITLE 10, CHAPTER 23, SECTION 10-23-8, PERTAINING TO PROHIBITED SIGNS; AMENDING TITLE 10, CHAPTER 23, SECTION 10-23-20, CONTAINING REFERENCE TABLES; AMENDING TITLE 10, CHAPTER 24, SECTION 10-24-2, PERTAINING TO CERTAIN VARIANCE ACTIONS; REPEALING AND REPLACING TITLE 10, CHAPTER 25, SECTION 10-25-15, PERTAINING TO CONDITIONAL USE EXPANSIONS AND MODIFICATIONS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-2, PERTAINING TO PRELIMINARY PLAT APPLICATIONS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-4, PERTAINING TO SPECIAL SUBDIVISIONS AND DEVELOPMENTS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-6, PERTAINING TO GENERAL DEVELOPMENT AND IMPROVEMENTS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-12, PERTAINING TO CORRECTING, VACATING, AND AMENDING PLATS; AMENDING TITLE 10, CHAPTER 29, SECTION 10-29-3, PERTAINING TO
DEVELOPMENT STANDARDS; AMENDING TITLE 10, CHAPTER 33, SECTION 10-33-4, PERTAINING TO CORRIDOR LANDSCAPING; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWWITH.

BE IT ORDAINED by the Mayor and Council of the City of Nampa, County of Canyon, State of Idaho:

Section 1. That Title 6, Chapter 2, Section 6-2-20, of the Nampa City Code, pertaining to Canine Licensing, be amended as follows,

6-2-20: LICENSING:

A. Canine License Required; Application:

1. Licenses:

... h. Kennel License: It is unlawful to keep, maintain or possess upon the premises of any one dwelling unit more than two (2) three (3) dogs over the age of six (6) months or two (2) potbellied pigs as described in section 10-21-3 of this Code, unless the owner or person in charge thereof obtains a kennel license and any conditional use permit required according to the City of Nampa, Idaho, zoning ordinance. If a kennel license is issued, the holder shall pay to the City an annual license fee established by Council resolution. Such kennel license shall only be permitted and issued in accordance with the terms and provisions of this section as hereafter noted:

... Section 2. That Title 7, Chapter 2, Section 7-2-16, of the Nampa City Code, pertaining to Stopping or Parking Prohibitions in Certain Places, be amended as follows,

7-2-16: STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES:

A. Exceptions: No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

... 18. Within ten-feet (10’) of a free-standing mailbox or blocking the same from postal vehicle access.
Section 3. That Title 9, Chapter 1, Section 9-1-9, of the Nampa City Code, pertaining to Residing on a Public Right of Way, be amended as follows,

9-1-9: RESIDING ON A PUBLIC RIGHT-OF-WAY:

It shall be unlawful for any person(s) to reside or stay more than twenty-four hours fourteen (14) days in an "unauthorized dwelling unit" on public rights-of-way. "Unauthorized dwelling units" are and shall include: vehicles (i.e., cars, trucks, trailers [office, camp, horse, vehicle transport and utility types, etc.], buses, RVs, towed pop tents, camper shells, fifth wheels, boats) and other portable and temporary shelters including, but not limited to, tents and boxes. (Ord. 3807, 7-21-2008)

Section 4. That Title 10, Chapter 1, Section 10-1-2, of the Nampa City Code, pertaining to Certain Definitions, be amended as follows,

10-1-2: DEFINITIONS:

…

APPROPRIATE HISTORIC HUES: Muted and a limited number of colors, usually not more than two (2) accent colors used in any one building. See guidelines for specific color pallet.

…

AS BUILT ROOF: The roof pitch and style constructed when the structure was originally constructed.

…

BUILDING EXPANSION: See section 10-1-6 of this title.

…

CONGREGATE RESIDENCE: Single-family dwelling unit (usually a rental situation) wherein not more than four (4) persons over age eighteen (18), who are not related by blood or marriage, live together as a single housekeeping unit.

…

EARLY TWENTIETH CENTURY ARCHITECTURE: Architectural styles used in downtown Nampa between 1900 and 1941. See guidelines for further definition.

…

FACADE IMPROVEMENTS: Any alteration of an existing building facade including repainting, etc.
FOSTER DAILY CARE HOME: See definition of day nursery.

HISTORIC STOREFRONT PATTERN: A storefront which exhibits proportion and regular patterns in the relationship of windows, walls and doors, and is characterized by recessed entries, vertical and horizontal elements, and transparency.

HISTORIC STRUCTURE: Any structure that is: a) listed individually in the national register of historic places or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the national register; b) certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district; c) individually listed on a state inventory of historic places that have been approved by the secretary of interior; or d) individually listed on the city's inventory of historic places.

ORIGINAL ARCHITECTURAL CHARACTER: The architectural style or elements of an architectural style that existed when the building was originally constructed.

ORIGINAL BUILDING: The building that was located on a site prior to any major remodel, rehabilitation or expansion.

PEDESTRIAN AMENITIES: Brick sidewalk pavers, benches, landscaping planters, landscaping walls, trash and recycling receptacles, bollards, pedestrian scale lighting, fountains, bike racks, public art, kiosks, way finding, interactive public art, seat walls, etc.

PHOTOMETRIC TEST REPORT: A report that analyzes the intensity, location, and distance that a light source emits.

RECREATIONAL (HOBBY) VEHICLE/TRAILER: A vehicular unit primarily designated as temporary living quarters or used for recreational purposes including general recreation, fishing, camping, or travel which either has its own power or is mounted on or
drawn by another vehicle. Examples of such vehicles include, but are not limited to, the following: travel trailers, camping trailers, truck campers, motor homes, fifth wheels, RVs, etc. Other recreational vehicle types for purposes of this definition shall include, but not be limited to: boats and boat trailers, transport trailers (e.g., used to haul motorcycles, jet skis, snowmobiles, 4-wheelers), and other vehicles including, but not limited to: sandrails, mudder trucks, race cars, etc.

REHABILITATION: The process of returning a structure to a state of utility through repair or alteration—while preserving those portions or features which are significant to its architectural, historic, or cultural value.

REMODEL: Any change to the exterior surfaces or external appearances of a building including, but not limited to, renovation, rehabilitation, reconstruction, restoration, replacement, or rearrangement of structural parts or elements; or any change that affects the plan configuration of walls, spaces, or bulk of a building.

RESIDENTIAL INFILL SUBDIVISION: A single-family subdivision, platted within a RS zone, for the purpose of facilitating the establishment of building lots intended to have constructed thereon attached or detached residential living/dwelling units (i.e., houses or townhomes). In order to qualify for residential infill status, certain code controls apply (see Section 10-27-4).

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. See definitions of Basement and Cellar.

STRUCTURE, CONTRIBUTING: A building, site or structure that adds to the historic architectural qualities, historic association, or cultural values of the district through location, design, setting, materials, workmanship, or association.

STRUCTURE, NONCONTRIBUTING: A building, site or structure that does not add to the historic architectural qualities, historic association, or cultural values of the area because: a) it was not present during the period of significance; or b) it does not relate to the documented significance of the property due to alterations, disturbances, additions, or other changes; or c) it no longer possesses historic integrity nor is capable of yielding important information about the period.
TRADITIONAL BUILDING MATERIALS: Brick, masonry, stucco, wood, accents of metal, ceramic, etc.

TRADITIONAL BUILDING WIDTH: Buildings in the subdistrict were originally built on lots twenty five feet (25’) to fifty feet (50’) in width.

TRANSPARENCY: The amount of visibility allowed through a building plane as provided by windows and other openings.

VISION CLEARANCE: Vision clearance in districts where front yards are required shall be: A term referring to theoretical triangles imposed by code (to enhance safety) at every street intersection corner; every alley to street, or, alley to alley intersection; every service drive to street intersection; and every driveway to street intersection. The effect of the vision clearance triangles is to cause obstacles that obstruct clear vision that are in the triangles’ areas to be either absent, or, both minimal in mass (e.g., no thicker/wider than a 4’ x 4’ post) and short (i.e., below 2.5’ in height) or high enough (i.e., 9’ or more) to not impede vehicle drivers’ view(s) around/through intersection corners.

The triangles of land are defined on any intersection corner property by measuring from the intersection of the curb [or absent curbing from a future curb location or edge of asphalt travel-way] of two intersecting private or public rights-of-way (e.g., streets, alleys, service drives, driveways, etc.) a specified distance as illustrated in Section 10-1-18, Figures 7a and 7b.

A. That triangle of land defined on any corner lot by measuring from the intersection of the curb lines of the two (2) adjacent streets, forty feet (40’) along each curb line and connecting the two (2) points with a straight line. See section 10-1-18, figure 7 of this chapter.

B. That triangle of land defined adjacent to any alley or driveway intersecting a street by measuring along the alley or driveway edge and the back of sidewalk of the adjacent street seven and one-half feet (7½’) and connecting the two (2) points with a straight line. Where curbs or sidewalks do not exist, or a street improvement project is anticipated, the measurement shall be taken from the projected future curb/sidewalk lines.

Section 5. That Title 10, Chapter 1, Section 10-1-5, of the Nampa City Code, pertaining to Content of Applications, be amended as follows,

10-1-5: CONSTRUCTION AND USE TO BE STATED IN APPLICATIONS:
A. Plans, Permits, And Certificates Of Occupancy: Building permits or certificates of occupancy issued on the basis of plans and applications approved by the building official authorizes only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement or construction set forth in such approved plans and applications, and no other use, arrangement or construction. Use, arrangement or construction at variance with that authorized via zoning entitlement or a certificate of occupancy shall be deemed a violation of this section and shall be, and is, punishable as provided in section 1-1-7 of this code. (Ord. 3805, 7-21-2008)

Section 6. That Title 10, Chapter 1, Section 10-1-18, of the Nampa City Code, be amended by the replacement of 10-1-18, Figure 7, with the following,

Figure 7a:
Section 7. That Title 10, Chapter 1, Section 10-1-19, of the Nampa City Code, pertaining to Mini-Storage Facilities, be amended as follows,

10-1-19: PROFESSIONAL, PUBLIC MINI-STORAGE FACILITY DESIGN REGULATIONS:
The following site and building design standards shall be made to apply to any and all public self-mini storage facilities ("storage facility" or "project" hereinafter) proposed to be newly constructed or otherwise developed or converted on or from open ground, an existing private storage facility or from another use already on an RP or BN zoned property within the city of Nampa shall comply with the following regulations in order to be able to lawfully operate:

These site and building design standards shall apply, on RP or BN zoned land, to any and all newly proposed or developed mini-storage facilities, and to any private storage facilities converted into public storage facilities:

A. Locations Allowed: All public storage facilities shall be constructed/located on a property that has direct access to/from a public street and also abuts/fronts the same; although the service Service drive(s) in the storage facility may remain private; and shall not be extend farther than three hundred feet (300') from the main access road(s) that provide ingress/egress to the property upon which a-storage facility rests—a collector or arterial street in any event; and

B. Structure Appearance Requirements:

1. Any portions of a building wall visible from a public street and longer than one hundred feet (100') shall include facade changes such as bases, fenestration, offsets, or wall plane jogs built into the same; and

2. External building materials on walls visible from a public street shall be limited to masonry (e.g., brick, stone, quality concrete, quality concrete block), glazing, and EIFS systems. No vinyl, metal, or wooden material shall be used except that overhead doors may be metal; and

3. Exterior finish materials used on/for buildings in a storage facility shall be non-reflective and shall include use of at least three (3) colors and three (3) material textures or three (3) different materials in exterior wall composition; and

4. All buildings made a part of a facility shall feature a residential roof structure with a minimum three: two to twelve (3:12) pitch. Any roof mounted vents (e.g., on the office building) shall be painted to match the color of the roof; and

5. Exterior paint colors shall be earth tone with no white, black or reflective/fluorescent coloring allowed; and

6. Storage facility offices shall, in addition, have at least twenty five percent (25%) glazing on their primary facade(s); and

7. Storage buildings shall be limited to ten feet (10') in height at the edge of eaves.
Section 8. That Title 10, Chapter 2, Section 10-2-10, of the Nampa City Code, pertaining to Requests for Reconsideration, be amended as follows,

10-2-10: REQUESTS FOR RECONSIDERATION:

A. On any application brought before the city council affecting the use, occupancy or development of real property, including, but not limited to, those matters governed by the Idaho local land use planning act, found at Idaho Code 67-6501 et seq., or the Nampa comprehensive zoning ordinance, found in this title, a party may request that the city council reconsider a decision pursuant to the terms of this section. Decisions and recommendations of the planning and zoning commission are not subject to reconsideration but may be appealed to the city council as provided in this title.

To make such a request for reconsideration, the following criteria must be met:

4. The request must demonstrate either: a) the party requesting reconsideration has relevant information, the relevant information was not previously presented and is in response to something brought up at the previous hearing, and the information was not previously available; or b) the request for reconsideration is made pursuant to Idaho Code section 67-6535(2)(b), as amended—either include new and relevant information challenging claims made during the Council’s prior deliberation or be made pursuant to Idaho Code section 67-6535(2)(b).
Section 9. That Title 10, Chapter 3, Section 10-3-2, of the Nampa City Code, pertaining to Permitted Uses, be amended as follows,

10-3-2: SCHEDULE OF DISTRICT/ZONE LAND USE CONTROLS:

<table>
<thead>
<tr>
<th>Service And Office Land Use/Building Occupancy Type</th>
<th>U</th>
<th>AG</th>
<th>RA</th>
<th>RS</th>
<th>HC</th>
<th>RD</th>
<th>RML</th>
<th>RMH</th>
<th>RP</th>
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<td>Medical/dental (or similar) clinic and related services</td>
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<td>Non-Professional, non-medical, non-construction/trade related, general office</td>
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<td>Professional office</td>
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**Section 10.** That Title 10, Chapter 4, Section 10-4-5, of the Nampa City Code, pertaining to Dimensional and Bulk Requirements, be amended as follows,

**10-4-5: PROPERTY DIMENSIONAL AND BULK REQUIREMENTS:**

Construction of on-site parking or structures shall comply with the following minimum requirements, except where duly increased by the city in conjunction with issuance of a conditional use permit, or decreased in accordance with granting of a variance or planned unit development permit:

<table>
<thead>
<tr>
<th>Minimum Property Area Required Per Dwelling Unit(s):</th>
<th>The first two (2) units require six thousand (6,000) square feet and additional units require one thousand three hundred fifty (1,350) square feet of additional land per unit.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum property area per multi-residential unit:</td>
<td>6,000 square feet for first 2 units and 1,350 square feet required per unit thereafter</td>
</tr>
</tbody>
</table>

**Section 11.** That Title 10, Chapter 4, Section 10-4-9, of the Nampa City Code, pertaining to Landscaping, be amended as follows,

**10-4-9: LANDSCAPING:**

All landscaping shall be established in accordance with the requirements of chapters 22 and 33 of this title; in addition, the following standards shall apply:

SECTION 10-4-9, Sections A through D, including the figure contained therein, and SECTION 10-4-9, Section F, are hereby repealed.

... 

E. A. Landscaping Adjacent To Residential Uses: All non-residential development sites having a common boundary line with a residentially used property shall have erected and maintained a view obscuring wall, fence or coniferous hedge not less than five feet (5’), nor more than six feet (6’) in height for screening purposes and access control. This screening provision shall not eliminate the requirement to provide pedestrian pathways or neighborhood street connections within the GB district to provide access of residential areas to schools, parks, shopping areas, public lands, transportation or other community facilities.
However, where the wall of a pre-existing non-residential building (i.e., already on site and incorporated into a new development plan and/or use for the property) is on such common property line, no separate wall or fence need be installed along that portion of the boundary occupied by the building. Public utility installations need only fence and screen with appropriate materials such as base planting of coniferous shrubs or trees and climbing coniferous plant materials on the fences to minimize the industrial character of such installations, with the area surrounding the fenced and screened enclosure landscaped and planted to create a park-like atmosphere.

Section 12. That Title 10, Chapter 4, Section 10-4-10, of the Nampa City Code, pertaining to Design Standards, be amended as follows,

10-4-10: DESIGN STANDARDS:

...  

C. Fencing/Screening: Fencing of anything other than mechanical or maintenance related equipment or stored inventory or trash receptacles is prohibited. Trash receptacles shall be screened from view by durable enclosures resembling the related building's façade.

Section 13. That Title 10, Chapter 8, Section 10-8-5, of the Nampa City Code, pertaining to Accessory Structures, be amended as follows,

10-8-5: DETACHED ACCESSORY STRUCTURES:

Shall comply with standards in section 10-3-2 of this title and, in addition, the following regulations apply:

A. Detached accessory structures shall not be taller than the height of the principal building on the property or twenty-two feet (22'), whichever is greater.

B. Detached accessory structures over two hundred (200) square feet (201+) in footprint area shall comply with required front and interior yard setbacks that apply to principal buildings and require a building permit.

C. Detached accessory structures two hundred (200) square feet or under and twelve feet (12') or lower in height may be built to within five feet (5') of any property line provided they are at least three feet (3') from any primary structure wall (unless a building permit is obtained from the city to locate closer to the house), do not interfere with provision of at least ten feet (10') of clear, uninterrupted access from the front yard to the back of a home.

D. In no case shall any portion of an accessory structures be located closer to the front property line/street line than any covered part of the house to which they are accessory In other words, they shall not be placed or built in front of home.
E. As noted in subsection 10-1-7D3 of this title, only two (2) accessory structures per property are permitted in the RS zone, and only one of those may be a detached guesthouse or in-laws quarters. (Ord. 3960, 4-4-2011)

**Section 14.** That Title 10, Chapter 8, Section 10-8-6, of the Nampa City Code, pertaining to Setback Requirements, be amended as follows,

10-8-6: PROPERTY AREA, WIDTH, DEPTH, FRONTAGE AND SETBACK REQUIREMENTS:

In order for a property to be eligible for development the following requirements shall be adhered to:

<table>
<thead>
<tr>
<th>RS District/Zone</th>
<th>Maximum Number Dwelling Units Per Acre</th>
<th>Required Property Area¹</th>
<th>Required Property Width</th>
<th>Required Mean Property Depth</th>
<th>Required Street Frontage²</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS 4</td>
<td>9.18</td>
<td>4,000</td>
<td>50 feet</td>
<td>50 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>RS 6</td>
<td>7.26</td>
<td>6,000</td>
<td>50 feet</td>
<td>60 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>RS 7</td>
<td>6.22</td>
<td>7,000</td>
<td>50 feet</td>
<td>70 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>RS 8.5</td>
<td>5.12</td>
<td>8,500</td>
<td>70 feet</td>
<td>80 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>RS 12</td>
<td>3.63</td>
<td>12,000</td>
<td>80 feet</td>
<td>80 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>RS 15</td>
<td>2.90</td>
<td>15,000</td>
<td>100 feet</td>
<td>80 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>RS 18</td>
<td>2.42</td>
<td>18,000</td>
<td>100 feet</td>
<td>80 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>RS 22</td>
<td>1.98</td>
<td>22,000</td>
<td>100 feet</td>
<td>80 feet</td>
<td>22 feet</td>
</tr>
</tbody>
</table>

Notes:

1. All single-family residential lots/parcels developed/built out (or proposed to be developed/built out) with either attached or detached single-family residential dwelling units (i.e., houses or townhouses) thereon, shall have/maintain at least 22 feet of public street frontage.

Exception A: RS 4 zoned properties shall only be allowed within single-family detached subdivisions platted after <date of enactment of code amendment ordinance> and in accordance with rules set forth in section 10-27-4 of this title.
Exception B: Building lots established in accordance with subsection 10-27-4A of this title during the platting process may enjoy smaller than normal minimum lot sizes as stated in that section. However, terms of a development agreement or entitlement instrument/permit may require otherwise.

... 

Section 15. That Title 10, Chapter 15, Section 10-15-6, of the Nampa City Code, pertaining to Downtown Historic Subdistrict, be amended as follows,

10-15-6: DH DOWNTOWN HISTORIC SUBDISTRICT:

... 

B. Applicability:

1. The provisions of this section shall apply to all forms of building and site improvements within the DH subdistrict including building expansion, facade improvements, new construction, rehabilitation, remodel, exterior site improvements, and signs. The specific provisions that apply to the various categories of development activities are as follows:

<table>
<thead>
<tr>
<th>Type Of Project</th>
<th>Applicable Code Sections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expansion over 25 percent</td>
<td>10-1-6 and 10-15-6</td>
</tr>
<tr>
<td>Exterior site improvements</td>
<td>10-1-6, 10-1-18, 10-15-6, and 10-22</td>
</tr>
<tr>
<td>Facade improvements; includes painting or repainting</td>
<td>10-15-6 and definitions as found in 10-15-9</td>
</tr>
<tr>
<td>New construction</td>
<td>10-1-6 and 10-15-6</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>10-1-6 and 10-15-6</td>
</tr>
<tr>
<td>Remodel</td>
<td>10-1-6 and 10-15-6</td>
</tr>
<tr>
<td>Signs</td>
<td>10-15-6 and 10-23</td>
</tr>
</tbody>
</table>

2. The provisions of this subsection shall not apply to preexisting buildings that are expanded less than twenty five percent (25%) unless a change of occupancy is determined as defined in section 10-1-6 of this title.

... 

Section 16. That Title 10, Chapter 15, Section 10-15-9, of the Nampa City Code, pertaining to Certain Definitions, is hereby repealed,
Section 17. That Title 10, Chapter 16, Section 10-16-11, of the Nampa City Code, pertaining to Design Standards, be amended as follows,

10-16-11: DESIGN STANDARDS:

...  

C. Fencing/Screening: Fencing of anything other than mechanical or maintenance related equipment or stored inventory or trash receptacles is prohibited. Trash receptacles shall be screened from view by durable enclosures resembling the related building’s façade with durable materials as found on the related building's façade.

...

Section 18. That Title 10, Chapter 21, Section 10-21-3, of the Nampa City Code, pertaining to Agricultural Animals, be amended as follows,

10-21-3: AGRICULTURAL ANIMALS AS PETS:

...  

D. A residence may have a maximum of two (2) potbellied pigs, and the aggregate number of pigs and dogs they are allowed shall not exceed three (3).

In the case of potbellied pigs kept as pets, the number allowed (maximum of 2) shall be in lieu of and not in addition to the number of dogs allowed in the city, two (2), and kept by an owner or claimant as pets. (Thus, if a person has a dog, they may only have 1 potbellied pig.) If they have two (2) pigs they may not keep dogs unless a conditional use permit is first obtained to have a kennel.

...

Section 19. That Title 10, Chapter 22, Section 10-22-4, of the Nampa City Code, pertaining to Common/Shared Parking Facilities, be amended as follows,

10-22-4: COMMON/SHARED PARKING FACILITIES FOR MIXED USES AND OFF-SITE PARKING ALLOWANCE:

In the case of determining the number of required parking spaces for mixed uses (e.g., a shopping center, office complex, etc.), or for shared spaces in a multi-structure development [like an apartment complex], the total requirements for off street parking spaces shall be the sum of the requirements for the various uses.

Off street parking facilities for a particular use shall not be considered as providing parking facilities for any other use except under the following conditions:
Section 20. That Title 10, Chapter 22, Section 10-22-5, of the Nampa City Code, pertaining to Parking Area Improvements, be amended as follows,

10-22-5: PARKING AREA IMPROVEMENTS AND PLANS:

C. Site Improvement Permit: A site/landscape development plan shall be submitted with the application for the permit to the city building department with a copy to the city planning and zoning department and to the city engineer prior to actual development. The plan shall indicate the proposed design including location, size, shape, design, curb cuts, lighting, landscaping, drainage, and construction details, accessible spaces and ramps along with any other features and appurtenances deemed necessary by the city engineer. The City shall have thirty (30) days to process the permit. Upon issuance of the permit, development plans may be executed. Any improvements in the right of way, including curb and gutter, sidewalk, driveway approaches or cuts in existing curbs, etc., shall require application for an issuance of a right of way permit from the city engineer's office prior to actual construction. The permit fee shall be set/established by council resolution. The permit shall be valid for a period of six (6) months unless extended by consent of the planning and zoning, and engineering departments.

D. Surfacing: In any zoning district, all areas where any kind of vehicles may/will traverse, be parked or stored (e.g., new principal/primary residential driveways, drive aisles and/or service drives, private or public roads, display areas, drive-throughs, loading dock areas, parking lot areas, parking pads, turnaround areas, vehicle storage areas, etc.), emplaced subsequent to April 11, 2011, shall be required to be paved (via asphalt or concrete) except secondary/auxiliary residential dwelling unit driveways and/or parking pads for recreational vehicles, and, certain parking lots as noted hereafter:

2. Certain Permanent Parking Lots Exempted: Certain types of permanent parking lots may be established in the city without having to be paved, striped or even landscaped, but only in accordance with the following conditions/situations:

a. That the parking lot is used or intended for use by/for vehicle salvage/wrecking yard areas, and/or used by/regularly parked on by semitrucks or other trucks of equivalent GVW (gross vehicle weight unloaded) heavy or construction/mining type vehicle/machinery or RV storage lots [within storage unit complexes or subdivisions or as stand-alone commercial ventures] and/or are used as contractor's storage yards in which case:
Section 21. That Title 10, Chapter 22, Section 10-22-6, of the Nampa City Code, pertaining to Special Parking and Landscape Corridor Districts, be amended as follows,

10-22-6: SPECIAL PARKING AND LANDSCAPE CORRIDOR DISTRICTS AND SPACES REQUIRED:

A. Special Parking/Landscape Corridor Overlay District(s): Provision for special parking and landscape corridor overlay districts is hereby established in order to accommodate the need for off street parking ratio and parking and landscape strip design alternatives in specific city areas above and beyond what is normally allowed. Origination of such areas results from various causes including: legal nonconformities in landscape strip, parking area, service drive, landscape area and even setback areas introduced by the city or state doing street improvements (including widening), implementation of special plan studies, enactment of local improvement districts, and so forth.

The following regulations, in addition to the general regulations of this chapter, shall apply to all land classified as being and sited in a P district. If any of the parking or chapter 33 of this title landscape corridor regulations specified in this title differ from the corresponding...

2. Garrity Boulevard Special Parking/Landscape Corridor District (P-2):

b. Requirements Of The P-2 District: Landscape corridor provision, parking layout/design, parking setback and provision of spaces shall adhere to requirements set forth in section 10-1-18, figure 1 of this title, this section, and section 10-33-4 of this title. Expansion of site/structural improvements or property redevelopment/new construction that would normally require updating of site improvements in accordance with section 10-1-6 of this title shall still be therein required. Exceptions to such standards, where necessitated because of the property being legally nonconforming, may be allowed without requiring a variance. Structures destroyed by fire or other calamity may be rebuilt within the same footprint as previously occupied by the same but are exempt from having to update site improvements at that time to establish parking in accordance with this chapter. Additionally, as indicated in chapter 33 of this title, private properties within the P-2 district that have frontage abutting Garrity only have to install four feet (4') of landscaping along Garrity when such is required to be emplaced instead of fifteen feet (15'). Also, it shall be unlawful to place any form of temporary or portable sign on or in the landscape strips that lie along and abutting any section of Garrity Boulevard which is in the P-2 district.

b. Requirements of the P-2 District:
(1) Landscape corridor provision, parking layout/design, parking setback and provision of spaces shall adhere to requirements set forth in section 10-1-18, figure 1 of this title, this section, and section 10-33-4 of this title; and,

(2) Expansion of site/structural improvements or property re-development/new construction that would normally require updating of site improvements in accordance with section 10-1-6 of this title shall still be required for properties within the P-2 District. Exceptions to such standards, where necessitated because of the property being legally nonconforming, may be allowed without requiring a variance. Structures destroyed by fire or other calamity may be rebuilt within the same footprint as previously occupied by the same but are exempt from having to update site improvements at that time to establish parking in accordance with this chapter; and,

(3) Private properties within the P-2 district that have frontage abutting Garrity shall install but four-feet (4’) of landscaping along Garrity when such is required to be emplaced instead of twenty-feet (20’) or other metric as determined by a zone.

B. Number Of Spaces Required: The number of off-street/on-property [site] parking spaces required and/or provided for land and structure uses shall be no less than as set forth as follows for all zones save the DH and GBE districts. Where fractional number results, round to the next highest whole amount. Thus, 2.6 spaces needed for a project means that three (3) spaces are/will be actually required. Required spaces do not apply to uses in the DH or GBE zones. (Ord. 4281, 9-19-2016)

<table>
<thead>
<tr>
<th>Property's/Structure's Principal Use Type</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barber and beauty shops</td>
<td>1 per 75 square feet of gross floor area</td>
</tr>
<tr>
<td>Churches, clubs, lodges</td>
<td>1 per every 4 fixed seats or every 8 feet of bench length or every 28 square feet</td>
</tr>
<tr>
<td>Dwelling, single-family</td>
<td>2 per dwelling unit on a single lot property (note: at least one space shall be covered or covered and enclosed in RS Zoned areas)</td>
</tr>
<tr>
<td>Dwelling, (to be) converted into a commercial business/office</td>
<td>Shall be in accordance with other requirements in this section (e.g., for small item retail 1 per 250 square feet of net floor area) or the maximum number of parking spaces that will/can be made to fit on the property without needing to obtain a variance, whichever standard is less restrictive</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Dwelling, two-family or multiple</td>
<td>2 per dwelling unit (plus 1 extra per building [for use as an ADA space] when a fourplex or higher density residential building is served/developed) by itself on a property; when ADA parking is to be commonly shared amongst two or more properties in the same development, ANSI code shall be used to determine the number of required ADA parking stalls to be provided</td>
</tr>
<tr>
<td>Elderly housing</td>
<td>1 per 2 dwelling units</td>
</tr>
<tr>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Offices:</td>
<td>Medical offices (e.g., doctor, dental, optometrist, chiropractic, etc.) 1 per 150 square feet of usable/used net floor area</td>
</tr>
<tr>
<td></td>
<td>Standard/professional business/accessory to industrial use (i.e., all but medically related types) 1 per 400 square feet of usable/used net floor area</td>
</tr>
<tr>
<td>...</td>
<td>...</td>
</tr>
</tbody>
</table>
Section 22. That Title 10, Chapter 22, Section 10-22-7, of the Nampa City Code, pertaining to Loading Spaces, be amended as follows,

10-22-7: LOADING SPACES:

Each off street loading space [open air or dock] shall measure not less than thirty five feet by twelve feet (35’ x 12’) and shall have an unobstructed height of fifteen feet (15’) and shall be made permanently available for parking and shall be surfaced, improved and maintained as required in section 10-22-5 of this chapter. Required loading spaces shall be in conformance with the following:

Section 23. That Title 10, Chapter 23, Section 10-23-2, of the Nampa City Code, pertaining to Certain Definitions, be amended as follows,

10-23-2: DEFINITIONS:

LIGHTING, DIRECT: Illumination of a sign via one or more internal fixture(s) -- including those that produce a halo effect.

LIGHTING, INDIRECT: Illumination of a sign via an external light source (e.g., floodlighting). As stated in the definition of a “floodlighted sign” it may be, “A sign illuminated only by devices which reflect or project light upon it.”

ILLUMINATED, HALO: Illumination of a sign from a light source that is not visible and is concealed or contained within the sign or located between the sign and the structure/wall. Illumination from the source of the light becomes visible in darkness when the light is reflected off of the structure/wall upon which the sign is attached. See also the definition for “LIGHTING DIRECT”.

ILLUMINATED, INTERNAL: Illumination of a sign from a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. This includes illumination by gas filled luminous tubes, such as neon, argon or fluorescent. See also the definition for “LIGHTING DIRECT”.
Section 24. That Title 10, Chapter 23, Section 10-23-8, of the Nampa City Code, pertaining to Prohibited Signs, be amended as follows,

10-23-8: PROHIBITED SIGNS:

The following signs are prohibited:

J. "Billboard Type" Outdoor Advertising Signs:

3. In order to relocate a billboard within the city, application shall first be made to the planning and zoning department. A relocated billboard must meet/comply with requirements listed in this chapter in order to be allowed. Not more than one billboard sign shall be allowed per property. Minimum spacing between poster type billboard signs on the same side of a right of way shall be no less than one thousand (1,000) linear feet, measured along the centerline of the roadway. Minimum spacing between painted type billboard signs on the same side of a right of way shall be no less than three thousand (3,000) linear feet, measured along the centerline of the right of way. Minimum spacing between a poster type or painted type billboard sign on the other side of a right of way from another such sign shall be no less than three hundred (300) linear feet, measured along the centerline of the right of way. No grouping of signs on a single pole shall be allowed. If a proposal for relocation of a billboard sign is deemed to meet applicable codes, the city shall permit relocation of the sign. (Ord. 4178, 5-18-2015)

4. The allowance to relocate billboards shall not be deemed or construed to permit painted billboard signs existing along Interstate 84 prior to the effective date hereof to be moved to other parts of the city away from the interstate.

5. Abandonment: If a billboard is removed from a property, and it is neither relocated (nor is an application for its relocation filed) within 30 days, the right to maintain said billboard will be deemed abandoned.

5-6 Other types of outdoor advertising signs are permitted in accordance with this chapter.

Section 25. That Title 10, Chapter 23, Section 10-23-20, of the Nampa City Code, pertaining to Tables, be amended as follows,
### TABLE 10-23-20(E) PERMANENT SIGNS PERMITTED IN THE GB1/GB2/GBE ZONES

<table>
<thead>
<tr>
<th>Type Of Sign</th>
<th>Number Allowed</th>
<th>Maximum Allowable Height Above Grade</th>
<th>Maximum Allowable Display Surface Area Per Establishment</th>
<th>Spacing And Location</th>
<th>Illumination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall, marquee, canopy or awning</td>
<td>1 or more²</td>
<td>1' above building for single story; 5' for buildings &gt;30'</td>
<td>20% of building or tenant wall (as pertinent)</td>
<td></td>
<td>Indirect or internal for wall; also direct for others</td>
</tr>
</tbody>
</table>

### TABLE 10-23-20(K) PERMANENT SIGNS PERMITTED IN THE RS6, RS7, RS8.5, RS12, RS15, RS18, RS22, RA, AND RD ZONES

<table>
<thead>
<tr>
<th>Type of Land Use</th>
<th>Type of Sign</th>
<th>Number Allowed</th>
<th>Maximum Allowable Height Above Grade</th>
<th>Maximum Display Surface Area</th>
<th>Illumination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential subdivision</td>
<td>Subdivision identification (e.g., monument)</td>
<td>1½ per entry</td>
<td>8'</td>
<td>64 sq. ft.</td>
<td>Indirect or internal</td>
</tr>
</tbody>
</table>
Section 26. That Title 10, Chapter 24, Section 10-24-2, of the Nampa City Code, pertaining to Certain Variance Actions, be amended as follows,

10-24-2: ACTIONS:

... B. Waiver: The Council may grant variance permits for the waiver of required front and/or street side yard setbacks, or for fence, walls or hedge heights. In order to approve such variances, the Council must conclude that a request is acceptable based on the conclusions listed in subsection A of this section and also accept a substitute plan, which provides equal safety or aesthetics qualities by other means. The substitute plan must:

...
2. Scope of Increase to Facility or Use Greater than 10%: Proposed physical expansions to uses and/or structures exceeding ten percent (10%) of the square footage (whether related to one or more structure(s)’ size(s) and/or a use's area coverage/footprint on a property) of a use previously approved via a conditional use permit shall require commission approval via the public hearing process before any such expansion may occur.

B. Modifications to Conditions of CUP Authorized Uses and/or Structures: The commission may revoke or modify CUP conditions if acting upon a request as applied for by a true representative of the CUP holder. Modifications to approval conditions imposed by the city council shall only be modified/changed by order of the council.

Modifications to approval conditions may be allowed provided that: 1) the modification will not result in unjustifiable negative impacts on surrounding properties, 2) the modification will comply with all zoning regulations, and 3) the modification will not unjustifiably burden adjacent roadways.

Changes that meet any of the following criteria shall require commission approval via the public hearing process (or council approval if they approved the original CUP request):

1. A modification to a specifically approved or required open space area or amount (excepting those made a part of a subdivision plat or PUD); and/or,

2. A change in elevation(s) of one or more structures where the elevation was once specifically required to be in a certain form or was proposed and accepted to be in a particular style or of a specified height; and/or,

3. A change in the site layout of a project including relocation of pads, streets, structures, or parking areas when such were specifically approved or required as part of an earlier CUP approval; and/or,

4. A request to delete one or more conditions of approval originally imposed on a CUP project; and/or,

5. A request to change the nature of the use(s) the original CUP sanctioned provided that the new use(s) proposed are at least allowed via a new CUP issuance…

...
B. Application: Every person seeking to subdivide land shall file with the planning and zoning director appropriate application materials including a completed subdivision application package including fifteen (15) copies of the preliminary plat (with supporting data as required in this section). One reduced copy eleven inches by seventeen inches (11" x 17") and one reduced copy eight and one-half inches by eleven inches (8½" x 11") of the preliminary plat together with requisite review fees shall also be concurrently submitted. An electronic copy of all preliminary plats shall be filed in AutoCAD format, version 14 or higher. An application for a proposed plat must be accompanied by written consent from all property owners whose land(s) are to be made a part of the plat. Any application to re-plat a subdivision’s common areas shall also require the consent of the HOA board of said subdivision (if the HOA is active and on file with the Idaho Secretary of State).

Section 29. That Title 10, Chapter 27, Section 10-27-4, of the Nampa City Code, pertaining to Special Subdivisions and Developments, be amended as follows,

10-27-4: SPECIAL SUBDIVISIONS AND DEVELOPMENTS:

A. Master Community Subdivisions, Infill Homes (see Section 10-1-2. Definitions) Developments/Lots, Condos, Townhouses, Urban Neotraditional, Planned Unit And Other "Special" Developments:

3. Reduced Sized Lots Within Residential Subdivisions Within In RS Districts: Within a subdivision developed in an RS zone, building lots sized below normal minimum required size (termed "infill lots") may be developed in accordance with the standards listed hereafter. Detached homes built on said lots are termed "infill homes", though they might not be smaller than homes on regular sized lots in the same development. Furthermore, two-unit townhouses may be allowed without requiring a conditional use permit to preauthorize emplacement of the same in a subdivision, in accordance with the standards listed hereafter:

f. …

(1) In no case shall garages or carports be allowed closer than twenty feet (20') to the street giving access to a lot, although, the living space (non-parking) part of the home may be within fifteen-feet (15’) of the street line closer than twenty feet (20’) to the street. (Ord. 4159, 1-20-2015)
4. Reduced Sized Lot RS Zoned Subdivisions:

A. Master Community, Not PUD or Infill: When a subdivision intended for development as a “master community subdivision” is platted in an RS 4 zone, building lots 4,000 sq. ft. or larger in area may be platted throughout said subdivision in accordance with the standards listed hereafter:

a. Dwelling units shall comply with parking requirements of the RS 4 zone;

b. Dwelling units shall be subject to architectural controls as administered by a homeowners’ association using their CCRs and any related policies;

c. RS 4 building lots are, and shall be, exempt from the subdivision minimum lot size average and periphery compatibility requirements stated in subsection 10-27-6F2a of this chapter;

d. Front, side and rear yard setbacks, and minimum lot width pertaining to master community building lot(s), shall be [as] per pertinent RS district standards unless approved otherwise by action of the city council.

e. Open Space Requirements:

   (1) Open spaces required shall be:

      aa. Those required by Chapter 33 corridor beautification standards for those areas that abut external collector or arterial rights-of-way; and,

      bb. Those that may be required as part of deed and dedication of land and placement of a City required and standards compliant master pathway; and,

      cc. At least 500 sq. ft. per building lot to be made a part of a continuous permanent, “functional” common open space privately held and maintained by the subdivision’s property owners and formed to establish a parkway/pathway area located behind and between parallel rows of what would normally be back-to-back building lots that abut two separate and roughly parallel internal roadways; at least 30% of building lots shall be designed to be adjacent to, or at a minimum, have direct access to common area open space. The term “direct access” means all building lots are to be located at least 250’ away from a micro-pathway that connects to a common area open space lot; and,

      dd. At least 700 sq. ft. per building lot of open space permanent, common open space privately held and maintained by the subdivision’s property
owners shall be made a part of a larger micro park or tot lot within the master community and shall be required to be “functional” as specified hereafter….

(2) Functional Open Space: Open space in master community subdivisions may, and shall, only be constituted by, or as, land area within an infill subdivision that:

aa. Is not covered by buildings, parking structures, or accessory structures (except commonly held recreational structures);

bb. Is not enclaved inside individual, privately held building lots;

cc. Is not a part of any proposed or existing street, common driveway, private driveway or parking pad, alley, or exclusive easement;

dd. Is not fully or partly proposed as part of a water channel, exclusive waterway easement, swamp or high-water table (2’ or less to static), retention basin deeper than one-foot (1’);

ee. Is not proposed to be platted into lots arranged in such oddly dimensioned, unusable shapes, as to be considered realistically unusable, as determined by the Director or his designee, for groups of people engaged in passive or active recreation;

ff. Is not land not made a part of a school site (including all lands inside a school's property boundaries including its playground(s));

gg. Is not land not necessarily allocated to street frontage landscape strips via common lots or in easements in order to satisfy requirements of chapter 27 or 33 of this title.

hh. Which is distributed equitably throughout the subdivision, as determined by the Planning Commission, in relation to the dwelling units of the people open space lots are intended to serve.

B. Infill, Not PUD Subdivision: When a subdivision intended for development in a non-RS 4 zone qualifies as a “residential infill subdivision”, building lots sized below normal minimum required size (termed "infill lots") may be platted throughout said infill subdivision in accordance with the standards listed hereafter:

a. The minimum lot size per individual infill home or each two-unit townhouse shall be at least two-thirds (2/3) of that normally required in the RS zone within which the residential structure is proposed.

b. Dwelling units constructed within a residential infill subdivision shall comply with parking requirements of the respective zone within which the subdivision lies,
c. Reduced lots are, and shall be, exempt from the subdivision minimum lot size average and periphery compatibility requirements stated in subsection 10-27-6(F)(2)(a) of this chapter.

d. Front, side and rear yard setbacks, and minimum lot width pertaining to infill home building lot(s), shall conform to RS district standards unless approved otherwise by action of the city council.

Should the city council authorize reductions in required setbacks for infill developments during review of a plat wherein the units will be located, the following conditions shall control:

(1) In no case shall garages or carports be allowed closer than twenty feet (20') to the street giving access to a lot, although, the living space (non-parking) part of the home may be within fifteen-feet (15') of the street line.

(2) If the council approves reduced setbacks in the plat review stage, then building envelopes reflecting the council's reduced setback allowance shall be depicted graphically or referenced by note on the final plat.

(3) Any "developer proposed" building envelopes shall be depicted on preliminary plats and shall likewise be noted on final plats (or portions of final plats where the provision for dwelling units was made).

e. Open Space Requirements:

(1) Any differential (i.e., reduced area vs. the minimum building lot square footage normally required in RS Zone within which an infill subdivision is proposed) in building lot sizes proposed for an infill subdivision plat shall be transferred to another part of the plat as open space. Open space required shall be 2/3rds of the amount of differential between the minimum lot size normally required by the zone within which the subdivision is proposed to be developed and the actual building lot sizes planned therein.

(2) Qualifying (i.e., “Functional”) Open Space: Unless otherwise approved, not less than fifteen percent (15%) of the total gross area of any residential infill subdivision shall be retained as permanent, common open space privately held and maintained by the subdivision’s property owners.

(3) Functional Open Space: Open space in residential infill subdivisions may, and shall, only be constituted by, or as, land area within an infill subdivision that:

aa. Is not covered by buildings, parking structures, or accessory structures (except commonly held recreational structures);

bb. Is not enclaved inside individual, privately held building lots;
cc. Is not a part of any proposed or existing street, common driveway, private driveway or parking pad, alley, or exclusive easement;

dd. Is not fully or partly proposed as part of a water channel, exclusive waterway easement, swamp or high-water table (2’ or less to static), retention basin deeper than one-foot (1’);

ee. Is not proposed to be platted into lots arranged in such oddly dimensioned, unusable shapes, as to be considered realistically unusable, as determined by the Director or his designee, for groups of people engaged in passive or active recreation;

ff. Is not land not made a part of a school site (including all lands inside a school's property boundaries including its playground(s));

gg. Is not land not necessarily allocated to street frontage landscape strips via common lots or in easements in order to satisfy requirements of chapter 27 or 33 of this title.

hh. Which is distributed equitably throughout the subdivision, as determined by the Planning Commission, in relation to the dwelling units of the people open space lots are intended to serve.

1. Residential Infill Subdivision Qualifications: A residential subdivision shall be required to comply with the following criteria in order to qualify for “infill” status (and be correspondingly entitled to development under the regulations associated therewith):

   1) Said subdivision is located in an “enclaved” area as designated on the City’s official zoning map or GIS land use map, or, is surrounded on at least three (3) sides by properties within the city’s incorporated limits; and,

   2) Said subdivision shall be deemed to be serviceable with full city utilities (i.e., sewer, potable water and irrigation [pressurized or otherwise] water); and,

   3) Said subdivision is deemed to be of no or low impact on the abutting and adjoining street network(s) by city engineering or may be accommodated by system improvements as defined by a traffic impact study where required by city engineering; and,

   4) Said subdivision shall comply with all street, landscaping and fencing standards/requirements associated with standard residential subdivision plats; and,

   5) Dwelling units proposed within residential infill subdivisions that are proposed to have building lots not fronting a standard public street shall have their garages or carports at the back of the house [may be attached or detached structures] where
they shall access either a city approved alley or common driveway in order to promote an improved residential, “new urban” subdivision character. In such cases, a public or approved private street shall still be used to provide road frontage to said lots, but such street may be of reduced width as allowed by the City’s engineering design and specification manual. Street frontage in between home fronts shall allow solely for two-way traffic flow.

aa. Two (2) parking spaces shall be required of each home site at the alley/common drive.

...

F. Short Plats: Proposed land divisions wherein either it is proposed to create three (3) properties or more from a parent lot or parcel, or, wherein a simple property split is no longer deemed to be available to a property may be executed by filing for a short plat permit in accordance with the following standards:

1. The short plat shall be for no more than seven (7) building lots (partitioned from an original lot or parcel or (8) individual [derived from four (4) “master” townhouse lots]; and

2. Short plat’s proposed/developed in RS 6 or RS 7 zones shall be exempt from the lot compatibility (averaging and periphery check) requirements (found in 10-27-6.F) associated with those zones; and,

3. A short plat's drawings shall portray all features required to be shown on standard preliminary and final plat drawings; and

4. Short plats will be processed as combination preliminary and final plats requiring a public hearing before the City’s Planning and Zoning Commission and approval by the City Council. The time frame for review and processing of short plats shall be the same as for standard preliminary plats. Short plat approvals shall be valid for 18 months. (Ord. 4189, 7-20-2015)

...

Section 30. That Title 10, Chapter 27, Section 10-27-6, of the Nampa City Code, pertaining to General Development and Improvements, be amended as follows,

10-27-6: GENERAL DEVELOPMENT AND IMPROVEMENTS; REQUIREMENTS:

...

F. RS6 And RS7 Zones; Residential Lot Compatibility:
1. Subdivisions Within City Limits: Any newly proposed single-family subdivision that is proposed to be located within city limits or proposed for annexation into the same with an RS6 or RS7 zone designation, and that is abutting or within eighty-five feet (85') of the property line(s) of a recorded single-family residential city subdivision or one that has at least still valid preliminary plat approval, or an approved county subdivision recorded after June 14, 1977, shall meet the compatibility requirements listed within this section, except as hereinafter exempted:

A newly proposed subdivision's lots (typically the periphery ones) need not meet the requirements of this section if either:

a. A signed waiver is obtained from the developer(s) of the "pre-existing subdivision" and all the impacted property owners of lots within that "pre-existing subdivision" that abut the newly proposed subdivision; and/or

b. Proposed lot(s) would abut a planned unit development (PUD) lot (or when a proposed PUD lot would abut a standard lot), then lot compatibility review is not required between the PUD and the subdivision. Average building lot area of an RS6 or RS7 zoned subdivision shall be determined by dividing the total land area of a subdivision development by the acreage of all new (newly proposed) building lots (exclusive of unusable parts of lots devoted to waterway easements, rights of way dedications, pedestrian paths) proposed within that same development; and/or,

c. Proposed lot(s) are comprised of two-unit townhouse master lots…

H. Pedestrian/Cyclist Pathways/Trailways: The city may require the placement of bikeways, pathways [including micro-paths], or trailways to encourage non-motorized forms of travel and to provide safe, convenient and aesthetic alternative travel routes to common destinations such as schools, parks and shopping centers. Pathways shall be required, located, and designed per the city master trail plan, the manuals referenced in subsection 10-27-1_F of this chapter, or as required by the city staff or council.

1. Master planned pedestrian/cyclist pathways/trailways may be located on common lots or deeded lots to be owned and maintained by the city.

1. Pedestrian/cyclist pathways/trailways, provided in conformance to Nampa bicycle and pedestrian master plan, shall be located on properties deeded and dedicated to the city.

2. Intra-subdivision (including PUDs) pedestrian/cyclist pathways/trailways, shall be designed and laid out in such fashion as to provide linkage to Nampa City path/trailways and to adjoining subdivision paths or undeveloped parcels as required by the City.
2. Maintenance of pedestrian pathways and surrounding common area grounds shall be by a subdivision homeowners' association, or in the case of a single parcel or lot by that property owner; alternatively, those paths and adjoining property on land owned by the city shall be maintained by the city.

3. Any common areas associated with this section shall be open to the general public.

Section 31. That Title 10, Chapter 27, Section 10-27-12, of the Nampa City Code, pertaining to Correcting, Vacating, and Amending Plats, be amended as follows,

10-27-12: CORRECTING/VACATING/AMENDING PLATS:

B. Amending A Preliminary Plat After It Is Approved But Prior to Final Plat Approval Of Any Portion Thereof: An amended plat design, application materials and method of filing shall be executed in accordance with the regulations established in this chapter in order to have the changes become valid and recognized.

Nevertheless, design changes to approved preliminary plats made prior to final plat approval and recording and incorporated within a final plat design shall not require rehearing of the original preliminary plat by the Planning and Zoning Commission (or City Council if they already reviewed the preliminary plat) if the proposed design change(s), does(do) not:

D. Correcting Plats:

1. Affidavits Of Correction: Affidavits of Correction may be used to execute corrections to plats that are strictly/truly scriveners errors (i.e., typos, minor changes to mapping, etc.) and thus do not have the effect of changing a plat's exterior boundaries, a recorded plat's notes, common area provision or boundaries, or, the numbering scheme used for lots and/or blocks in a subdivision.

4. Re-Platting Of Original Plat: Re-platting shall be required in order to execute a material or substantive change to a plat (i.e., to a plat's exterior boundaries, changes to a recorded plat's notes, or, alteration of plat notes or common area designation, or, a change to the numbering scheme used for lots and/or blocks in a subdivision). As allowed by subsection 10-27-4.E of this chapter, property lines internal to a subdivision may be adjusted or receive the effect of being erased, by a record of survey property line adjustment or density reduction survey. (The City acknowledges that a record of survey line adjustment or density reduction does not actually move or delete the original subdivision line(s) being
affected thereby; however, the City treats the action as if a plat amendment moving or erasing the lines had been executed.)

a. Land, exclusive of public right-of-way, that has been subdivided and platted in accordance with City law need not be vacated in order to be re-platted.

b. Any re-plat(s) shall conform to current engineering plat language requirements in effect at the time of re-platting.

c. A re-plat may be handled as a "short plat" if it involves seven (7) or fewer lots, unless a substantive or material change is being proposed to the plat notes or conversion of a common lot to or from a privately held lot (e.g., building lot) in which case the plat amendment will be processed as a "full plat" application; and must be accompanied by written consent from all property owners whose land(s) are to be made a part of the plat and, if applicable, the consent of the HOA board of the subdivision (if the HOA is active and on file with the Idaho Secretary of State).

Section 32. That Title 10, Chapter 29, Section 10-29-3, of the Nampa City Code, pertaining to Development Standards, be amended as follows,

10-29-3: DEVELOPMENT STANDARDS:

The use of a multi-sectional (e.g., "double" or "triple wide") manufactured [not "mobile"] home as a permanent residential dwelling on an individual lot shall be permitted in any zoning district of the chapter which permits installation of a single-family site-built dwelling provided the following standards are met:

A. It is multi-sectional and at least twenty feet (20’) wide, was built after 1976 and confirmed to meet HUD standards applicable to manufactured home construction;

B. Has a minimum floor area of one thousand (1,000) nine hundred (900) square feet.

C. Has roofing materials which are generally acceptable for site-built housing, and which have. Any roofing materials may be used provided it has the appearance of a nonmetallic shingle, shake or tile roof. Roofs shall also have a minimum slope of twenty five percent (25%) (3:12) and overhanging eaves.

D. Has siding materials which are generally acceptable for site-built housing, and which have. Any siding materials may be used provided it has the appearance of wood, masonry or horizontal metal siding. Reflection from horizontal metal siding shall be no greater than that from siding coated with white, gloss enamel.

E. Has a foundation of concrete or other material allowed by the International Building Code for site-built homes which is aesthetically compatible with the manufactured home having the appearance of site-built construction. This means the fascia shall be an extension
of the siding or be of materials having the appearance of site-built foundations such as brick, concrete or concrete block.

F. Is permanently affixed per manufacturer's instructions. Footings shall be of poured masonry extending twenty-four inches (24") below grade.

G. Has a crawl space with the following minimum measurements: 1) eighteen inches (18") of clearance; 2) twelve inches (12") of clearance under beams; and 3) an eighteen inch by twenty-four inch (18" x 24") door.

H. Complies with all applicable lot size, setback, and other requirements of the zoning district in which it is to be located.

I. Provides two (2) off street parking spaces.

J. When placed in a RS Zone, has a single car garage, or a carport with an attached, enclosed storage room.

K. Provides right of way improvements in the same manner as site-built construction, in accordance with city policy.

L. Manufactured homes shall not be allowed in subdivisions where they are prohibited by restrictive covenants.

M. Manufactured homeowners or purchasers shall own or be purchasing the land upon which their home is to be placed. The owner or purchaser shall record with the county recorder a non-revocable option declaring the manufactured home as real property. These requirements shall not apply within any duly approved mobile home park or to lands having mobile homes legally placed and resting on them prior to June 7, 2004. Exceptions may also be granted as a part of a planned unit development approval.

N. Manufactured homes shall meet the requirements of the 1995 edition of the model energy code as adopted in section 4-2-1 of this code, or other equivalent standard approved by the city.

O. Manufactured homes shall be provided with smoke detectors as required in the International Building Code, section 1210, "smoke detectors and sprinkler systems", before final inspection and occupancy. Smoke detectors required in addition to those provided for in the department of housing and urban developments, part 3280 of 24 CFR, "manufactured home construction and safety standards", may be of the battery-operated type.

P. Manufactured homes not meeting standards in subsection A, B, E, J, N or O of this section shall not be allowed. Placement of manufactured homes not meeting standards in subsection A, B, E, J, N or O of this section may be considered by the planning commission on a case by case basis in all other residential use districts in accordance with the conditional use permit provisions of chapter 25 of this title. (Ord. 3354, 6-7-2004)
Section 33. That Title 10, Chapter 33, Section 10-33-4, of the Nampa City Code, pertaining to Corridor Landscaping, be amended as follows,

10-33-4: CORRIDOR LANDSCAPING REGULATIONS:

B. Landscape Plan:

1. A landscape plan is required for all developments.
   a. A landscape plan (or set of plans as may be needed and/or required by city staff) shall be submitted in conjunction with an application for a building permit for a new structure or an off-street parking design permit. The city arborist/forester shall review and comment on development applications when such applications are submitted to the City. (Subdivision plat, planned unit development plan and conditional use permit applications all have their own landscape plan submittal requirements, and, shall also require that landscape stripping be emplaced via imposing appropriate conditions of approval.)

Section 34. This ordinance shall be in full force and effect from and after its passage, approval, and publication, according to law.

Section 35. This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

Section 36. All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, this ____ day of ____________, 2019.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, this ____ day of ____________, 2019.

ATTEST:
Mayor Debbie Kling

City Clerk, Deborah Bishop, (or Deputy)
ORDINANCES OF THE CITY OF NAMPA
NOTICE OF ADOPTION AND SUMMARY OF
ORDINANCE NO. ______

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL AMENDING TITLE 6, CHAPTER 2, SECTION 6-2-20, PERTAINING TO CANINE LICENSING; AMENDING TITLE 7, CHAPTER 2, SECTION 7-2-16, PERTAINING TO STOPPING OR PARKING PROHIBITIONS IN CERTAIN PLACES; AMENDING TITLE 9, CHAPTER 1, SECTION 9-1-9, PERTAINING TO RESIDING ON A PUBLIC RIGHT OF WAY; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-2, PERTAINING TO CERTAIN DEFINITIONS; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-5, PERTAINING TO CONTENT OF APPLICATIONS; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-18, PERTAINING TO TABLES RELATING TO VISION CLEARANCE; AMENDING TITLE 10, CHAPTER 1, SECTION 10-1-19, PERTAINING TO MINI-STORAGE FACILITIES; AMENDING TITLE 10, CHAPTER 2, SECTION 10-2-10, PERTAINING TO REQUESTS FOR RECONSIDERATION; AMENDING TITLE 10, CHAPTER 3, SECTION 10-3-2, PERTAINING TO PERMITTED USES; AMENDING TITLE 10, CHAPTER 4, SECTION 10-4-5, PERTAINING TO DIMENSIONAL AND BULK REQUIREMENTS; AMENDING TITLE 10, CHAPTER 4, SECTION 10-4-9, PERTAINING TO LANDSCAPING; AMENDING TITLE 10, CHAPTER 4, SECTION 10-4-10, PERTAINING TO DESIGN STANDARDS; AMENDING TITLE 10, CHAPTER 8, SECTION 10-8-5, PERTAINING TO ACCESSORY STRUCTURES; AMENDING TITLE 10, CHAPTER 8, SECTION 10-8-6, PERTAINING TO SETBACK REQUIREMENTS; AMENDING TITLE 10, CHAPTER 15, SECTION 10-15-6, PERTAINING TO DOWNTOWN HISTORIC SUBDISTRICT; REPEALING TITLE 10, CHAPTER 15, SECTION 10-15-9; AMENDING TITLE 10, CHAPTER 16, SECTION 10-16-11, PERTAINING TO DESIGN STANDARDS; AMENDING TITLE 10, CHAPTER 21, SECTION 10-21-3, PERTAINING TO AGRICULTURAL ANIMALS; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-4, PERTAINING TO COMMON/SHARED PARKING FACILITIES; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-5, PERTAINING TO PARKING AREA IMPROVEMENTS; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-6, PERTAINING TO SPECIAL PARKING AND LANDSCAPE CORRIDOR DISTRICTS; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-7, PERTAINING TO LOADING SPACES; AMENDING TITLE 10, CHAPTER 23, SECTION 10-23-2, PERTAINING TO CERTAIN DEFINITIONS; AMENDING TITLE 10, CHAPTER 23, SECTION 10-23-8, PERTAINING TO PROHIBITED SIGNS; AMENDING TITLE 10, CHAPTER 23, SECTION 10-23-20, CONTAINING REFERENCE TABLES; AMENDING TITLE 10, CHAPTER 24, SECTION 10-24-2, PERTAINING TO CERTAIN VARIANCE ACTIONS; REPEALING AND REPLACING TITLE 10, CHAPTER 25, SECTION 10-25-15, PERTAINING TO CONDITIONAL USE EXPANSIONS AND MODIFICATIONS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-2, PERTAINING TO PRELIMINARY PLAT APPLICATIONS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-4, PERTAINING TO SPECIAL SUBDIVISIONS AND DEVELOPMENTS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-6, PERTAINING TO GENERAL DEVELOPMENT AND IMPROVEMENTS; AMENDING TITLE 10, CHAPTER 27, SECTION 10-27-12, PERTAINING TO CORRECTING, VACATING, AND AMENDING PLATS; AMENDING TITLE 10, CHAPTER 29, SECTION 10-29-3, PERTAINING TO DEVELOPMENT STANDARDS; AMENDING TITLE 10, CHAPTER 33, SECTION 10-33-4, PERTAINING TO CORRIDOR LANDSCAPING; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.
**Sections 1 through 33:** Amends Title 6, Chapter 2, Section 6-2-20, pertaining to the number of animals an individual may have before being required to obtain a canine license; amends Title 7, Chapter 2, Section 7-2-16, pertaining to certain places where stopping or parking a car is prohibited; amends Title 9, Chapter 1, Section 9-1-9, pertaining to how long an individual is allowed to reside on a public right of way; makes miscellaneous amendments to Title 10, Chapters 1, 2, 3, 4, 8, 15, 16, 21, 22, 23, 24, 25, 27, 29, and 33, all being provisions of the Nampa Comprehensive Zoning Ordinance, pertaining to various Nampa zoning standards and pertaining to compliance therewith.

**Sections 34 through 36:** Provides that this ordinance shall be in full force and effect from and after its passage, approval, and publication, according to law; provides for severability; repeals conflicting ordinances, resolutions, and orders.

Ordinance No. ______ provides an effective date, which shall be on the 12th day of March, 2019. Ordinance No. ______ was passed by the Council and approved by the Mayor on the 4th day of March, 2019. The full text of the Ordinance is available at Nampa City Hall, 411 3rd Street South, Nampa, Idaho 83651. The Mayor and City Council approved the foregoing summary on the 4th day of March, 2019, for publication on the 12th day of March, 2019, pursuant to Idaho Code § 50-901A.

Mayor Debbie Kling

ATTEST: Deborah Bishop, City Clerk

STATEMENT OF LEGAL ADVISOR
I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. ______ and provides adequate notice to the public as to the contents of such ordinance.

DATED this 4th day of March, 2019.
Mark Hilty, Attorney for City of Nampa
PUBLIC HEARING ITEM
STAFF REPORT

Applicants/Representative(s):
Sky Ridge Limited Partnership
File No(s.): VAC 033-2019
Analyst: Rodney Ashby

Requested Action(s): Vacation as follows:

The utility easements within the following previously vacated rights-of-way: 1) An eighty (80) foot by three hundred and forty (340) foot section of vacated right-of-way of Locust Street, located on the east side of Lots 7-12, Black 180, west of Block 179; and south of the centerline of the vacated right-of-way of E. Georgia Ave, all in Kurtz Addition Subdivision, Nampa; and, 2) A forty (40) by three hundred and forty (340) foot section of vacated right-of-way of Juniper Street, located west of the vacated east 40-foot right-of-way of Juniper Street, and south of the centerline of the vacated Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County, Idaho, and are located within a RML (Residential Professional) zoning district.

The Applicant(s) state they are requesting the easement vacations in order to construct two single-story senior living buildings...

(Decision Required: Decision)

APPLICABLE REGULATIONS

Respecting easement vacation requests, our code presently states that:

10-27-12: CORRECTING/VACATING/AMENDING PLATS:

... 

D. Correcting Plats:
3. Vacation To Erase Easement Or Right-Of-Way: Vacation approval shall be required in order to either erase some or all or part of an easement or right-of-way. Vacation approval shall be required in order to move the location of all or part of an already platted and recorded right-of-way or easement. Processing of vacation requests for easements and/or rights-of-way shall be executed in accordance with provisions of Idaho State Code. Right-of-way vacations shall be done by ordinance of the City Council and approved first by the same during a public hearing. (Ord. 4340, 9-18-2017)

**GENERAL INFORMATION/NARRATED FINDINGS**

The Applicant recently applied for a Development Agreement Modification to construct single story senior living apartments on the subject property at 412 E Hawaii Ave, Nampa. The public hearing before City Council for that modification is scheduled for May 6th, 2019.

The matter to be considered today is the applicant's request to vacate RESERVED utility easements in the previously vacated Right-Of-Way as listed below:

- 80 foot by 340 ft section of Right-Of-Way of Locust Street, located on the East side of Lots 7-12, Block 180, West of Block 179, and south of the centerline of the Vacated Right-Of-Way of East Georgia Avenue, all in Kurtz Addition Subdivision, Nampa, Canyon County, Idaho
- 40 ft by 340 ft section of Right-Of-Way of Juniper Street, located West of the Vacated East 40 ft Right-Of-Way of Juniper Street, and South of the centerline of the Vacated Right-Of-Way of E. Georgia Ave on the East side of Block 179, of Kurtz Addition Subdivision, Nampa. All in Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County.

The subject easements were previously presumed to be vacated at the time of the Right-Of-Way vacations on September 6th, 2005, Ordinance No. 3483 (Exhibits 15-20). Though the public streets were vacated at that time, the utility easements were not. In order to develop the property, the Applicant seeks vacation of the RESERVED utility easements. The City Engineer has indicated that there are no utility services existing or planned within the proposed areas for vacation. Though a 1968 ordinance (no. 1117, Exhibits 7-14) appeared to show the vacation of the alley of block 179 on the exhibit, the ordinance excluded block 179 from the narrative. This may have been because of the sewer line and sewer easement running the length of the alley. The Applicant requested a title report and discovered the need to vacate the alley right-of-way. Both the city's engineering office and Canyon County Assessor's office confirmed this need. A 12" Sewer Main and associated easement runs north/south along what was platted as an alleyway on block 179. This sewer line and easement will remain on the property, and no building shall be built over the easement. The Applicant has applied to vacate the alley Right-Of-Way and the Public Hearing before City Council is likely to be held May 6th, 2019.

State law indicates that, "Easements shall be vacated in the same manner as streets.” (§ 50-1325). Idaho Code Section 50-1321 requires that in order to vacate a street, among other prerequisites, "the owner or owners of the property abutting said public street...have been served with notice of the proposed abandonment in the same manner and for the same time as is now or may hereafter be provide for the service of the summons in an action at law.” This appears distinct from a situation where a plat is being proposed for vacation and wherein lie one or more utility easements wherewith a different set of notification requirements appertain
(I.C. § 50-1306 (A) (5)). Legal counsel has affirmed that convening a public hearing to publicly address a vacation address, especially in the matter of easement relinquishments, is satisfactory to lawfully communicate the applicant's purpose.

No city department, partnering agency, or citizen opposition to this application was received by 5:00 p.m. March 25, 2019 (see attached correspondence).

**Recommendation:**
The proposed vacation is requested to facilitate construction of senior housing on a parcel that could be considered a candidate for in-fill development. The area is largely developed out and is serviced by utilities, public safety, parks, and other city services. The vacation of these easements is unlikely to have a negative consequence on servicing the area in the future. The City's Comprehensive Plan outlines multiple benefits of infill development, including the fact that the city already has utilities and provides service to these areas without significant increased costs. Objectives and strategies in the Comprehensive Plan call for "placing a high priority on" infill development. The City Council may find that approval of the vacation would help facilitate achieving the objectives and strategies related to infill development in the Comprehensive Plan.

**RECOMMENDED CONDITIONS OF APPROVAL**

Should the City Council vote to vacate the RESERVED utility easements associated with this application as described in the application and attached exhibit(s) and made a part of this record, then Staff recommends that the Council condition their approval to vacate on Applicant/application compliance with the following Conditions of Approval:

1. N/A

**ATTACHMENTS/EXHIBITS**

- Zoning "Vicinity Map" (page/Exhibit 4)
- Vacation Application (page/Exhibit 5)
- 412 E Hawaii Ave Aerial (page/Exhibit 6)
- Ordinance No. 1117 Vacation of Right-of-Way in the Kurtz Addition (pages/Exhibits 7-14)
- Ordinance No. 3483 Vacation of Right-of-Way on Locust St and Juniper St between E Hawaii Ave & Vacated E Georgia Ave (pages/Exhibits 15-20)
- Copies of any agency/owner/citizen correspondence, etc. (pages/Exhibits 21+)
Exhibit

80' x 340' Reserved Utility Easement Vacation

40' x 340' Reserved Utility Easement Vacation

412 Hawaii Ave.

Vacation of two (2) Reserved Utility Easements in the previously vacated Right-of-Way

VAC-00033-2019

3/14/2019
**APPLICATION FOR VACATION OF EASEMENT, PUBLIC RIGHT-OF-WAY OR PLAT**

**PLANNING AND ZONING DEPARTMENT**

411 3rd STREET S., NAMP, IDAHO 83651  P: (208) 468-4487 F: (208) 465-2261

Nonrefundable Fee: $505.00

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**ADDRESS OF SUBJECT PROPERTY:**

**Subject Property Information**

Please provide the following **REQUIRED DOCUMENTATION** to complete the Vacation

- [X] A copy of one of the following: F Warranty Deed F Proof Of Option F Earnest Money Agreement
- List of names, addresses AND written consent of the owners and contract purchasers of all property adjoining the vacated portion
- Signed & Notarized Affidavit of Legal Interest (attached). Form **must** be completed by the legal owner (If owner is a corporation, submit a copy of the Articles of Incorporation or other evidence to show that the person signing is an authorized agent)
- Original Legal description of property AND a legible WORD formatted document. (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document
- Sketch drawing of the portion proposed to be vacated

**Project Description**

- State (or attach a letter stating) the reason you desire the easement, public right-of-way, plat or part thereof to be vacated: The easements were vacated for utility purposes, but were not entirely vacated. Owner plans to develop the site into a 70-unit senior affordable housing development and will work with applicable utilities to install new infrastructure to meet the needs to the development per code

**Dated this** Feb 5, 2019 **day of**, 20

**Applicant Signature**

**PLEASE NOTE**

This application will be referred to the Nampa City Council. If the Council desires, it may refer the application to the Planning Commission for its recommendation. If the application is recommended for approval the City Council shall hold a public hearing.

Written notice of the public hearing shall be sent to all property owners within 300 feet of the boundaries of the proposed vacation by certified mail with return receipt, at least 10 days prior to the date of the public hearing. Notice shall also be published once a week for 2 successive weeks in the Idaho Press-Tribune, with the last publication at least 7 days prior to the hearing. You will be given notice of the public hearings and should be present to answer any questions.

**OFFICE USE ONLY**

FILE NUMBER: VAC- 033 - 2019  PROJECT NAME  Utility Easement
412 E Hawaii Ave
Aerial
INTEGRUMENT NO. 8760783

ORDINANCE NO. 1117

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO, VACATING PARTS OF PUBLIC STREETS IN KURTZ ADDITION TO THE CITY OF NAMPA, IDAHO.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF NAMPA, IDAHO, AS FOLLOWS:

Section 1. That it is to the best interests of the City of Nampa, Idaho, that parts of public streets in Kurtz Addition, described as per Exhibit "A" entitled "Legal Descriptions of Parts of Public Streets To Be Vacated in Kurtz Addition Nampa, Idaho", dated June 13, 1968, and signed by R. J. Huckabee, P.E., be and the same are hereby vacated.


APPROVED:

[Signature]

Emsley E. Stowe
Mayor

[Signature]

John J. Steffensen
Clerk
LEGAL DESCRIPTIONS OF PARTS OF PUBLIC STREETS TO BE VACATED IN KURTZ ADDITION NAMPA, IDAHO

The following described parts of public streets are in the North-west quarter and the West 710 feet of the Northeast quarter of Section 34, Twp. 3 N, Rg. 2 W, Boise Meridian and all being a part of the Amended Plat of the Kurtz Addition to Nampa, Canyon County, Idaho, as now of record in Book 2, page 37, in the Canyon County Recorder's Office.

The public rights of way dedicated by the above Plat dated March 21, 1907, which are to be vacated are as follows, to wit:

1. Beginning at the Northeast corner of Block 102 said Kurtz Addition;
   Thence South along the East boundary of said Block 102 to a point 30 feet North of the center line of a public drain channel known as Elijah Drain;
   Thence Southeasterly along a line parallel and 30 feet North of said center line of said drain to a point 80 feet East of said East boundary of said Block 102;
   Thence North along the West boundary of Block 103 to the Northwest corner of said Block 103;
   Thence West 80 feet to the point of beginning, subject to and reserved thereon a 20 foot wide easement centered upon a natural gas distribution line as now constructed upon said tract.

2. Beginning at a point 14.41 feet East of the Southwest corner of Lot 6, Block 127 of said Kurtz Addition;
   Thence East 125.59 feet to the Southeast corner of said Lot 6;
   Thence South to the Northeast corner of Lot 1, Block 154;
   Thence West 125.29 feet to a point 14.71 feet East of the Northwest corner of said Lot 1;
   Thence North 80 feet to the point of beginning.

3. Beginning at the Southwest corner of Lot 7 of Block 127 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 7;
   Thence South 80 feet to the Northeast corner of Lot 12, Block 154;
   Thence West 140 feet to the Northwest corner of said Lot 12;
   Thence North 80 feet to the point of beginning.

4. Beginning at the Southwest corner of Lot 6, Block 128 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 6;
   Thence South 80 feet to the Northwest corner of Lot 1, Block 153;
   Thence West 140 feet to the Northwest corner of said Lot 1;
   Thence North 80 feet to the point of beginning.
5. Beginning at the Southwest corner of Lot 7, Block 129 said Kurtz Addition;
   Thence 140 feet to the Southeast corner of said Lot 7;
   Thence South 80 feet to the Northeast corner of Lot 12,
   Block 152;
   Thence East 140 feet to the Northwest corner of said Lot 12;
   Thence North 80 feet to the point of beginning, subject to
   and reserved thereon a 20 foot easement centered upon a public
   sewer as now constructed along the length of the described
   tract.

6. Beginning at the Southwest corner of Lot 6, Block 129 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 6;
   Thence South 80 feet to the Northeast corner of said Lot 1,
   Block 152;
   Thence West 140 feet to the Northwest corner of said Lot 1;
   Thence North 80 feet to the point of beginning.

7. Beginning at the Southwest corner of Lot 7, Block 129 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 7;
   Thence South 80 feet to the Northeast corner of Lot 12,
   Block 152;
   Thence West 140 feet to the Northwest corner of said Lot 12;
   Thence North 80 feet to the point of beginning.

8. Beginning at the Southwest corner of Lot 6, Block 130 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 6;
   Thence South 80 feet to the Northeast corner of Lot 1 of
   Block 151;
   Thence West 140 feet to the Northwest corner of said Lot 1;
   Thence North 80 feet to the point of beginning.

9. Beginning at the Southwest corner of Lot 7, Block 130 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 7;
   Thence South 80 feet to the Northeast corner of Lot 12,
   Block 151;
   Thence West 140 feet to the Northwest corner of said Lot 12;
   Thence North 80 feet to the point of beginning.

10. Beginning at the Southwest corner of Lot 6 of Block 131;
    Thence East 140 feet to the Southeast corner of said Lot 6;
    Thence South 80 feet to the Northeast corner of Lot 1,
    Block 150;
    Thence West 140 feet to the Northwest corner of said Lot 1;
    Thence North 80 feet to the point of beginning.

11. Beginning at the Southwest corner of Lot 7, Block 131 said Kurtz Addition;
    Thence East 140 feet to the Southeast corner of said Lot 7;
    Thence South 80 feet to the Northeast corner of said Lot...
Thence West 140 feet to the Northwest corner of Lot 12, Block 150; Thence North 80 feet to the point of beginning.

12. Beginning at the Southwest corner of Lot 6, Block 132 said Kurtz Addition; Thence East 140 feet to the Southeast corner of said Lot 6; Thence South 80 feet to the Northeast corner of Lot 1, Block 149; Thence West 140 feet to the Northwest corner of said Lot 1; Thence North 80 feet to the point of beginning.

13. Beginning at the Southwest corner of Lot 7, Block 132 said Kurtz Addition; Thence East 140 feet to the Southeast corner of said Lot 7; Thence South 80 feet to the Northeast corner of Lot 12, Block 149; Thence West 140 feet to the Northwest corner of said Lot 12; Thence North 80 feet to the point of beginning.

14. Beginning at the Southwest corner of Lot 6, Block 133 said Kurtz Addition; Thence East 140 feet to the Southeast corner of said Lot 6; Thence South 80 feet to the Northeast corner of Lot 1, Block 148; Thence West 140 feet to the Northwest corner of said Lot 1; Thence North 80 feet to the point of beginning.

15. Beginning at the Southwest corner of Lot 7, Block 133 said Kurtz Addition; Thence East 140 feet to the Southeast corner of said Lot 7; Thence South 80 feet to the Northeast corner of Lot 12, Block 148; Thence West 140 feet to the Northwest corner of said Lot 12; Thence North 80 feet to the point of beginning.

16. Beginning at the Southwest corner of Lot 6, Block 134 said Kurtz Addition; Thence East 140 feet to the Southeast corner of said Lot 6; Thence South 80 feet to the Northeast corner of Lot 1, Block 147; Thence West 140 feet to the Northwest corner of said Lot 1; Thence North 80 feet to the point of beginning.

17. Beginning at the Southwest corner of Lot 7, Block 134 said Kurtz Addition; Thence East 140 feet to the Southeast corner said Lot 7; Thence South 80 feet to the Northeast corner of Lot 12, Block 147; Thence West 140 feet to the Northwest corner of said Lot 12; Thence North 80 feet to the point of beginning.
18. Beginning at the Southwest corner of Lot 6, Block 135 said Kurtz Addition;  
    Thence East 140 feet to the Southeast corner of said Lot 6;  
    Thence South 80 feet to the Northeast corner of Lot 1,  
    Block 146;  
    Thence West 140 feet to the Northwest corner of said Lot 1;  
    Thence North 80 feet to the point of beginning.

19. Beginning at the Southwest corner of Lot 7, Block 135 said Kurtz Addition;  
    Thence East 140 feet to the Southeast corner of said Lot 7;  
    Thence South 80 feet to the Northeast corner of Lot 12,  
    Block 146;  
    Thence West 140 feet to the Northwest corner of said Lot 12;  
    Thence North 80 feet to the point of beginning.

20. Beginning at the Southwest corner of Lot 6, Block 146 said Kurtz Addition;  
    Thence East 140 feet to the Southeast corner of said Lot 6;  
    Thence South 80 feet to the Northeast corner of Lot 1,  
    Block 163;  
    Thence West 140 feet to the Northwest corner of said Lot 1;  
    Thence North 80 feet to the point of beginning.

21. Beginning at the Southwest corner of Lot 7, Block 146 said Kurtz Addition;  
    Thence East 140 feet to the Southeast corner of said Lot 7;  
    Thence South 80 feet to the Northeast corner of Lot 12,  
    Block 163;  
    Thence West 140 feet to the Northwest corner of said Lot 12;  
    Thence North 80 feet to the point of beginning.

22. Beginning at the Southwest corner of Lot 6, Block 156 said Kurtz Addition;  
    Thence East 140 feet to the Southeast corner of said Lot 6;  
    Thence South 80 feet to the Northeast corner of Lot 1,  
    Block 181;  
    Thence West 140 feet to the Northwest corner of said Lot 1;  
    Thence North 80 feet to the point of beginning.

23. Beginning at the Southwest corner of Lot 7, Block 156 said Kurtz Addition;  
    Thence East 140 feet to the Southeast corner of said Lot 7;  
    Thence South 80 feet to the Northeast corner of Lot 12,  
    Block 181;  
    Thence West 140 feet to the Northwest corner said Lot 12;  
    Thence North 80 feet to the point of beginning.
24. Beginning at the Southwest corner of Lot 6, Block 157 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 6;
   Thence South 80 feet to the Northeast corner of Lot 1,
   Block 180;
   Thence West 140 feet to the Northwest corner of said Lot 1;
   Thence North 80 feet to the point of beginning.

25. Beginning at the Southwest corner of Lot 7, Block 157 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 7;
   Thence South 80 feet to the Northeast corner of Lot 12,
   Block 180;
   Thence West 140 feet to the Northwest corner of said Lot 12;
   Thence North 80 feet to the point of beginning.

26. Beginning at the Southwest corner of Lot 6, Block 158 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 6;
   Thence South 80 feet to the Northeast corner of Lot 1,
   Block 179;
   Thence West 140 feet to the Northwest corner of said Lot 1;
   Thence North 80 feet to the point of beginning.

27. Beginning at the Southwest corner of Lot 7, Block 158 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner said Lot 7;
   Thence South 80 feet to the Northeast corner of Lot 12,
   Block 179;
   Thence West 140 feet to the Northwest corner said Lot 12;
   Thence North 80 feet to the point of beginning.

28. Beginning at the Southwest corner of Lot 6, Block 159 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 6;
   Thence South 80 feet to the Northeast corner of Lot 1,
   Block 178;
   Thence West 140 feet to the Northwest corner of said Lot 1;
   Thence North 80 feet to the point of beginning.

29. Beginning at the Southwest corner of Lot 7, Block 159 said Kurtz Addition;
   Thence East 140 feet to the Southeast corner of said Lot 7;
   Thence South 80 feet to the Northeast corner of Lot 12,
   Block 178;
   Thence West 140 feet to the Northwest corner of said Lot 12;
   Thence North 80 feet to the point of beginning.
30. Beginning at the Southwest corner of Lot 6, Block 160 said Kurtz Addition;
Thence East 140 feet to the Southeast corner of said Lot 6;  
Thence South 80 feet to the Northeast corner of Lot 1,  
Block 177;  
Thence West 140 feet to the Northwest corner of said Lot 1;  
Thence North 80 feet to the point of beginning.  
31. Beginning at the Southwest corner of Lot 7, Block 160 said  
Kurtz Addition;  
Thence East 140 feet to the Southeast corner of said Lot 7;  
Thence South 80 feet to the Northeast corner of Lot 12,  
Block 177;  
Thence West 140 feet to the Northwest corner of said Lot 12;  
Thence North 80 feet to the point of beginning.  

Prepared by  

[Signature]  
R. J. Huckabee, P.E.  
City Engineer and  
Public Works Director  

[Stamp]
SYMBOLS:

- LEGALLY VACATED PRIOR TO MAY 14, 1968
- PROPOSED TO BE VACATED IN MAY-JUNE 1968
- (REV) LID 47 SEWER ROUTES

MAY 14, 1968  
R.J. HUCKABEE
ORDINANCE NO. 3483

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO
VACATING AN 80' BY 340' SECTION OF RIGHT-OF-WAY OF LOCUST STREET ON
THE EAST SIDE OF LOTS 7 – 12, BLOCK 180 & WEST OF BLOCK 179 BETWEEN
EAST HAWAII AVENUE & VACATED EAST GEORGIA AVENUE IN THE CITY OF
NAMPA, CANYON COUNTY, IDAHO; AND VACATING A 40' BY 340' SECTION OF
RIGHT-OF-WAY OF JUNIPER STREET WEST OF THE VACATED 40' RIGHT-OF-
WAY OF JUNIPER STREET ON THE EAST SIDE OF BLOCK 179 BETWEEN EAST
HAWAII & VACATED EAST GEORGIA AVENUE OF KURTZ ADDITION IN THE
CITY OF NAMPA, CANYON COUNTY, IDAHO, AND DIRECTING THE CITY
ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND
COUNCIL OF THE CITY OF NAMPA, IDAHO:

Section 1: That the following described 80' by 340' section of right-of-way
of Locust Street on the East side of Lots 7 – 12, Block 180 & West of Block 179 between
East Hawaii Avenue & vacated East Georgia Avenue in the City of Nampa, Canyon County,
Idaho, to-wit:

See Exhibit A attached hereto and incorporated herein by this reference
be and the same is hereby VACATED.

Section 2: That any utility easements on the Exhibit A vacated property are
hereby RESERVED on the Exhibit A vacated property.

Section 3: That the Exhibit A vacated property shall retain its current
HP+ RML zone identification.

Section 4: That the following described 40' by 340' section of right-of-way
of Juniper Street West of the vacated 40' right-of-way of Juniper Street on the East side of
Block 179 between East Hawaii & vacated East Georgia Avenue of Kurtz Addition in the
City of Nampa, Canyon County, Idaho, to-wit:

See Exhibit B attached hereto and incorporated herein by this reference
be and the same is hereby VACATED.
Section 5: That any utility easements on the Exhibit B vacated property are hereby RESERVED on the Exhibit B vacated property.

Section 6: That the Exhibit B vacated property shall retain its current R0 zone identification.

Section 7: That the City Engineer is hereby directed to alter and change the Use and Area Map of the City of Nampa, Idaho, to comply with this Ordinance.


APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 6th DAY OF September, 2005.

Approved:

By Mayor

Approved:

By Clerk
State of Idaho  
Canyon County  

On this 10th day of September, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Tom Dale and Diana Lambing known to me to be the Mayor and City Clerk, of the City of Nampa, Idaho, a municipal corporation, who executed the foregoing instrument.

In Witness Thereof, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

[Signature]
Julie Lockey  
Residing at: Nampa, Canyon County, Idaho  
My Commission Expires: 05/11/2011
EXHIBIT “A”

Vacation of:

1) An eighty (80) ft by three hundred and forty (340) ft section of right-of-way of Locust St, located on the east side of Lots 7 – 12, Block 180, west of Block 179, and south of the centerline of the vacated right-of-way of E Georgia Ave, all in Kurtz Addition Subdivision, Nampa; and,
EXHIBIT "B"

Vacation of:

2) A forty (40) by three hundred and forty (340) ft section of right-of-way of Juniper St, located west of the vacated east 40 ft right-of-way of Juniper St, and south of the centerline of the vacated right-of-way of E Georgia Ave on the east side of Block 179, of Kurtz Addition Subdivision, Nampa.

All in Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County, Idaho.
VACATION OF: 1) AN EIGHTY FT
BY THREE HUNDRED AND FORTY FT SECTION
OF RIGHT-OF-WAY OF LOCUST ST.
LOCATED ON THE EAST SIDE OF LOTS 7 - 12,
BLOCK 189, WEST OF BLOCK 176
AND THE SOUTH HALF OF VACATED RIGHT-OF-WAY
OF E GEORGIA, OF KURTZ ADDITION SUBDIVISION,
AND, 2) A FORTY BY THREE HUNDRED AND FORTY FOOT
SECTION OF RIGHT-OF-WAY OF JUNIPER ST,
LOCATED WEST OF THE VACATED
EAST 40 FT RIGHT-OF-WAY OF JUNIPER ST.
AND THE SOUTH HALF OF VACATED
RIGHT-OF-WAY OF E GEORGIA AVE
ON THE EAST SIDE OF BLOCK 179,
OF KURTZ ADDITION SUBDIVISION
FOR HANS NEDEREND JUNIOR FAMILY TRUST

PROJECT: 02-5-05109
From: Norm Holm <holmn@cityofnampa.us>
Sent: Tuesday, March 19, 2019 3:17 PM
To: Doug Critchfield <critchfieldd@cityofnampa.us>
Subject: FW: Sky Ridge - ROW / Easement vacations

From: Kristi Watkins <watkinsk@cityofnampa.us>
Sent: Tuesday, March 19, 2019 2:54 PM
To: Rodney Ashby <ashbyr@cityofnampa.us>; Norm Holm <holmn@cityofnampa.us>
Subject: FW: Sky Ridge - ROW / Easement vacations

Please see concern below...

Kristi Watkins, Senior Planner
O: 208.468.4434, C: 208.412.7769, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook

From: Bill Truax <truaxbill@gmail.com>
Sent: Tuesday, March 19, 2019 2:46 PM
To: Kristi Watkins <watkinsk@cityofnampa.us>; Bryan W. Aydelotte <loborojopllc@gmail.com>
Subject: Fwd: Sky Ridge - ROW / Easement vacations

Kristi,

Bryan noticed that something is missing the attached vacation request. Can you confirm that this is happening?
I didn't see in the public notice you sent out any reference to vacation of the alley in Block 179 (requested per my note below). Jessica wants that alley vacated.

Thanks,

Bill Truax
208-447-9114
I didn't see in the public notice you sent out any reference to vacation of the alley in Block 179 (requested per my note below). Jessica wants that alley vacated. Were they not willing to do that?

Great news! Thanks for the update.

On Fri, Mar 1, 2019 at 10:53 AM Kristi Watkins <watkinsk@cityofnampa.us> wrote:

Bryan:

At this point, I believe the application materials are in order. I may or may not be the staff person assigned to this project, but it will be up to that person to determine if any other information might be required to write the staff report and present this request. We will be in touch if we have any questions.

Thanks so much for providing all the info that you have,

Kristi

Kristi- Just following up on my emails below. Please let me know if you have what you need, or if you have any further questions.

Thank you. Have a great weekend!
Kristi (copy to Bill)-

I need to correct my comment "C" (regarding vacation of the alley in Block 179): After double-checking with our lender's counsel, vacation of the alley in Block 179 is essential.

Comment "A" is also essential (that is, vacation of any utility easements reserved by Ordinance N. 3483 located within the vacated rights of way of S. Juniper Street and S. Locust Street adjacent to Blocks 179 and 180).

Comment "B" would be helpful (that is, vacation of any utility easements located in portions of East George Avenue adjacent to Blocks 179 and 180 vacated per Ordinance 1117).

Thank you.

We request that the City to vacate the following-

A. Vacate reservation of utility easements in Ordinance N. 3483 located within the vacated rights of way of S. Juniper Street and S. Locust Street adjacent to Blocks 179 and 180. The most important point is that the vacation needs to remove an exception from the proforma title policy (attached) which currently reads as follows:

"5. Utility Easements in vacated rights of way reserved by Ordinance No. 3483, recorded October 20, 2005 as Instrument No. 200568830.? We note the following easements as disclosed by an unrecorded Preliminary ALTA/SNPS Land Title Survey prepared by Parametrix Engineering dated December 17, 2018? (1) Irrigation Line lying within vacated S. Juniper Street? 2) Ditch line lying within vacated S. Juniper".

[I don't know why the "?"s.]
I have attached a copy of the ordinance and the preliminary draft of the December 17, 2018 survey for your reference. (I have also attached the most recent draft of the survey dated January 7, 2019, although it appears to address these matters no differently.)

The concern arises in Section 2 of Ordinance 3483, where it provides "That any utility easements on Exhibit A vacated property are hereby RESERVED on the Exhibit A vacated property." It seems that this reservation is being read to create utility easements, or at least it preserves the possibility that any easements that have been created are reserved pursuant to this ordinance.

As far as I know, there are no utility easements created within the vacated rights of way of S. Juniper Street and S. Locust Street adjacent to Blocks 179 and 180- none appear in the attached proforma anyway (other than perhaps via Ordinance 3483). I received an email from the City Engineer (Daniel Badger) late last year confirming that the City does not have any of their utilities running through the vacated portions of these streets.

So the most important point is to vacate any utility easements created or reserved pursuant to Section 2 of Ordinance 3483. That should remove the exception 5 of the proforma title policy.

B. Vacate any utility easements located in portions of East George Avenue adjacent to Blocks 179 and 180 vacated per Insl. No. 8700783 [Ordinance 1117]. Although there is no similar reservation language in public street vacation Ordinance 1117, it would be helpful to expressly vacate any utility easements in portions of East George Avenue adjacent to Blocks 179 and 180 to remove any concerns about possible utility easements within this area. I have attached Ordinance 1117. See Sections 24-27 of Exhibit "A" to Ordinance 1117.

C. Vacate alley in Block 179 (but reserve sewer easement). Finally, we would like to vacate the alley that runs through Block 179 (but per the City Engineer, I understand that the City needs to reserve an easement for a sewer line that is located within that alley). See the depiction of the alley in the attached survey.

I hope that helps. Let me know if you would like to discuss on a phone call. Thank you very much for your help.
On Thu, Feb 28, 2019 at 12:38 PM Bill Truax <truaxbill@gmail.com> wrote:

Bryan,

So that we get this right the first time, can you please confirm for Kristi what exactly we are looking to vacate in our application? I want to make sure that we get it all in one shot, since our investors will not move forward with out the title issues being resolved.

Thanks!

Bill Truax
208-447-9114

--

Bryan W. Aydelotte, Esq.

Iobo ROJO PLLC
a legal services company
3846 N. Arches Way
Meridian, Idaho 83646
208-949-6244

This message and its contents are confidential and may be privileged or otherwise protected from disclosure. Their unauthorized use or distribution is strictly prohibited. If you are not the intended recipient, please promptly notify the sender and delete this message. Thank you.

--

Bryan W. Aydelotte, Esq.

Iobo ROJO PLLC
a legal services company
3846 N. Arches Way
This message and its contents are confidential and may be privileged or otherwise protected from disclosure. Their unauthorized use or distribution is strictly prohibited. If you are not the intended recipient, please promptly notify the sender and delete this message. Thank you.
March 12, 2019

Norman L. Holm, Planning Director
City of Nampa
411 3rd Street South
Nampa, ID 83651

RE: VAC-00033-2019/Vacate Previous Reserved Utility

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on vacation of right-of-way the above-referenced application. NMID has no irrigation facilities we own or operate in this area.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, NMID will need to review drainage plans. The developer must comply with Idaho Code 31-3805.

Please feel free to contact me with any further questions

Sincerely,

David T. Duvall
Crew Foreman
Nampa & Meridian Irrigation District
DTD/gnf

Cc: Office/ file
Date: March 19, 2019

Re: Vacation of easements retained at time public streets were vacated.

Applicant: Sky Ridge Limited Partnership represented by Douglas E. Peterson

Applicant Address: 802 W. Bannock St., Suite 204, Boise, Idaho 83702

Property Owner: Sky Ridge Limited Partnership

Owners Address: 802 W. Bannock St., Suite 204, Boise, Idaho 83702

Property Address: TBD (412) E. Hawaii Avenue

VAC-00033-2019 for the April 01, 2019 City Council Meeting

Applicant is desirous to vacate the utility easements that were retained at time these portions of Locust and Juniper Street rights-of-way were vacated via Ordinance No. 3483.

The Engineering Division has no concerns with recommending granting this vacation request.
UTILITY CONNECTION FEE
LOCAL IMPROVEMENT DISTRICT (LID) 163

- The City allows for payment of connection fees on existing buildings connecting to the City’s water, sewer, or irrigation using a LID

- Engineering has 12 property owners who have made use of this mechanism to connect to City utilities as shown on attached exhibit A.

- All 12 properties voluntarily requested to be included in this LID.

- These properties have already connected to the utilities they are assessed for.

- The total dollar value of this LID is $38,995.67.

- Engineering has reviewed the requests and recommends creating the LID

**REQUEST:** Council authorize the creation of LID 163 for utility connection fees.
AN ORDINANCE ESTABLISHING AND CREATING LOCAL IMPROVEMENT DISTRICT NO. 167 FOR THE CITY OF NAMPA, CANYON COUNTY, IDAHO, FOR THE PURPOSE OF CONSTRUCTING IMPROVEMENTS TO THE CITY’S SIDEWALKS, PEDESTRIAN RAMPS, DRIVE APPROACHES, CURBS, GUTTERS AND OTHER RELATED STREET IMPROVEMENTS IN THE DISTRICT; PROVIDING THE KIND AND CHARACTER OF THE PROPOSED IMPROVEMENTS; PROVIDING THAT SAID DISTRICT SHALL BE CONSIDERED A MODIFIED DISTRICT PURSUANT TO SECTION 50-1705, IDAHO CODE; DESCRIBING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY THEREIN TO BE BENEFITED BY THE IMPROVEMENTS TO BE MADE; PROVIDING FOR THE TOTAL ESTIMATED COSTS AND EXPENSES OF IMPROVEMENTS TO BE LEVIED AND ASSESSED AGAINST THE SAID LOTS AND LANDS TO BE BENEFITED BY SAID IMPROVEMENTS; PROVIDING FOR THE ISSUANCE OF BONDS IN PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS ASSESSED AGAINST THE SAID LOTS AND LANDS; PROVIDING FOR THE APPOINTMENT OF THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS HEREBY ORDERED AND THE PREPARATION AND FILING OF AN ASSESSMENT ROLL AND A LOCAL IMPROVEMENT DISTRICT REPORT PURSUANT TO THE PROVISIONS OF SECTION 50-1712, IDAHO CODE; PROVIDING A PROCEDURE FOR THE FILING, CERTIFICATION, NOTICE OF HEARING AND CONFIRMATION OF SAID ASSESSMENT ROLL, AND FOR THE NOTICE AND PAYMENT OF ASSESSMENT INSTALLMENTS SO CONFIRMED; CREATING CERTAIN FUNDS AND DOCKETS; PROVIDING SEPARABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Resolution No. 15-2019 (the “Resolution”) declaring the intention of the City Council (the “Council”) of the City of Nampa, Canyon County, Idaho (the “City”), to create Local Improvement District No. 167 (the “District”), for the purpose of constructing certain improvements to the City’s sidewalks, pedestrian ramps, drive approaches, curbs, gutters and other related street improvements (the “Improvements”) was duly adopted by the Council at its meeting of February 19, 2018, and thereafter approved by the Mayor of the City on said date, and by which Resolution the Council established a protest hearing to be held before it on March 18, 2019, at 7:00 o’clock p.m. at the City Hall, Nampa, Idaho, at which time the Council would proceed to publicly hear and determine any protests filed and made by property owners against the proposed Improvements or the creation of said District; and

WHEREAS, on March 18, 2019, the Council held the public hearing established by the Resolution, notice (both by publication and by mailing to property owners within the District) of said hearing as given by the City Clerk having been approved, ratified and confirmed as being in the manner and form required by Section 50-1708, Idaho Code, to hear protests against the
proposed Improvements and the creation of said District; and certain protests having been received against the proposed Improvements and creation of said District, the Council has now heard and passed upon the protests made against the proposed Improvements and the creation of said District, said protests numbering less than 1% of all property owners within the District, and thereupon by motion duly made, seconded and carried specifically has now ratified and confirmed said Resolution, and in support of such ratification and confirmation, has now made the following findings of fact and conclusions of law:

(a) that notice of the public hearing upon the said Resolution of intent to create said District (by publication of notice in the Idaho Press Tribune and by mailing notice to each property owner within the District) as given by the City Clerk, was given in the manner required by law and is therefore ratified and confirmed;

(b) that the creation of the District will be for the best interests of the property affected and for the best interests of the City;

(c) that there is reasonable probability that the obligations of the District will be paid considering that the value of the property, exclusive of the Improvements herein ordered to be made, is not less than the sum of $10,000,000 and that the estimated cost of the Improvements and related fees and costs is $200,000, including all estimates of construction, engineering, consulting, legal, clerical and financing costs, of which the estimated sum of $50,000 will be paid by the City, and the estimated balance of $150,000 shall be levied upon and assessed against the property owners benefited by the method or manner provided in subparagraph (f) below;

(d) that the market value of the property, such value being determined by the current assessed valuation of such property for ad valorem tax purposes as shown by the records of the Assessor of Canyon County, Idaho, in the amount of at least $10,000,000 is hereby deemed, fixed and established as the actual value of the property (real property and improvements thereon) situated within the boundaries of said proposed District, and that said actual value is determined to be in compliance with, and therefore sufficient to sustain the security for payment of the proposed Improvements, the value of limitations described in Section 50-1711, Idaho Code;

(e) that certain of the special benefits resulting from certain of the proposed Improvements do not accrue to some or all properties abutting the Improvements, but only to a particular individual parcel, requiring the creation of a “modified local improvement district” as provided in Section 50-1705, Idaho Code; and

(f) that the method of assessing each owner of real property within the District is and will be on a benefits derived basis consisting of (1) a linear foot method in proportion to the benefits derived for curb and gutter improvements, (2) a square foot method in proportion to the benefits derived for sidewalk improvements, and (3) on an individual per parcel basis for pedestrian ramps and landscaping work necessary to accommodate the curb, gutter, ramp and/or sidewalk improvements, including, but not limited to, the
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removal of trees, shrubs, fences, or sprinkler systems associated with that individual parcel, and any additional special benefits derived by that particular individual parcel.

THE COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, DOES HEREBY ORDAIN as follows:

Section 1. There is hereby established and created Local Improvement District No. 167 for the City of Nampa, Canyon County, Idaho, as and to be considered a “modified district” in accordance with Section 50-1705, Idaho Code, for the purpose of constructing the following described public improvements (the “Improvements”) in the City, within and adjacent to the boundaries of the proposed District, all of which are more specifically described below:

(a) BOUNDARIES: See the description attached hereto as Exhibit “A” and made a part hereof.

(b) IMPROVEMENTS: The construction of sidewalks, pedestrian ramps, drive approaches, curbs, gutters and other related street improvements to serve the property within Local Improvement District No. 167.

(c) ESTIMATED COST: The total estimated cost of said Improvements is $200,000, including all estimates of construction, engineering, consulting, legal, clerical and financing costs, of which the estimated sum of $50,000 will be paid by the City, and the estimated balance of $150,000 shall be paid by assessments upon the property within the District to be benefited by the Improvements in accordance with the benefits derived basis and method outlined below in Section 2(a).

(d) VALUE OF PROPERTY: The Council finds and declares that the value of the property within the District is not less than $10,000,000.00.

Section 2. The total costs and expenses of the Improvements of said District hereby ordered and authorized for the construction of the Improvements and related expenses, and contingencies deemed and considered necessary by the Council, are hereby estimated to be the sum of $200,000, of which the sum of $50,000 is estimated to be paid by the City and the remaining amount, estimated at $150,000, which, together with the interest thereon at the rate provided in the bonds to be issued, shall be paid by each person or entity who is an owner of real property within the boundaries of said District by levying upon and assessing against each owner of such real property within the District on the benefits derived basis and method as outlined in paragraph (a) below in a shared amount of the aforesaid amount of said costs and expenses, incurred for constructing the aforesaid Improvements, with interest on the unpaid principal balance at the rate to be established upon the sale and issuance of bonds as aforesaid, such method of assessment being deemed to be the benefit that each such owner of real property will be assessed in an amount not greater than the real property or its owner will be actually benefited by said Improvements, provided that the total cost (contract price, engineering, consulting, legal services, clerical, advertising, printing, inspection, collecting assessments, interim loan interest, and contingencies) of constructing the Improvements shall be assessed and charged directly to
the property so benefited thereby taking into consideration any prior payments. The benefits derived method of assessment shall be:

(a) The method of assessing each owner of real property within the District will be by (1) a linear foot method in proportion to the benefits derived for curb and gutter improvements, (2) a square foot method in proportion to the benefits derived for sidewalk improvements, and/or (3) on an individual per parcel basis for pedestrian ramps and landscaping work necessary to accommodate the curb, gutter, ramp and/or sidewalk improvements, including, but not limited to, the removal of trees, shrubs, fences, or sprinkler systems associated with that individual parcel, and any additional special benefits derived by that particular individual parcel.

Section 3. The Improvements herein described, designated in Section 1 hereof, are hereby ordered to be made, and the portion of the total costs and expenses of said Improvements as set forth in Section 2 hereof, shall be assessed and levied as described above. If a property owner does not pay his or her proportionate amount of the aforesaid Improvements so assessed and levied in the time provided by Section 50-1715, Idaho Code, such amount shall be paid in not to exceed ten (10) equal annual installments by each property owner, or in any such lesser number of equal annual installments as may be subsequently determined by the Council and required in order to place and sell bonds of the District; and for the purpose of paying the costs and expenses of the aforesaid Improvements separately assessed and levied upon and against the owner of each such parcel of real property included within the boundaries of said District not paid in full in the time provided by Section 50-1715, Idaho Code, bonds of the District shall be issued in the form and manner required by Chapter 17, Title 50, Idaho Code, and shall be according to such terms as the Council may decide and as are permitted by law.

Section 4. Upon the passage and approval of this Ordinance, the Council hereby appoints the City Engineer as the Engineer for said District, and further directs and requires said Engineer to:

(a) to the extent not previously commenced or accomplished, prepare the necessary plans and specifications for the construction of the Improvements herein ordered for approval by the Council in order to call for bids and, upon receipt of bids, thereby award one or more contracts to the lowest responsible bidder for the construction of said public improvements in the manner and form required by Section 50-1710, Idaho Code; and

(b) after the award of a contract as provided in subparagraph (a) above and the construction of the Improvements, prepare and submit a report to the Council (i) showing in detail the total costs and expenses of the Improvements and the dollar amounts payable from assessments and from any other sources, and (ii) containing a form of an assessment roll which shall contain, among other things, the number of each assessment, the name of the owner, if known, a description of each parcel of real property assessed, the amount chargeable to each parcel of real property within the boundaries of said District or its owner according to the method of assessment herein provided, and the total amount of all assessments;
and the Council upon receipt of the Engineer’s report, shall (i) cause the Assessment Roll to be filed in the office of the City Clerk for public inspection, (ii) fix a time and place when and where the Council will meet in open session to consider the report and the Assessment Roll and hear all objections to the Assessment Roll, and (iii) direct the City Clerk to give notice of the hearing on said Assessment Roll in the time and manner required by Section 50-1713, Idaho Code.

Section 5. At the time and place appointed for a hearing of objections to said Assessment Roll, or a reasonable time thereafter, the Council shall consider the Engineer’s report and the Assessment Roll and hear and determine all objections which have been filed by any party interested (i) to the regularity of the proceedings in making such assessment, (ii) to the correctness of such assessment, and (iii) to the amount levied on any particular parcel of real property or its owner including the benefits accruing thereon, the proportionate share of the total cost of the Improvements to be borne thereby, and the inclusion of any parcel of real property within the boundaries of the said District; and after said hearing the Council shall pass an ordinance confirming said Assessment Roll submitted to it by the Engineer, or as revised and corrected by the Council as a result of hearing objections to said Assessment Roll, in relationship to the benefits accruing thereon as a result of the Improvements ordered to be made.

Section 6. Immediately upon the passage of the ordinance confirming said Assessment Roll, the City Clerk shall (i) file the confirmed Assessment Roll with the City Treasurer, and (ii) file for record with the County Recorder either a certified copy of said Ordinance of Confirmation or a notice containing the date of passage and approval of the Ordinance of Confirmation and a description of the boundaries of the said District. Upon such certification and filing the confirmed Assessment Roll with the Treasurer, the assessments therein shall be due and payable to the Treasurer within thirty (30) days from the date of the passage and approval of the Ordinance of Confirmation, and if any assessment contained therein is not paid in full within said thirty (30) day period, such assessment shall become delinquent and shall be collected in the same manner and with the same penalties and interest added thereto as provided by the pertinent provisions of Chapter 17, Title 50, Idaho Code, the Local Improvement District Code. The Council herein chooses to make assessments unpaid at the end of said thirty (30) day period payable in installments and to issue and sell Local Improvement District Bonds payable from such unpaid installments, and any property owner who has not paid said assessment in full within said thirty (30) day period will be conclusively presumed to have chosen to pay the same in installments. All assessments payable in installments shall be due and payable in the manner and in the time required by the pertinent provisions of Section 50-1715, Idaho Code, provided that if any installment is not paid within twenty (20) days from the date said installment shall become due, the same shall become delinquent and the Treasurer shall add a penalty of two percent (2%) thereto. In addition to any other method of collection as provided in Section 50-1715, Idaho Code, the Council may certify delinquent installments to the tax collector and when so certified, they shall be extended on the tax rolls and collected as are property taxes. Upon the expiration of the aforesaid thirty (30) day period, the owner of any parcel of real property within the boundaries of said District may redeem his property from the liability of the assessments for the aforesaid Improvements by paying all installments of assessments not due with interest at the rate provided in the bonds from the date of the last installment due to one (1) year after the next
interest date of said bonds, and the City Treasurer shall issue a receipt therefor and all sums so paid shall be applied solely to the payment of the costs and expenses of such Improvements and the redemption of the bonds together with interest thereon.

Section 7. Upon the City Clerk certifying and filing the confirmed Assessment Roll with the Treasurer, the City Treasurer shall mail a postcard or letter to each property owner assessed at his or her post office address if known, or if unknown, to the post office in Nampa, Idaho where the Improvements are being made, stating the total amount of the assessment and the substance of the terms of the payment of the assessment as set out in the ordinance confirming said Assessment Roll.

Section 8. There are hereby created the following funds and dockets:

A. LOCAL IMPROVEMENT DISTRICT NO. 167 CONSTRUCTION FUND: The proceeds from the sale of bonds for said District, except accrued interest thereon, and any other monies for payment of the costs of the Improvements, shall be deposited in this fund and held separate and apart from all other funds of the City. The City Treasurer is authorized to pay or reimburse all expenses and costs actually and necessarily incurred in the construction of the Improvements herein ordered to be made from such fund, subject to the auditing procedures established by statutes of the State of Idaho, ordinances of this City and the approval of the Council;

B. LOCAL IMPROVEMENT INSTALLMENT DOCKET NO. 167: The City Treasurer shall prepare such docket before or after the issuance of any bonds herein provided and upon certification of the Assessment Roll to him or her by the City Clerk and in which, under separate headings, all unpaid assessments shall be shown as appears on the Assessment Roll, the number of the assessment, the name of the owner, the description of the property, the amount of the total assessment, the amount and date when due and each annual installment with interest added, and a blank column in which will be marked the date of payment of each annual installment with interest added, and such docket shall stand thereafter as a lien docket for such assessments shown until paid; and

C. INTEREST FUND AND BOND FUND OF LOCAL IMPROVEMENT DISTRICT NO. 167: The City Treasurer shall keep any funds accruing by virtue of the provisions of this Ordinance separate and apart from any other funds of the City, and the amount of any such funds paid on account of installments for interest shall be kept in a fund to be known as Interest Fund of Local Improvement District No. 167 for the City, and the amount of such funds paid on account of installments for the payment of the principal of bonds shall be kept in a fund known as the Bond Fund of Local Improvement District No. 167 for the City; that the amount of such funds shall, from time to time, be deposited in such banks as are designated as depositaries of public monies for the funds of the City or invested in the bonds of the City, interest so received on funds so deposited or invested shall be placed to the credit of the fund from which it is earned; and the interest due on bonds issued for the assessment of said District shall be paid out of the
Interest Fund of said District, and the bonds when they are mature shall be paid out of the Bond Fund of said District.

D. The District reserves the right to create a reserve fund, if needed for the sale of the Bonds. The costs of any such reserve fund, and certain additional costs of issuing the bonds of the District and certain additional administrative costs for the District to administer the bonds, may be added to the total amount to be financed through the issuance of bonds. Such costs would be paid for by and assessed upon only those property owners within the District who elect to pay assessments via annual installments.

Section 9. All proceedings heretofore had in connection with the creation of the aforesaid District, the hearings held thereon and the giving of notice of said hearings are hereby, in all respects, ratified, approved and confirmed, and this Ordinance is the final determination of the regularity, validity and correctness of such prior proceedings.

Section 10. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 11. The provisions of this Ordinance are hereby declared separable, and if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 12. This Ordinance shall be in full force and effect from and after its passage, approval and publication hereof.

(The remainder of this page intentionally left blank.)
PASSED by the Council of the City of Nampa, Idaho, this 1st day of April, 2019.

APPROVED by the Mayor of the City of Nampa, Idaho, this 1st day of April, 2019.

APPROVED:

By: __________________________
    MAYOR

ATTEST:

By: __________________________
    CITY CLERK
EXHIBIT A

DESCRIPTION OF MODIFIED DISTRICT BOUNDARIES

The boundaries of Local Improvement District No. 167 for the City of Nampa, Canyon County, Idaho (the “District”), shall be as generally described and identified in Schedule A-1 hereto and as further described by the map set forth in Schedule A-2 hereto.
BOUNDARY DESCRIPTION

347 WESTWOOD BLVD, NAMPA, ID 83686
Lot 4 Block 5 of Westwood Manor Addition, Book 5 Page 36

1121 W BELKNAP DR, NAMPA, ID 83686
Lot 42 Block 4 of Sands Pointe Number 1, Book 39 Page 29

2049 W CABOT AVE, NAMPA, ID 83686
Lot 2 Block 3 of Owyhee Estates Number 1, Book 33 Page 24

1305 S BONNEVILLE DR, NAMPA, ID 83686
Lot 45 Block 2 of Victory Subdivision Number 5, Book 25 Page 9

339 WESTWOOD BLVD, NAMPA, ID 83686
Lot 2 Block 5 of Westwood Manor Addition, Book 5 Page 36

111 MIDLAND BLVD, NAMPA, ID 83686
A portion of the Northeast Quarter Southeast Quarter, Section 29, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:
Commencing at the East Quarter corner of section 29, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and running South 0°55’10” West, 40.00 feet along the Easterly boundary of said Northeast Quarter Southeast Quarter, to a point;
thence North 89°53’20” West 60.28 feet along a line parallel with and 40.00 feet Southerly from the Northerly boundary of the said Northeast Quarter Southeast Quarter, to the TRUE POINT OF BEGINNING;
thence continuing North 89°53’20” West 330.14 feet along a line parallel with and 40.00 feet Southerly from the said Northerly boundary of the Northeast Quarter Southeast Quarter, to a point; thence
South 0°06’40” West 269.80 feet to a point; thence
South 68°34’53” East 370.02 feet to a point; thence
North 0°55’10” East 384.01 feet along a line parallel with and 40.00 feet Westerly from the said Easterly boundary of the Northeast Quarter Southeast Quarter, to a point of curve; thence
Northwesterly 31.70 feet along a curve to the left having a radius of 20.00 feet, a central angle of 90°48’30”, tangents of 20.28 feet, and whose long chord bears North 44°29’05” West 28.48 feet to the Point of Beginning.
Containing 2.69 acres, more or less.

92 S CANYON ST, NAMPA, ID 83651
Lot 4 Block 2 of Heilig’s Addition, Book 5 Page 12

324 WESTWOOD BLVD, NAMPA, ID 83686
Lot 4 Block 6 of Westwood Manor Addition, Book 5 Page 36
416 S PINE ST, NAMPA, ID 83686
Southerly 13’ of Lot 3 and All of Lot 4 and Northerly 23’ of Lot 5 Block 19 of Giese & Moad’s Subdivision, Book 3 Page 24

33 S STATE ST, NAMPA, ID 83651
Lot 4 Block 3 of Lloyd Addition, Book 6 Page 18

123 S PINE ST, NAMPA, ID 83686
Lot 9 Block 3 of Giese & Moad’s Subdivision, Book 3 Page 24

632 STADIUM ST, NAMPA, ID 83686
Lot 7 Block 3 Less Street Right of Way of Parson’s Resubdivision, Book 2 Page 68

711 S OLIVE ST, NAMPA, ID 83686
Lot 15 Block 2 of Parson’s Subdivision, Book 3 Page 45

312 LAKE LOWELL AVE, NAMPA, ID 83686
Southerly ½ of Lot 9 Less Street Right of Way and Lot 10 Less Street Right of Way Block 3 of Parson’s Resubdivision, Book 2 Page 68

243 LONE STAR RD, NAMPA, ID 83651
Lot 77 Less Westerly 50’ and Westerly 1.565’ of Lot 76 of Fairview Place Second Subdivision, Book 1A Page 12 ½

519 W COBBLESTONE PL, NAMPA, ID 83651
Lot 18 Block 4 of Cobblestone Square Number 1, Book 18 Page 35

216 BLAINE AVE, NAMPA, ID 83651
Westerly ½ of Lot 64 of Fairview Place Second Subdivision, Book 1A Page 12 ½

228 MEFFAN AVE, NAMPA, ID 83651
Lots 18 and 19 Block 2 of Roosevelt Addition, Book 3 Page 15

96 S RUSSELL ST, NAMPA, ID 83651
Lot 3 Block 1 of Heilig’s Addition, Book 5 Page 12

98 S CANYON ST, NAMPA, ID 83651
Lot 6 Block 2 of Heilig’s Addition, Book 5 Page 12

523 W ROOSEVELT AVE, NAMPA, ID 83686
Lot 2 Block 3 of Westwood Manor Addition, Book 5 Page 36

119 S PINE ST, NAMPA, ID 83686
Lot 10 Block 3 of Giese & Moad’s Subdivision, Book 3 Page 24

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423 W WASHINGTON AVE, NAMPA, ID 83686
Lot 6 Block 7 of Moad’s Subdivision, Book 5 Page 1

432 W LINCOLN AVE, NAMPA, ID 83686
All of Lot 9 and Westerly 10’ of Lot 10 Block 7 of Moad’s Subdivision, Book 5 Page 1

511 S OLIVE ST, NAMPA, ID 83686
Northerly 3’ of Lot 9 and All of Lot 10 and Southerly 30’ of Lot 11 Block 22 of Giese & Moad’s Subdivision, Book 3 Page 24

515 S STATE ST, NAMPA, ID 83686
Southerly 27’ of Lot 3 and All of Lot 4 and Northerly 23’ of Lot 5 Block 25 of Moad’s Subdivision, Book 5 Page 1

527 S CANYON ST, NAMPA, ID 83686
Beginning at the Southeast corner of Lot 3, Block 24 of MOAD’s SUBDIVISION, Canyon County, Idaho, according to the plat filed in Book 2 of plats at Page 8 ½, records of said County; thence running
North along the East boundary line of the above said Lot 3, 140.5 feet; thence running
West 130 feet; thence running
South 140.5 feet to the south line of the above said Lot 3; thence running
East along the South line of the above said Lot 3, 130 feet to the Point of Beginning.

524 S STATE ST, NAMPA, ID 83686
Southerly 105’ of Lot 4 Block 24 of Moad’s Subdivision, Book 5 Page 1

616 S PINE ST, NAMPA, ID 83686
Lot 4 Block 2 of Parson’s Subdivision, Book 3 Page 45

620 S PINE ST, NAMPA, ID 83686
All Lot 5 and Northerly 24’ 9” of Lot 6 Block 2 of Parson’s Subdivision, Book 3 Page 45

704 S PINE ST, NAMPA, ID 83686
All of Lot 8 & Northerly ½ of Lot 9 Block 2 of Parson’s Subdivision, Book 3 Page 45

723 S PINE ST, NAMPA, ID 83686
Lot 11 Block 3 of Parson’s Resubdivision, Book 2 Page 68

52 S INVERNESS DR, NAMPA, ID 83651
Lot 1 Block 5 of Bonnie Brae Subdivision, Book 13 Page 32

849 BLAINE AVE, NAMPA, ID 83651
Lot 17 and Easterly 5’ of Lot 18 Block 8 of Bonnie Brae Subdivision, Book 13 Page 32

712 REDWOOD LN, NAMPA, ID 83651
Lot 6 Block 1 of Cottonwoods Unit 1, Book 19 Page 30

**60 S SKYE DR, NAMPA, ID 83651**
Lot 3 Block 10 of Bonnie Brae Subdivision, Book 13 Page 32

**927 SCOTTS AVE, NAMPA, ID 83651**
Lot 1 Block 4 of Bonnie Brae Subdivision, Book 13 Page 32

**84 S INVERNESS DR, NAMPA, ID 83651**
Lot 5 Block 6 of Bonnie Brae Subdivision, Book 13 Page 32

**90 S ANDREW ST, NAMPA, ID 83651**
Lot 4 Block 4 of Bonnie Brae Subdivision, Book 13 Page 32

**1520 S MIDDLETON RD, NAMPA, ID 83686**
A parcel of land being a portion of the Northwest Quarter of the Southwest Quarter of Section 32, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:
BEGINNING at the Northwest corner of said Northwest Quarter of the Southwest Quarter, (West Quarter corner); thence South 89°35'58" East, a distance of 25.00 feet along the northerly boundary of said Northwest Quarter of the Southwest Quarter to a point on the westerly boundary of that certain “Deed and Dedication” Recorded as Instrument No. 200153387 in the Office of the Recorder of Canyon County, Idaho; thence South 0°15'31" East, a distance of 40.00 feet parallel with the westerly boundary of said Northwest Quarter of the Southwest Quarter and along the westerly boundary of said “Deed and Dedication” to a point; thence South 89°35'58" East, a distance of 287.18 feet parallel with the northerly boundary of said Northwest Quarter of the Southwest Quarter and along the southerly boundary of said “Deed and Dedication” to the beginning of a tangent curve right with a radius of 20.00 feet; thence leaving the southerly boundary of said “Deed and Dedication” a distance of 31.18 feet along the arc of said curve, having a central angle of 89°19'33"”, the long chord of which bears South 44°56'11" East, a distance of 28.12 feet to a point; thence tangent to said curve South 0°16'25" East, a distance of 25.01 feet to the beginning of a tangent curve right with a radius of 112.50 feet; thence a distance of 70.49 feet along the arc of said curve having a central angle of 35°37'33” West, a distance of 28.12 feet to a point; thence tangent to said curve South 17°40'34" West, a distance of 69.34 feet to a point; thence tangent to said curve South 35°37'33” West, a distance of 28.12 feet to the beginning of a tangent curve left with a radius of 182.00 feet; thence a distance of 222.68 feet along the arc of said curve, having a central angle of 70°06'07”", the long chord of which bears South 0°34'30” West, a distance of 209.05 feet to a point; thence tangent to said curve South 34°28'34” East, a distance of 8.53 feet to a point; thence North 89°35'58" West, a distance of 295.88 feet parallel with the northerly boundary of said Northwest Quarter of the Southwest Quarter to a point on the westerly boundary of said Northwest Quarter of the Southwest Quarter; thence North 0°15'31” West, a distance of 390.03 feet along the westerly boundary of said Northwest Quarter of the Southwest Quarter to the POINT OF BEGINNING.

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EXCEPTING THEREFROM the following described real property for right of way to the City of Nampa, by Deed recorded July 11, 2006 as Instrument No. 200654875, records of Canyon County, Idaho, as follows:
A parcel of land being a portion of the Northwest Quarter of the Southwest Quarter of Section 32, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:
BEGINNING at the Northwest corner of said Northwest Quarter of the Southwest Quarter, (West Quarter corner); thence
South 89°35’58”, a distance of 25.00 feet along the northerly boundary of said Northwest Quarter of the Southwest Quarter to a point on the westerly boundary of that Certain “Deed and Dedication” recorded as Instrument No. 200153387 in the Office of the Recorder of Canyon County, Idaho; thence
South 0°15’31” East, a distance of 40.00 feet parallel with the westerly boundary of said Northwest Quarter of the Southwest Quarter and along the westerly boundary of said “Deed and Dedication” to a point; thence
South 89°35’58” East, a distance of 287.18 feet parallel with the northerly boundary of said Northwest Quarter of the Southwest Quarter and along the southerly boundary of said “Deed and Dedication” to a point; thence
South 81°14’44” West, a distance of 62.85 feet to a point; thence
North 89°35’58” West, a distance of 175.01 feet parallel with the northerly boundary of said Northwest Quarter of the Southwest Quarter to a point; thence
South 45°04’14” West, a distance of 35.153 feet to a point; thence
South 00°15’31” East, a distance of 315.01 feet parallel with and 50.00 feet east of the westerly boundary of said Northwest Quarter of the Southwest Quarter to a point; thence
North 89°35’58” West, a distance of 50.00 feet parallel with the northerly boundary of said Northwest Quarter of the Southwest Quarter to a point on the westerly boundary of said Northwest Quarter of the Southwest Quarter; thence
North 00°15’31” West, a distance of 390.02 feet along the westerly boundary of said Northwest Quarter of the Southwest Quarter to the POINT OF BEGINNING.

712 S OLIVE ST, NAMPA, ID 83686
Lot 10 Block 1 of Parson’s Subdivision, Book 3 Page 45

1312 4TH ST S, NAMPA, ID 83651
Southeasterly 40’ of Lot 48 Block 47 of Nampa Original, Book 1 Page 13

315 14TH Ave S, NAMPA, ID 83651
Lot 43 Block 47 of Nampa Original, Book 1 Page 13
SCHEDULE A-2

BOUNDARY MAP
ORDINANCE NO. __________

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS “0” CHERRY LANE, LYING TO THE WEST OF NORTHSIDE BOULEVARD, COMPRISING APPROXIMATELY 24.39 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE IL (LIGHT INDUSTRIAL) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215.

BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO:

Section 1. That the Nampa City Council, upon recommendation of the Planning & Zoning Commission, and following the public notice and hearing procedures set forth in the Local Land Use Planning Act and Nampa City Code § 10-03-08 and Chapter 2, Title 10, approved Case No. ANN 109-2018 (Richard Evans Annexation) at a public hearing held on February 19, 2019.

Section 2. The following described property, commonly known as “0” Cherry Lane, lying west of Northside Boulevard, comprising approximately 24.39 acres, more or less, is contiguous to the City of Nampa, Idaho, and the applicant has requested that said following described property should be annexed into the City of Nampa as IL (Light Industrial):

See Exhibit “A,” attached hereto and made a part hereof by this reference.

Section 3. That the above-described property is hereby annexed into the corporate limits of the City of Nampa and zoned IL (Light Industrial).

Section 4. That the City Engineer and the Planning & Zoning Director of the City of Nampa, Idaho, are hereby instructed to so designate the same above described property on the official zoning map and other area maps of the City of Nampa, Idaho as lying within the city limits and zoned IL (Light Industrial).
Section 5. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

Section 6. This ordinance shall be in full force and in effect from and after its passage, approval and publication, according to law.

Section 7. The Clerk of the City of Nampa, Idaho shall, within 10 days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman-like manner plainly and clearly designating the boundaries of the City of Nampa, including the land herein annexed, with the following officials of the County of Canyon, State of Idaho, to-wit: the Recorder, Auditor, Treasurer and Assessor and shall file simultaneously a certified copy of this ordinance with the State Tax Commission of the State of Idaho, all in compliance with Idaho Code 63-215.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, this 1st day of April, 2019.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, this 1st day of April, 2019.

Attest:

______________  ______________
Mayor Debbie Kling          City Clerk
Legal Description
Cherry & Northside Property

A parcel of land being a portion of the SE ¼ of Section 4, Township 3 North, Range 2 West, B.M., Canyon County, Idaho, being Parcel 1 as shown on that Report of Survey recorded as Instrument No. 200307679, records of Canyon County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the southeast corner of the SE ¼ of said Section 4, from which an Aluminum Cap monument marking the northeast corner of said SE ¼ bears N 0°21'13" E (formerly shown as N 0°22'00" E per Instrument No. 200307679) a distance of 2639.28 feet;

Thence along the east boundary of said SE ¼ N 0°21'13" E a distance of 238.40 feet to the POINT OF BEGINNING;

Thence leaving said boundary N 89°38'39" W (formerly N 89°37'52" W) a distance of 44.26 feet to point;
Thence N 57°15'47" W (formerly N 57°15'00" W) a distance of 189.17 feet to a point;
Thence N 57°15'01" W (formerly N 57°14'14" W) a distance of 96.60 feet to a point;
Thence N 23°42'11" W (formerly N 23°41'24" W) a distance of 89.00 feet to a point;
Thence S 10°06'11" W (formerly S 10°06'58" W) a distance of 205.70 feet to a point;
Thence N 89°38'39" W (formerly N 89°37'52" W) a distance of 206.32 feet to a point;
Thence S 0°21'13" W (formerly S 0°22'00" W) a distance of 270.00 feet to a point on the south boundary of said SE 1/4;

Thence along said south boundary N 89°38'39" W (formerly N 89°37'52" W) a distance of 460.02 feet to a point on the easterly right-of-way of the Idaho Northern Railroad;

Thence along said right-of-way N 18°47'03" W a distance of 1398.65 feet (formerly N 18°45'55" W a distance of 1398.60 feet) to a point on the north boundary of the SW ¼ of the SE ¼ of said Section 4;

Thence leaving said right-of-way, and along the north boundary of said SW ¼ of the SE ¼ and the north boundary of the SE ¼ of said SE ¼ S 89°34'18" E (formerly S 89°33'31" E) a distance of 782.79 feet to a point;

Thence leaving said north boundary S 29°27'00" E a distance of 161.73 feet (formerly S 29°25'54" E a distance of 161.74 feet) to a point;
Thence S 28°50'47" E (formerly S 28°50'00" E) a distance of 458.37 feet to a point;
Thence S 26°20'37" E (formerly S 26°19'50" E) a distance of 145.39 feet to a point;
Thence S 25°52'20" E (formerly S 25°51'33" E) a distance of 226.97 feet to a point;
Thence S 42°25'07" E a distance of 46.20 feet (formerly S 42°16'00" E a distance of 46.10 feet) to a point;

Thence S 52°30'47" E (formerly S 52°30'00" E) a distance of 87.00 feet to a point;

Thence S 57°15'47" E (formerly S 57°15'00" E) a distance of 120.10 feet to a point;

Thence S 86°59'41" E (formerly S 86°58'54" E) a distance of 27.02 feet to a point on the east boundary of the SE ¼ of said Section 4;

Thence along said east boundary S 0°21'13" W (formerly S 0°22'00" W) a distance of 56.00 feet to the POINT OF BEGINNING.

Said parcel contains 24.40 acres more or less and is subject to any easements existing or in use.
**PROPOSED NAMPA ANNEXATION**
**CHERRY & NORTHSIDE PROPERTY**

**LOCATED IN THE SE 1/4 OF SECTION 4, T. 3N. R.2W., B.M., CANYON COUNTY, IDAHO**

<table>
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<th>LINE</th>
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<tr>
<td>L1</td>
<td>44.26'</td>
<td>N89°38'39&quot;W (N89°37'52&quot;W)</td>
<td>L4</td>
<td>46.20'</td>
<td>S42°25'07&quot;E (S42°16'00&quot;E)</td>
<td>L7</td>
<td>27.02'</td>
<td>S86°59'41&quot;E (S86°58'54&quot;E)</td>
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<tr>
<td>L2</td>
<td>96.60'</td>
<td>N57°15'01&quot;W (N57°14'14&quot;W)</td>
<td>L5</td>
<td>87.00'</td>
<td>S52°30'47&quot;E (S52°30'00&quot;E)</td>
<td>L8</td>
<td>56.00'</td>
<td>S00°21'13&quot;W (S00°22'00&quot;W)</td>
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<tr>
<td>L3</td>
<td>89.00'</td>
<td>N23°42'11&quot;W (N23°47'24&quot;W)</td>
<td>L6</td>
<td>120.10'</td>
<td>S57°15'47&quot;E (S57°15'00&quot;E)</td>
<td>L9</td>
<td>205.70'</td>
<td>S10°06'11&quot;W (S10°06'36&quot;W)</td>
</tr>
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PROPOSED ANNEXATION
TOTAL AREA = 24.40 ACRES

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**LandSolutions**
Land Surveying and Consulting
231 E. 5TH ST. STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

JCB NO. 15-67
Exhibit

0 Cherry Lane (R30839011A0)

Annexation and Zoning to IL (Light Industrial) for construction of warehousing

Nampa Proud

ANN-00109-2019

1/30/2019

Visit Planning & Zoning at cityofnampa.us for more info.