Call to Order and Pledge to Flag

Invocation – Israel Concepcion - Christian Faith Center

Roll Call

Proposed Amendments to Agenda

(1) Consent Agenda (Action Items)

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

1-1. Minutes
   a. Regular Council Meeting Minutes – August 19, 2019
   b. Special Council Meeting Minutes – August 19, 2019
   c. Special Council Meeting Minutes – August 26, 2019
   d. Mayors Summer Town Hall Meeting – August 14, 2019
   e. Planning and Zoning – August 13, 2019
   f. Board of Appraisers Minutes – August 22, 2019

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

1-3. Plat Approvals
   a. Final
      • Subdivision Final Plat Approval for Gemstone Subdivision at 3615 Southside Blvd. (16 single family detached lots on 5 acres for 3.2 dwelling units per gross acre – 5 acre or 217,800 sq ft portion of the SE ¼ Section 20 T2N R2W BM), for Mason and Associates representing Lanco, Inc. (SPF-00096-2019)
      • Subdivision Final Plat Approval for Laguna Farms Subdivision No. 1 at 16852 N Idaho Center Blvd, north of the CWI Campus (45 multi-family residential lots and 2 commercial lots on a 15.42 acre portion of the NW ¼ of Section 7 T3N R1W BM), for Kent Brown representing Fig Laguna Farms, LLC (SPF-00097-2019)
      • Request for 1st Extension of Subdivision Final Plat Approval for Hartland Subdivision No. 1 at 0 Northside Blvd, on the east side of Northside Blvd, north of Ustick Rd, in an RS-7 (Single Family Residential – 7000 sq ft) zoning district. (75 Single Family Residential dwellings on 225.2 acres for 2.97 dwelling units per gross acre – Located in the SW ¼ of Section 34 T4N R2W BM), for Ron Walsh/Lori Sanderson – Hartland Subdivision LLC

*Or as Soon After 7:00 PM as Each Matter may be Heard
b. Preliminary
   • None

c. Short
   • Subdivision Short Plat Approval for East Iowa Subdivision in an RD (Two-family Residential) zoning district at 1017, 1021, 1025, and 1029 E Iowa Ave. (3 Fourplexes and 1 Triplex on 1.25 acres for 12 dwelling units per gross acre – A part of the SE ¼ of Section 34 T3N R2W BM), for Wolf Building Co, LLC, Blake Wolf (SPS-00021-2019)

1-4. Authorize Public Hearings
   a. Zoning Map Amendment from RA (Suburban Residential) to RS-6 (Single Family Residential – 6,000 sq ft, at 409 S Midland Blvd, for a .71 acre or 30,747 sq ft portion of the SE ¼ of Section 29 T3N R2W BM, for Christopher K Shultze (ZMA-00111-2019)
   b. Annexation and Zoning to the adjacent RS-7 (Single Family Residential – 7000 sq ft), RS-8.5 (Single Family Residential – 8,500 sq ft), or RS-22 (Single Family Residential – 22,000 sq ft) zoning district for Lake Lowell Avenue located in the NW ¼ of Section 31 and the SW ¼ of Section 30 T3N R2W BM, Canyon County, being the northerly 25 ft of said NW ¼ of Section 31 ft and the southerly 25 ft of said SW ¼ of Section 30 (50 ft x 2,640 feet – 3.03 acres, or 132,000 sq ft), for the City of Nampa (ANN-00129-2019)

1-5. Authorize to Proceed with Bidding Process
   a. Request Council authorize Engineering Division to proceed with the formal bid process for the Water Electrical Improvements FY19 project
   b. Request Council authorize Engineering Division to proceed with the formal bid process for the Irrigation Electrical Improvements FY19 project

1-6. Authorization for Execution of Contracts and Agreements
   a. Request Council approve public utility easement encroachment for property located at 3137 Avondale Ave Authorize Mayor to sign Encroachment Agreement with property owners Jeffery and Kimberly Schwartz

1-7. Monthly Cash Report
   a. None

1-8. Resolutions
   a. None

1-9. Licenses for 2019
   a. Alcohol Renewal

*Or as Soon After 7:00 PM as Each Matter may be Heard
1-10. Miscellaneous items
   a. Authorization to Amend Exhibit A (Rate Sheet) for Resolution No. 31-2019, Relating to an error in the publication of Domestic Water Rates and Fees, Originally Approved by City Council on July 1, 2019

1-11. Approval of Agenda

(2) Proclamations
   2-1. Prostate Cancer 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

(3) Agency & Commission Reports
   3-1. None

(4) Staff Communications
   4-1. Staff Report – Patrick Sullivan and Anne Westcott - Fiscal Impact Analysis
   4-2. Staff Report – Tom Points

(5) New Business
   5-1. Action Item: Discussion of Valley Regional Transit Budget
   5-2. Action Item: Approval by the Council to apply for the Idaho Local 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program
   5-3. Action Item: Award Bid and Authorize Mayor to sign the contract with HCD, Inc. for the HNPSB Large Evidence Storage Project
   5-4. Action Item: Adopt Resolution Implementing Changes to Services Rates and Fees Outlined in Equivalent Dwelling Unit and Strength Class Guide for Wastewater and Water User Classifications, effective September 3, 2019
   5-5. Action Item: Authorize Fleet Services Division to Proceed with Letter of Intent for Piggyback Purchase Etnyre Oil Distributor Truck on October 1, 2019 (As approved in FY20 Budget)

*Or as Soon After 7:00 PM as Each Matter may be Heard
5-6. **Action Item:** Authorize Mayor & Public Works Director to sign the Local Professional Services Agreement with HDR Engineering, Inc. for Smith Ave and Middleton Rd Signal project

5-7. **Action Item:** Authorize Mayor to Sign Subrecipient Agreement Amendment with Valley Regional Transit. Authorize Engineering to proceed with formal bid process for Iowa Ave Pedestrian Activated Crosswalk and Midland Blvd & Blaine Ave Hawk Pedestrian Signal project

5-8. **Action Item:** Authorize Mayor to sign MOU with the National Main Street Center for the administration of the Kevin and Mary Daniel Fund

5-9. **Action Item:** Resolution declaring surplus property for the fire department and authorizing the fire staff to dispose as requested

(6) **Public Hearings**

6-1. **Action Item:** [Public Hearing Continued from 8/19 Meeting](#) Annexation and Zoning to RS6 (Single Family Residential – 6,000 sq. ft.) zoning district for Calvary Springs Subdivision at 1713 E. Iowa Ave. (64 single family detached lots on 16.79 acres for 3.81 dwelling units per gross acre - a 16.79-acre or 731,372 sq. ft. portion of the NW ¼ SW ¼ Section 35, T3N, R2W, BM) for Kent Brown representing Trilogy Idaho. The Planning and Zoning Commission recommended approval (ANN 123-19)

6-2. **Action Item:** Appeal of Planning and Zoning Commission denial of Subdivision Plat Short Approval for Atkinson Acres Subdivision (SPS 020-19) in a RA (Suburban Residential) zoning district at 5025 Feather Creek Lane (3 Single family lots on 5 acres for 1.67 lots per acre - A part of the SE ¼ of the SE ¼ of Section 6, T3N, R1W, BM) for Larry Atkinson (APL 009-19).

6-3. **Action Item:** Vacation of the road right-of-way in the Amended Plat of Elmwood Place Addition lying between Lot B - 523 18th Ave. No., and Lot C – 611 18th Ave. No. for Ludmila and Viktor Dudlya (VAC 041-19).

(7) **Unfinished Business**

7-1. **Action Item:** 1st Reading of Ordinance for Zoning Map Amendment from RML (Limited Multiple-Family Residential) to IL (Light Industrial) for a 2.38 acre or 103,673 sq. ft. portion of the NE ¼ NW ¼ of Section 23, T3N, R2W, BM located at 1504 Garrity Blvd. for Dean Loni R. Monson. The Planning and Zoning Commission recommended approval (ZMA 108-19) *(PH was 8-5-2019)*

7-2. **Action Item:** 1st Reading of Ordinance for Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) for a 2.92 acre or 127,195 ft. portion of Lot 19 of Midway Subdivision at 2806 Landon Lane in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM for Thiel & Thiel, LLC. The Planning and Zoning Commission recommended approval (ZMA 109-19) *(PH was 8-19-2019)*
(8) Pending Ordinances (Postponed Due to Lack of Supporting Documentation)

8-1. 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)

8-2. 1st reading of ordinance for Annexation and Zoning to BC at 0 Star Rd (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-00112-2019) (PH was 4-15-2019)

8-3. 1st reading of Ordinance for Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) and Conditional Use Permit for a Towing Business at 3315 Caldwell Blvd. (A .9 acre or 39,204 sq. ft parcel being Tax 4-A in Block 1, Portner Subdivision in the NW ¼ Section 7 T3N R2W BM), for Byron Healy. (ZMA-00106-2019, CUP-00138-2019) (PH was 6-17-2019)

8-4. 1st reading of Ordinances for Annexation and Zoning to RML (Limited Multiple-Family Residential) at 1111 E. Iowa Ave. (A .34 acre or 14,938 sq. ft. portion of NE ½, SE ¼ Section 34, T3N, R2W, BM) for Anthony Sparks for construction of a Fourplex. The Planning and Zoning Commission recommended RD Zoning (ANN 121-19) (PH was 7-15-2019)

8-5. Annexation and Zoning to BC (Community Business) for .525 acres or 22,866 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot C at 0 N. Franklin Blvd.; Zoning Map Amendment from AG (Agricultural) to BC (Community Business) for 2.24 acres or 97,574 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot B at 1414 E. Karcher Rd. for Dean Anderson. The Planning and Zoning Commission recommended approval (ANN 122-19, ZMA 107-19) (PH was 8-5-2019)

8-6. Annexation and Zoning to RA (Suburban Residential) for 2.30 acres or 100,188 sq. ft. located at 1460 Lake Lowell Ave in a portion of the SW ¼ of the SE ¼ of Section 30, T3N, R2W, BM for Jared and Melissa Lindsay for a 2-parcel split. The Planning and Zoning Commission recommended approval (ANN 125-19) (PH was 8-19-2019)

(9) Executive Sessions

9-1. 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

Page 5 of 6

*Or as Soon After 7:00 PM as Each Matter may be Heard
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.
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.

Mayor Kling amended the agenda by moving item #3-1. Dan Holtry and the Nampa Football Team to agenda or non-agenda item and by removing item #9-1. 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 due this item being finished in the 5:00 p.m. Special Council meeting.

❖ (1) Consent Agenda (Action Items) ❖

MOVED by Haverfield and SECONDED by Bruner to approve the Consent Agenda with the above-mentioned amendments; Item #1-1. - Regular Council Minutes of August 5, 2019; Special Council Minutes of August 5, 2019; Bicycle and Pedestrian Advisory Committee Minutes of June 13, 2019; Board of Appraisers Minutes; Airport Commission Minutes of July 8, 2019; Council on Aging Minutes of June 10, 2019; Planning & Zoning Commission Minutes of July 23, 2019; Fire Negotiation Minutes of August 8, 2019; Library Commission Minutes; Nampa Development Corporation Minutes of June 18, 2019; Item #1-2. - The Nampa City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; Item #1-3. - Final and Preliminary Plat Approvals: 1) None; Item #1-4. - Authorize Public Hearings: 1) Annexation and Zoning to RS-4 (Single Family Residential – 4000 sq. ft minimum lot size) zoning district at 1104, 1210, 1306 and 1318 Lone Star Rd, a 13.73 acre parcel located in the SE ¼ of Section 20 T3N R2W BM), for Springbrook Subdivision Preliminary Plat (59 single family detached lots for 4.3 dwelling units per gross acre), for Mason and Associates representing Lanco, Inc. (ANN-00126-2019 and SPP-00043-2019); 2) Annexation and Zoning to IL (Light Industrial) zoning district for manufacturing facilities at 39 N Picard Lane. (A 7.83 acre or 341,054 sq. ft portion of the SE ¼ of Section 24 T3N R2W BM – Tax 19044 in the S ½) for Tom Hines. (ANN-00127-2019); 3) Rescission of Annexation and Zoning Development Agreement between Trust 1, LLC and the City of Nampa recorded 09/12/2006 as Inst. No. 200674066 repealing the Development Agreement applicable to the property at 17155 and 17175 Star Road. (On the west side of Star Road, north of Cherry Lane, being a 20.12-acre portion of the SE ¼ of Section 6 T3N R1W BM), for the City of Nampa Planning and Zoning Department. (DAMO-00032-2019); Item #1-5. - Authorize to Proceed with Bidding Process: 1) None; Item #1-6. - Authorization for execution of Contracts and Agreements: 1) Authorize Mayor to Sign, (1) Nampa Municipal Airport Land Lease Agreement, and (2) Memorandum of Lease for Recording with Hangar North, LLC for Lot 2435; 2) Authorize Mayor to Sign, (1) Nampa Municipal Airport Land Lease Agreement, and (2) Memorandum of Lease for Recording with Northwest Backcountry Aircraft, LLC for Lot 2440; Item #1-7. - Monthly Cash Report: 1) July 2019; Item #1-8. - Resolutions: 1) None; Item #1-9. - License for 2019: a) Renewal Alcohol: 1) None; b) New Alcohol: 1) None; Item #1-10 - Miscellaneous Items: 1) None. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. Mayor Kling declared the

MOTION CARRIED
Mayor Kling asked if there was any Nampa Residents wishing to speak on any agenda item were (5 persons limit):

- None

Mayor Kling asked if there was any Nampa Residents wishing to speak on any item that was not on the agenda (5 persons limit):

- Head Coach Dan Holtry and members of the Nampa High Football Team – Donnie Estrada, Alec Jensen, Spencer Kipp, Carlos Puente, Owen Andrews, Jace Mann, Cade Smith, Braden Draper participated in a birthday party for Christian Larson
- Lee Raby, 2322 E. Aruba Drive (Island Subdivision) – requested the police help with the speeding in the area of his address
- Margie Potter, Salvation Army, 403 12th Avenue South – Friday they gave out 500 stuffed back packs and about 68 were in foster care – thanked all of the volunteers
- William Landon Rex, 1216 Holly Street – Municipal Code 3-4-9 No person shall maintain, permit, cause or contribute to anything within the city which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property AND 3-4-10 It shall be unlawful for any person owning, leasing, occupying, or having charge of any premises to maintain, keep or allow any nuisance to remain on such premises longer than five (5) days, or sooner if deemed expedient by a code enforcement official. This shall not only include all nuisances on private property, but nuisances situated on public property adjacent to or contiguous with private property including areas behind curbs, sidewalks, parking areas, and property to the center of alleys and ditches. Said five (5) day period, or sooner if deemed expedient by a code enforcement official, shall commence after written notice is served as provided in section 1-1-14 of this code. The written notice of the five (5) day period, or sooner if deemed expedient by a code enforcement official, shall be served upon any adult occupying the premises on which the nuisance is located and upon the owner of the nuisance, if known. If no occupant of the premises or owner of the nuisance can be found, a notice affixed to any building on the premises shall constitute notice to the owner or occupant of the premises, and the owner of the nuisance. If there is no building on the premises, such notice may be affixed elsewhere on the premises. Provided, however, no additional or further notice shall be required for subsequent or continuing violations. This section shall not apply with regard to any such nuisance located in an enclosed building or so located on the premises as not to be readily visible from any public place or from any surrounding private property. This section shall not apply to partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicles or parts thereof which are stored or parked in a lawful manner on private property in connection with the business of...
Regular Council  
August 19, 2019 

a licensed dismantler, licensed salvage yard or junk dealer or when storing or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.  

- Michael Mirium, 3100 South Montego Way, speeding in the area in which he lives.  
- Jerry Boyce, 3400 Brennan Drive – taxes in Nampa.  

❖ Mayor Kling’s and Council Comments ❖  

- None  

❖ (3) Agency/External Communications ❖  

- None  

❖ (4) Staff Communications ❖  

Item #4-1. – Deputy Public Works Director Jeff Barnes presented a staff report to update the council on current projects as follows:  

Update to 2019 Street Division Chip Sealing Campaign – Chip sealing, fog sealing, paint striping and thermoplastic application in Zone D1 and Zone D2 is now 100% complete and crews have returned to normal work duties  

Street Division staff is happy to report training by its chip spreader and distributor operators again made quite a difference in this year’s chip sealing campaign. Reduction in application rates dropped another 1.1 pounds per cubic yard on top of the 2 pounds that were reduced last year. Prior years chip was applied at 23.8 lbs. per cubic yard and now is being applied at 20.7 lbs. per cubic yard  

- Adjustments and configurations of dispersal gates reduced the amount of chip from 21.8 lbs. per cubic yard to 20.7 lbs. per cubic yard  
- For the first time since 2009 Street Division staff chip sealed approximately 1,190,000 square feet of pavement within subdivisions utilizing a newly designed spec for ¼” chip. Numerous calls have been received with citizens asking how they too might be considered for a chip seal  
- 1.1 lb. less rock per cubic yard means less sweeping and more efficient cleanup; estimated increase of time efficiency is about 3.5%. Reduction in cleanup time for sweeping is less wear and tear on sweepers and for only the second time in history there were zero rock chip claims  
- The continued utilization of temp staff allowed crews to start sweeping within ten hours of starting the chip seal campaign. Traditionally, cleanup has begun after placement of all chips, approximately after two weeks. This also potentially helps reduce rock chip claims as well as making it safer for the public while traveling
Kudos to Street Division staff for a job well done during this year’s chip sealing campaign.

**Open House for Middleton Road Corridor Improvements** - Five construction projects worth $12.2 million dollars are scheduled in the next 18 months on Middleton Road between I-84 and Greenhurst Road (see Attachment A).

Each of the five projects will help to improve safety, efficiency, and livability along this critical north/south arterial in west Nampa.

The five projects are listed below according to the anticipated construction timeline:

1. Middleton Road and Smith Avenue Signalized Intersection (Fall 2019 – Winter 2020).
   - Approximate cost $583,000 ($43k City of Nampa match; $540,000 Local Highway Safety Improvement Program (LHSIP) grant)
2. Middleton Road Rebuild from Greenhurst Road to Roosevelt Avenue (Winter – Summer 2020).
   - Approximate cost $2,500,000 (100% City of Nampa pavement management funds)
   - Approximate cost $6 million (100% Idaho Transportation Department (ITD) (no City of Nampa match)
4. Middleton Road and Lone Star Road Signalized Intersection (Summer—Fall 2020).
   - Approximate cost $1,914,000 ($400k City of Nampa match; $1,514,000 Local Highway Technical Assistance Council (LHTAC) grant)
5. Middleton Road and Orchard Avenue Signalized Intersection, Nampa Highway District No. 1 (NHD) (2021)

<table>
<thead>
<tr>
<th>Arterial Roads (Sq. Ft.)</th>
<th>Estimated</th>
<th>Actual</th>
<th>Secondary Roads (Sq. Ft.)</th>
<th>Estimated</th>
<th>Actual</th>
<th>½” Chips (Tons)</th>
<th>Estimated</th>
<th>Actual</th>
<th>¼” Chips (Tons)</th>
<th>Estimated</th>
<th>Actual</th>
<th>Oils (Tons)</th>
<th>Estimated</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,597,280</td>
<td></td>
<td></td>
<td>1,186,280</td>
<td></td>
<td></td>
<td>2,400</td>
<td></td>
<td></td>
<td>1,500</td>
<td></td>
<td></td>
<td>700</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Regular Council
August 19, 2019

- Approximate cost $2,200,000 ($1.8m NHD; $400k City of Nampa utility match)

The City of Nampa held an open house on February 21, 2019, to discuss the Middleton Road Rebuild Project (Greenhurst Road to Roosevelt). Public feedback indicated that road closures with a faster construction time is preferred over leaving a lane open and extending the construction time. Staff is taking this into consideration when scheduling construction.

Staff is working to stage the construction timelines to reduce traffic impacts as much as possible.

An additional public open house will be held with the City of Nampa, NHD and ITD on September 24, 2019, to communicate with the public and answer questions. Additional details regarding the time and place are forthcoming.

✦ (5) New Business ✦

Item #5-1. - Mayor Kling presented the request to award bid and authorize the Mayor to sign the contract with Cascade Enterprises, Inc. for the Fire Station #1 Boiler and Extractor Project.

Facilities Supervisor Brian Foster presented a staff report explaining that the Fire Department has identified the need to replace the Boiler and install two new extractors (commercial washing machines) at Fire Station #1. The project is to be funded by the Fire Department. The expenditure was approved as part of the 2019 budget for an amount of $94,000. The $94,000 is coming from budget account 1003510.5350.

Documents have been reviewed and approved by Legal.

The cost of the project will be $94,000.

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. Summarily they will replace the Boiler and install two extractors that have already been purchased by the Fire Department at Fire Station #1.

Facilities Development procured bids for the project using an Informal Bid Process. A pre-bid walk through was conducted at the project site on July 23, 2019 at 10:00 a.m. A Public Bid.

Opening was held on July 31, 2019 at 2:00 p.m.

A total of two (2) bids were received on July 31, 2019. The apparent low bid was received from Cascade Enterprises, 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.

MOVED by Bruner and SECONDED by Haverfield to award the bid and authorize the Mayor to sign the contract with Cascade Enterprises, Inc. for the Fire Station #1 Boiler and extractor project not to exceed the contract amount of $94,000. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-2. – The following Resolution was presented:

Jeff Barnes presented a staff report explaining that the City of Nampa engaged HDR Engineers for a concept study in early 2017. Purpose of the study was to develop conceptual alternatives for improving safety and freight mobility on Franklin Boulevard immediately south of Interstate 84. Its intersections with Industrial Road and 3rd Avenue North both have severe safety and congestion issues that prompted the study.

Four preliminary alternatives were prepared. HDR and Nampa City staff expanded this with addition of a fifth alternative and multiple considerations of the first and third original alternatives. HDR’s final concept paper was submitted in mid-2017. (see Exhibit A)

Staff, with Council endorsement, applied to Idaho Transportation Department (ITD) and COMPASS to compete for a freight grant to narrow the alternatives to a single option and construction.

That grant was approved as a project titled “3rd Avenue North and West Industrial Road Intersection Improvements” with a total budget of $5,774,000; $500,000 of the total is in FY2020 for preliminary engineering. The City of Nampa match for $500,000 is $37,000 and is included in the draft FY2020 City of Nampa budget. All other funds are from the Federal Highway Administration.

This project requires a National Environmental Policy Act (NEPA) study to review all alternatives, including the favored alternative, for challenges that a detailed investigation would uncover that were not a part of the concept study. NEPA studies also require a significant level of public involvement that was not a part of the concept study.

Conceptual design of the final NEPA approved alternative will follow immediately after the NEPA evaluation and is included in the scope of work for this solicitation.

The State/Local Agreement (Project Development) (see Exhibit B) identifies commitments of the City of Nampa, the Idaho Transportation Department and the Local Highway Technical Assistance Council to complete the NEPA study and initiate design for the NEPA approved design alternative.
Regular Council  
August 19, 2019  

THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF NAMPA, HEREAFTER CALLED THE CITY, FOR DEVELOPMENT OF INTERSECTION OF THIRD AVENUE NORTH AND WEST INDUSTRIAL ROAD. MOVED by Haverfield and SECONDED by Rodriguez to pass the resolution and approve the State/Local Agreement (project development) for 3rd Avenue North and West Industrial Road Intersection improvements along Franklin Boulevard (Project No. A022(103)/Key No. 22103) as presented to complete the National Environmental Policy Act study and initiate design for the approved design alternative. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 37-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-3. – The following Resolution was presented:

Jeff Barnes presented a staff report explaining that the intersection of North Franklin Boulevard and East Karcher Road is part of a critical urban freight corridor needing additional safety and capacity improvement.

The Nampa Citywide Transportation Plan indicates the intersection warrants expansion based on projected traffic volumes.

To prepare a concept project and pursue federal funding, Engineering staff contracted with Nampa City consultant Keller and Associates (approved by Council in November 2016) to analyze both a signal and roundabout alternative.

The concept report examined three options: traffic signal; offset roundabout and centered roundabout. Council subsequently accepted Keller and staff recommendation to construct an offset roundabout (see Exhibit A) based on traffic efficiency, reduction in serious injury accidents, reduced lifecycle/construction cost, aesthetics and lower right-of-way acquisition costs.

The roundabout will reduce freight and vehicle delays supporting Nampa City goals of prioritizing public safety, building quality infrastructure and providing economic opportunity.

Staff submitted the concept design for Idaho Transportation Department (ITD) freight grant funding and was awarded a total of $1,644,000 for the project. The City of Nampa’s match of 7.34% will be $120,669. These funds are in the City of Nampa’s impact fee budget for fiscal year 2019.

The property owner on the northwest quadrant, from whom most of the needed right-of-way would come, decided in early 2019 to develop that ground. Staff worked with Keller and the property

Page 7
owner to identify the exact right-of-way needed and concluded an amicable purchase. Small corner acquisitions on the northeast and southeast corners are the last right-of-way remaining to be purchased.

To move the project forward, a State/Local agreement must be executed with ITD to govern management of the project. The attached agreement (see Exhibit B) is recommended for approval.

THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF NAMPA, HEREAFTER CALLED THE CITY, FOR DEVELOPMENT OF FRANKLIN BOULEVARD AND KARCHER ROAD INTERSECTION.

MOVED by Rodriguez and SECONDED by Skaug to pass the resolution and approve the State/Local Agreement (project development) for the Franklin Boulevard and Karcher Road Intersection Development (Project No. A022(102)/Key No. 22102) as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 38-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-4. – The following Resolution was presented:

Deputy Public Works Director Nate Runyan presented a staff report explaining that the Nampa Wastewater Program design activities for Phase II Upgrades at the Nampa Wastewater Treatment Plant (WWTP) are underway. The Phase II Upgrades are to be constructed in five project groups. The first is Project Group D, which includes construction of Primary Digester No. 5 and a new Waste Gas Burner in 2020.

The WWTP currently has one Waste Gas Burner and Ignition System manufactured by Varec Biogas.

The Primary Digester No. 5 project includes adding a second Waste Gas Burner. The existing Waste Gas Burner will be relocated as part of Phase II Upgrades.

The new Waste Gas Burner needs to be compatible with the existing Waste Gas Burner. The equipment, instrumentation and controls need to support the existing flare during installation and long term WWTP operations.

The Varec Biogas manufactured Waste Gas Burner equipment is familiar equipment for the WWTP operations and maintenance staff. By maintaining a single equipment type, the City of Nampa will obtain better workforce efficiency, minimize the risk of failures from unfamiliar systems, and reduce the need for additional training.
Idaho Statute 67-2808 allows for sole source expenditures “where the compatibility of equipment, components, accessories, computer software, replacement parts, or services is the paramount consideration”.

As required by this statute, a legal notice of the sole source procurement will be published in the local paper.

A resolution has been prepared stating the City of Nampa’s intent to procure the Waste Gas Burner and Ignition System from Varec Biogas. (Attachment 1)

Public Works staff have reviewed and recommend approval of the resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, DECLARING THAT THERE IS ONLY ONE VENDOR, WITHIN THE MEANING OF IDAHO CODE SECTION 67-2808(2), FOR ACQUISITION OF A WASTE GAS BURNER AND IGNITION SYSTEM FOR PROJECT GROUP D OF PHASE II UPGRADES TO THE CITY OF NAMPA WASTEWATER TREATMENT PLANT AND DIRECTING STAFF TO PROCEED WITH A SOLE SOURCE ACQUISITION PURSUANT TO IDAHO LAW.

MOVED by Bruner and SECONDED by Haverfield to pass the resolution and authorize the Mayor to sign the resolution declaring the City of Nampa’s intent to sole source the procurement of the Waste Gas Burner and Ignition System from Varec Biogas as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 39-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-5. - Mayor Kling presented the request to authorize the Mayor to Sign Memorandum of Understanding between the Nampa Highway District #1 and the City of Nampa for the Star Road and Cherry Lane Roundabout Project.

Nampa City Engineer Daniel Badger presented a staff report explaining that the Nampa Highway District #1 (NHD) and the City of Nampa are partnering in the construction of a roundabout at the intersection of Star Road and Cherry Lane. (see Exhibit A)

The intersection is experiencing a low level of service for traffic operation with long vehicle delay times and needs increased capacity at certain times of day.

NHD and the City of Nampa desire to enter into a Memorandum of Understanding (MOU) (see Exhibit B) which outlines the following responsibilities:
Regular Council  
August 19, 2019

- NHD will manage the project and bear all project related costs, regardless of annexations, unless otherwise agreed to by separate agreement or amendment to this MOU.
- Once the project is built, the City of Nampa will assume responsibility for and bear the costs of the operation, maintenance and repair of the illumination, including related hardware, software and power.

Nampa City staff will attend periodic progress meetings, provide specifications for the illumination, and will review and comment on planning, engineering, public involvement, and construction documents.

Date of construction will be determined by completion of the design process and funding availability.

Design and right-of-way acquisitions is planned for fiscal years 2019-2020, and construction is anticipated in fiscal years 2020-2021.

Nampa City staff support entering into this MOU with NHD.

MOVED by Bruner and SECONDED by Rodriguez to authorize the Mayor to sign Memorandum of Understanding between the Nampa Highway District #1 and the City of Nampa for the Star Road and Cherry Lane Roundabout Project. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-7. – The following Resolution was presented:

Recreation Center Director Kortnie Mills presented a staff report explaining that in FY 2019 Nampa City Council approved $80,000 for the replacement of the carpet on the cardio mezzanine at the Nampa Recreation Center. The current carpet is worn-out and difficult to maintain.

The current carpet will be replaced with a high-quality 6mm rubberized flooring from Mondo. This product was selected because of its durability, ease in maintenance and over 20-year life span. The Facilities Department procured bids for the project using single source procurement. Single source procurement was necessary due to supplier territory and only one vendor being able to provide the preferred flooring. Single source procurement requires a 14-day notice be posted in the legal section of the newspaper prior to the signing of the contract. Such notice was posted on August 9, 2019. Staff is requesting that the Mayor signs the contract on, or shortly after, August 23, 2019.

The time frame to complete this project is of the essence: Each year, the Nampa Recreation Center has a four-day closure to do annual maintenance. The flooring replacement will be done during
this annual closure that takes place September 5th through September 8th. Scheduling the floor replacement during this time will have minimum impact on our business operations.

Staff recommends accepting the proposal from the contractor Wall 2 Wall Commercial Flooring. The bid is under the budgeted amount and is proposed at $57,728. Wall 2 Wall Commercial Flooring, the contractor, will provide all management, supervision, labor, material, supplies and equipment and will plan schedule, coordinate and assure effective performance of all services described. In addition, the contractor will be required to provide necessary bonds, insurance and other documents before the agreement can be executed and issued the Notice to Proceed.

All documents have been reviewed and approved by Legal.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, DECLARING THAT THERE IS ONLY ONE VENDOR, WITHIN THE MEANING OF IDAHO CODE SECTION 67-2808(2), FOR ACQUISITION AND INSTALLATION OF RUBBER SPORT FLOORING FOR THE NAMPA RECREATION CENTER AND DIRECTING STAFF TO PROCEED WITH A SOLE SOURCE ACQUISITION PURSUANT TO IDAHO LAW.

MOVED by Hogaboam and SECONDED by Levi to pass the resolution and award the bid and authorize the Mayor to sign the contract with Wall 2 Wall Commercial Flooring on August 23, 2019 for the Nampa Recreation Center Mezzanine Flooring project not to exceed the contract amount of $57,728 as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 40-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-8. - Mayor Kling presented the request to authorize the Mayor to sign the Taco Time site MOU between ITD, Mussell Construction and the City of Nampa for operational or safety improvements on the state roadway system within the City of Nampa.

Jeff Barnes presented a staff report explaining that the Mussell Construction is constructing a new Taco Time at the corner of 10th Avenue South and 3rd Street South.

As part of their permit for the project, Idaho Transportation Department (ITD) required the reconstruction of their corner to a 30-foot radius. The current radius is approximately 7 feet.

After further discussions between Mussell, ITD and Nampa City staff, an agreement was reached to forgo this improvement for a cash-in-lieu of construction payment in the amount of $18,000.
Regular Council  
August 19, 2019  

The payment shall be made to the City of Nampa and is required to be utilized for operational or safety improvements on the state roadway system within Nampa.

Nampa City and ITD staff shall identify an appropriate project to allocate the funds toward.

Staff recommends approval of the Memorandum of Understanding. (see exhibit A)

Councilmembers asked questions.

MOVED by Bruner and SECONDED by Rodriguez to authorize the Mayor to sign the Memorandum of Understanding between the City of Nampa and Mussell Construction. 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 for the FY19 Signal Equipment Procurement Zone B1 project with Econolite Control Products, Inc.

Daniel Badger presented a staff report explaining that the Streets Division will upgrade existing signal cabinets and adjust corridor timing at five (5) intersections in the city, three (3) of which are shared with ITD (Exhibit A):

1. Flamingo Avenue & Happy Valley Road  
2. Stamm Lane & Happy Valley Road  
3. Garrity Boulevard & Flamingo Avenue  
4. Garrity Boulevard & Stamm Lane  
5. Garrity Boulevard & Kings Road

This is part of the City of Nampa’s Asset Management Program implemented in 2007 to strategically and cost effectively replace equipment.

The City of Nampa has entered into a Cooperative Agreement with ITD (KN 13471) to participate in the cost of the work up to $76,778.00. (Exhibit B)

The Streets Division has budgeted $234,570 in the FY19 budget.

The City of Nampa received two (2) bids for the FY19 Signal Equipment Procurement Zone B1 project:

6. Econolite Control Products, Inc  
7. Quality Electric, Inc.
The apparent low bidder is Econolite Control Products, Inc. for the amount of $144,500.00.

The Street Division will install and maintain the signal cabinets and all related equipment.

Engineering Division has reviewed the bids and recommends award to Econolite Control Products, Inc.

MOVED by Hogaboam and SECONDED by Rodriguez to award the bid and authorize the Mayor to sign the contract for the FY19 Signal Equipment Procurement Zone B1 project with Econolite Control Products, Inc. in the amount of $144,500.00. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

❖ (7) Unfinished Business ❖

Item #7-1. – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, LYING ON THE SOUTH SIDE OF GREENHURST ROAD BETWEEN S. MIDDLETOWN BOULEVARD AND S. MIDDLETON ROAD, COMPRISING APPROXIMATELY 95.16 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 RS 6 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 6,000 SQUARE FEET) AND BC (COMMUNITY BUSINESS) ZONES; 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. (Annexation & Zoning Greenhurst and Midland)

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Skaug and SECONDED by Bruner to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting
YES. The Mayor declared the ordinance duly passed, numbered it correcting Ordinance 4430 and directed the Clerk to record it as required.

MOTION CARRIED

Item #7-2 – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 2720 SUNNY RIDGE ROAD AND 905 E. SKY RIDGE LANE, NAMPA, IDAHO, 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 RA (SUBURBAN RESIDENTIAL) 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; 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. (Applicant Joshua and Julia Morrison

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Haverfield and SECONDED by Hogaboam to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it correcting Ordinance 4191 and directed the Clerk to record it as required.

MOTION CARRIED

Item #7-3. – The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, TO MODIFY THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT TO WHICH THOSE CERTAIN PARCELS OF REAL PROPERTY, COMMONLY KNOWN PHEASANT MEADOWS SUBDIVISION, OF NAMPA, CANYON COUNTY, IDAHO, COMPRISING APPROXIMATELY 1.187 ACRES, MORE OR LESS, ARE SUBJECT, DESCRIBED IN ORDINANCE NO. 3847 AND RECORDED ON NOVEMBER 7, 2008, AS INSTRUMENT NO. 2008059426, RECORDS OF CANYON COUNTY, IDAHO, SO AS TO INCLUDE
Additional annexed property (described hereinbelow) to expand the subdivision to 101 buildable lots and 10 common lots on a total of 29.81 acres, more or less; directing the city planning director to alter the use and area map accordingly; determining that certain adjacent lands, lying on the east side of S. Grays Lane, west of S. Happy Valley Road and north of E. Amity Avenue, comprising approximately 16.52 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 RS 7 (single family residential – with a “required property area” of at least 7,000 square feet) 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; providing an effective date; providing for severability; repealing all ordinances, resolutions, orders or parts thereof in conflict herewith; 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. (Modification of Annexation and Zoning Development Agreement for Schultz)

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Bruner and SECONDED by Rodriguez to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it correcting Ordinance 4379 and directed the Clerk to record it as required.

MOTION CARRIED

Item #7-4. – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 16261, 16285, AND 16317 N. MADISON ROAD, COMPRISING APPROXIMATELY 4.025 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. (Applicant Adler Industrial LLC represented by Kent Brown)

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Levi and SECONDED by Hogaboam to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4457 and directed the Clerk to record it as required.

MOTION CARRIED

Item #7-5. – The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, VACATING A TEN (10) FOOT WIDE PORTION ON THE SOUTH SIDE OF THAT CERTAIN RIGHT-OF-WAY KNOWN AS E. SHERIDAN AVENUE, ADJACENT TO THE REAL PROPERTY COMMONLY KNOWN AS 923 E. SHERIDAN AVENUE, NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH. (Applicant Carey Lytle)

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Rodriguez and SECONDED by Haverfield to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4458 and directed the Clerk to record it as required.

MOTION CARRIED

☆ (8) Pending Ordinances (Postponed Due to Lack of Supporting Documentation) ☆
Regular Council  
August 19, 2019

8-1. 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 4-2-2019)

8-2. 1st reading of ordinance for Annexation and Zoning to BC at 0 Star Rd (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-00112-2019) (PH was 4-15-2019)

8-3. 1st reading of Ordinance for Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) and Conditional Use Permit for a Towing Business at 3315 Caldwell Blvd. (A .9 acre or 39,204 sq. ft parcel being Tax 4-A in Block 1, Portner Subdivision in the NW ¼ Section 7 T3N R2W BM), for Byron Healy. (ZMA-00106-2019, CUP-00138-2019) (PH was 6-17-2019)

8-4. 1st reading of Ordinances for Annexation and Zoning to RML (Limited Multiple-Family Residential) at 1111 E. Iowa Ave. (A .34 acre or 14,938 sq. ft. portion of NE ½, SE ¼ Section 34, T3N, R2W, BM) for Anthony Sparks for construction of a Fourplex. The Planning and Zoning Commission recommended approval (ANN 121-19) (PH was 7-15-2019)

8-5. Annexation and Zoning to BC (Community Business) for .525 acres or 22,866 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot C at 0 N. Franklin Blvd.; Zoning Map Amendment from AG (Agricultural) to BC (Community Business) for 2.24 acres or 97,574 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot B at 1414 E. Karcher Rd. for Dean Anderson. The Planning and Zoning Commission recommended approval (ANN 122-19, ZMA 107-19) (PH was 8-5-2019)

8-6. Action Item: Zoning Map Amendment from RML (Limited Multiple-Family Residential) to IL (Light Industrial) for a 2.38 acre or 103,673 sq. ft. portion of the NE ¼ NW ¼ of Section 23, T3N, R2W, BM located at 1504 Garrity Blvd. for Dean Loni R. Monson. The Planning and Zoning Commission recommended approval (ZMA 108-19) (PH was 8-5-2019)

(6) Public Hearings  

Item #6-1. - Mayor Kling opened a public hearing for annexation and zoning to RS6 (Single Family Residential – 6,000 sq. ft.) zoning district for Calvary Springs Subdivision at 1713 E. Iowa Ave. (64 single family detached lots on 16.79 acres for 3.81 dwelling units per gross acre - a 16.79-acre or 731,372 sq. ft. portion of the NW ¼ SW ¼ Section 35, T3N, R2W, BM) for Kent Brown
representing Trilogy Idaho. The Planning and Zoning Commission recommended approval (ANN 123-19).

MOVED by Haverfield and SECONDED by Skaug to continue the public hearing to the next regular council meeting of September 3, 2019. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #6-2. - Mayor Kling opened a public hearing for FY 2020 budget.

Finance Director Doug Racine presented the following staff report:

Fiscal 2020 Budget Summary.

The Fiscal 2020 budget process accumulated budget input for General Revenue, Special Revenue, Enterprise, Impact Fees and Capital Project funds. The values presented herein represent the City of Nampa’s budget for Fiscal 2020.

Nampa’s Fiscal 2020 budget totals $193,169,793, a $10,306,729, or 5.6% increase over Fiscal 2019's Amended budget of $182,863,064. As compared to the Original Council approved budget for Fiscal 2019, the budget increased $21,090,136. The City of Nampa is drawing on fund balances & sanitation fees to support the increases in streets, while the increases in wastewater & stormwater are supported by Loan proceeds and fund balance spending.

The primary drivers of the change, compared to the Fiscal 2019 original budget, are as follows:

- Public Safety Investments (Fire & Police) of $2.6M
  - Police Labor & Benefits costs, including 11 new Staff, increased $1.5 million
  - Fire Labor & Benefits, including 3 Additional FD Personnel, Increased $1.1 million
- Increased investment in Street projects of $2.5 million
- Incremental increases in Wastewater Treatment, primarily construction projects, of $8.6 million
- Sanitation operational increases of $1.1 due to Volume and CPI based rate changes
- Health Care Cost increases of $1.0 million
  - Police Department @ 9% or $425,108
  - Fire Department@ 9% or $204,819
  - All other Departments @7% or $396,226

Nampa City Budget Highlights for Fiscal 2020:

City FTE Changes:
Revenue Impacts:

Property tax growth has been limited to a 2%, out of the 3% maximum. Combined with new construction, annexation and shared state revenues, the city revenues from taxes increased by $2.6 million as listed below:

- Decreased Tax Levy. The valued decreased from .007914464 in fiscal 2019 to .007043070 (Estimated) in fiscal 2020
- 2% property tax increase totaling approx. $798k
- Excluded 1% foregone property tax of $396,000
- New construction property taxes of $1.4 million
- Increased Shared State/County Shared revenues of $382,186
- Increased annexation property taxes of $33,834.

Changes to Other Funds:

- DEQ loan Proceeds (Wastewater) $14.2 million
- Wastewater construction Projects totaling $30.1 million
- Water construction Projects totaling $3.9 million

Total Capital Investments:
Fiscal 2020 Budget Metrics

<table>
<thead>
<tr>
<th>Budget By Cost Category</th>
<th>Fiscal 2020 (Council Approved)</th>
<th>Fiscal 2019 (Pre Amendment)</th>
<th>Variance</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Benefits</td>
<td>61.2</td>
<td>57.7</td>
<td>3.5</td>
<td>6.1%</td>
</tr>
<tr>
<td>Operations</td>
<td>66.8</td>
<td>61.9</td>
<td>4.9</td>
<td>7.9%</td>
</tr>
<tr>
<td>Capital</td>
<td>60.3</td>
<td>47.1</td>
<td>13.2</td>
<td>28.0%</td>
</tr>
<tr>
<td>Debt</td>
<td>4.9</td>
<td>5.4</td>
<td>(0.5)</td>
<td>-9.3%</td>
</tr>
<tr>
<td>Total Budget</td>
<td>193.2</td>
<td>172.1</td>
<td>21.1</td>
<td>12.2%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Budgeted Revenues By Type</th>
<th>Fiscal 2020</th>
<th>Fiscal 2019</th>
<th>Variance</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fees for Service</td>
<td>67.0</td>
<td>67.3</td>
<td>(0.34)</td>
<td>-0.5%</td>
</tr>
<tr>
<td>Property Taxes</td>
<td>44.6</td>
<td>42.1</td>
<td>2.47</td>
<td>5.9%</td>
</tr>
<tr>
<td>State Shared</td>
<td>17.2</td>
<td>14.9</td>
<td>2.30</td>
<td>15.4%</td>
</tr>
<tr>
<td>Fund Reserves</td>
<td>24.0</td>
<td>22.0</td>
<td>2.00</td>
<td>9.1%</td>
</tr>
<tr>
<td>Interfund Transfers</td>
<td>19.3</td>
<td>12.5</td>
<td>6.84</td>
<td>54.7%</td>
</tr>
<tr>
<td>Grants &amp; Loans</td>
<td>19.2</td>
<td>11.0</td>
<td>8.17</td>
<td>74.3%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>2.0</td>
<td>2.3</td>
<td>(0.34)</td>
<td>-14.8%</td>
</tr>
<tr>
<td>Total Revenues (in millions)</td>
<td>193.2</td>
<td>172.1</td>
<td>21.09</td>
<td>12.3%</td>
</tr>
</tbody>
</table>
Regular Council
August 19, 2019

<table>
<thead>
<tr>
<th>Budget by City Function</th>
<th>Fiscal 2019</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works</td>
<td>98.05</td>
<td>50.8%</td>
</tr>
<tr>
<td>Public Safety</td>
<td>43.10</td>
<td>22.3%</td>
</tr>
<tr>
<td>Parks, Recs, Library Etc</td>
<td>17.41</td>
<td>9.0%</td>
</tr>
<tr>
<td>Gen Gov, GO bond</td>
<td>28.19</td>
<td>14.6%</td>
</tr>
<tr>
<td>Development &amp; P&amp;Z</td>
<td>5.00</td>
<td>2.6%</td>
</tr>
<tr>
<td>Community Development</td>
<td>1.30</td>
<td>0.7%</td>
</tr>
<tr>
<td><strong>Total Budget (in millions)</strong></td>
<td><strong>193.2</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

**Budget by Function Graph**

**Revenues by Type**
No one appeared in favor of or in opposition to the request.
Regular Council  
August 19, 2019

Councilmember Bruner asked questions and made comments on the Valley Ride.

**MOVED** by Skaug 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 Haverfield to **approve** the **FY2020 budget** with the understanding that the VRT portion of the budget would be discussed and the September 3, 2019 meeting and authorize the ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

**Item #6-3.** - Mayor Kling opened a **public hearing** for Council consideration of its authority under Idaho Code § 63- 802(1)(f) to disclaim the right to recover all (or any portion) of FY 2020’s **forgone revenue**.

Doug Racine presented explained that we were able to complete the budget at 2%. The resulting savings was $396,000 that is forgone. The request before the Council is to consider placing that into disclaimed status which means that it is no longer eligible at any future time to be pulled back into the City of Nampa budget.

Mayor and Councilmembers asked questions and made comments.

No one appeared in favor of the request.

Those appearing in opposition to the request were: Jerry Boyce, 2401 Brennan Drive; Hubert Osborne 4199 East Switzer Way. A Community member spoke out and agreed with what had already been said.

**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**

Mayor and Councilmembers asked questions and made comments.

**MOVED** by Skaug and **SECONDED** by Bruner to disclaim the right to recover all (or any portion) of **FY2020 forgone revenue** and authorize the Nampa City Attorney to draw the appropriate Resolution. The Mayor asked for a roll call vote with Councilmembers Rodriguez,
Regular Council  
August 19, 2019

Levi, Haverfield, Bruner, Skaug voting YES. Councilmember Hogaboam voting NO. The Mayor declared the

MOTION CARRIED

Item #6-4. - Mayor Kling opened a public hearing for Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) for a 2.92 acre or 127,195 ft. portion of Lot 19 of Midway Subdivision at 2806 Landon Lane in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM for Thiel & Thiel, LLC. The Planning and Zoning Commission recommended approval (ZMA 109-19).

Lucas Hanson, 4114 Nelson Lane, Caldwell 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 (Community Business) to IL (Light Industrial) for property located at 2806 Landon Lane and the purpose is for a portion of the property is already zoned Light Industrial. The request is to rezone the BC portion to IL to be able to construct flex space on the property for Thiel & Thiel LLC.

General Information

Planning and Zoning Commission Recommendation: Approval with no conditions attached.

Planning & Zoning History: Originally the northerly ¼ of the parcel was annexed and zoned BC and the southerly ¾ of the parcel was annexed and zoned IL. Status of Applicant: Property Owner. Rezone Location: 2806 Landon Lane. Property Size: A 2.92 acre or 127,195 sq. ft. portion of Lot 19 of Midway Subdivision in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM. Existing Zoning: BC (Community Business). Proposed Zoning: IL (Light Industrial). Existing Land Use: Partially vacant/undeveloped property. Surrounding Land Use and Zoning: North-Industrial, M1 (County Light Industrial) - South-Commercial, BC - East-Commercial, BC - West-Commercial, BC and R2 (County Medium Density Residential).

Comprehensive Plan Designation: General Commercial but bordering Light Industrial zoning which extends to the Light Industrial Comprehensive Plan designation to the north along the railroad corridor to the northeast.

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 requested zoning map amendment from BC to IL as it complies with the existing Light Industrial designation to the northeast under the map note: “The mapped boundary between two adjoining land use designations is considered flexible and may be interpreted as being stretchable to include the abutting parcels in the direction of either designation.”
Special Information

Public Utilities: 10” and 12” sewer mains located in Landon Lane and across the north end of the proposed rezone area. 10” water mains located in Landon Lane and adjacent the northerly property line. No irrigation service available. Public Services: All present. Transportation: The property has frontage on and existing access from Landon Lane on the west side.

Environmental: The rezone would have little effect on the adjoining properties. The future use of the property for flex space is compatible with existing land uses on the parcel as well as with surrounding property uses.

Correspondence: No written correspondence has been received from any area property owners, residents or business owners regarding opposition to or support for the requested rezone from BC to IL.

Staff Findings and Discussion

The requested rezone is appropriate. Industrial use of the parcel is interpreted as being in conformance with the Light Industrial designation stated on Comprehensive Plan future land use map. The requested zoning map amendment is interpreted as complying with this designation.

If the Nampa City Council votes to accept the Planning and Zoning Commission recommendation and approve the rezone the following findings are suggested:

1) Rezone of the subject property to IL is reasonably necessary in order to allow the applicant to utilize the southerly balance of the parcel in the same manner as the northerly ¼ of the parcel.
2) Rezone of the subject property to IL is in the interest of the property owner and is interpreted to conform to the adopted comprehensive plan designation of Light Industrial.
3) The proposed Light Industrial flex space use of the subject property will be compatible with the existing commercial/industrial uses already established in the area.
4) The use of a development agreement to establish any conditions for the requested zoning amendment serves no purposes.

Recommended Conditions of Approval

If the Nampa City Council accepts the Planning and Zoning Commission recommendation and approves the zoning map amendment from BC to IL, no conditions of approval are required.

No one appeared in favor of or in opposition to the request.
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 Haverfield and SECONDED by Rodriguez to approve the Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) for a 2.92 acre or 127,195 ft. portion of Lot 19 of Midway Subdivision at 2806 Landon Lane in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM for Thiel & Thiel, LLC authorize the Nampa 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 #6-5. - Mayor Kling opened a public hearing for annexation and zoning to RA (Suburban Residential) for 2.30 acres or 100,188 sq. ft. located at 1460 Lake Lowell Avenue in a portion of the SW ¼ of the SE ¼ of Section 30, T3N, R2W, BM for Jared and Melissa Lindsay for a 2-parcel split. The Planning and Zoning Commission recommended approval (ANN 125-19).

Jared Lindsay, 11460 Lake Lowell Avenue presented the request.

Principal Planner Rodney Ashby presented the following staff report explaining that the request is for annexation and zoning to RA (Suburban Residential) for 2.30 acres or 100,188 square foot at 11460 Lake Lowell Avenue for a two-parcel split. The applicant Jared and Melissa Lindsay states that the reason for the application is to “annex and split into two parcels”.

General Information

Planning and Zoning History: The Planning & Zoning Commission recommended approval of the requested annexation and zoning with all conditions of staff as noted in the “Recommended Conditions” section of this report and as indicated on the attached P&Z Commission Action Letter. The property is a part of a three-property enclaved area. Annexation Location: 11460 Lake Lowell Ave located in a portion of the SW ¼ of the SE ¼ of Section 30, T3N, R2W, BM. Total Size: 2.30 acres or 100,188 sq. ft. Existing Zoning: County (unzoned on PDF map and GIS data) Comprehensive Plan Designation: Low Density Residential. Surrounding Land Use and Zoning: North- Single family home on 1.66 acres, County Enclave - South- Carriage Hills North residential subdivision, City- RS8.5 - East- Vacant land (farmland), City- RD - West- Vacant land (farmland), City- RS8.5.

Applicable Regulations: In order for a property to be annexed it must be contiguous with the city limits or be enclosed by other properties so annexed. The enclaved area connects with the city limits on its east, south, and west sides.
Existing Uses: Residential parcel with single family dwelling and landscaped yard on the western half of the property. Vacant land on the eastern half of the property.

Special Information

Public Utilities: 12” water main in Lake Lowell Ave. An 8” sewer main is available approximately 800’ to the east in Lake Lowell Ave and S Carriage Hill Way intersection. A 12” irrigation main is available in Lake Lowell Ave. Public Services: Police and fire already service city incorporated areas near the location.

Transportation: Access to the existing home is from a private common driveway on the west side of the property. This shared driveway is accessed from Lake Lowell Ave. The future property created from a lot split, will also be accessed from the common driveway.

Correspondence: No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to IL.

The Nampa Highway District #1 indicated that they had no objection subject to the City of Nampa annexing the Lake Lowell Ave right-of-way along the frontage of the subject property.

The Nampa Engineering Division noted that water sewer, and irrigation systems have capacity to serve the property and supported the application with the following conditions:

1. Applicant/Owner shall dedicate 40’ of public right-of-way measured from the Section line along the entire frontage of Lake Lowell Avenue with the annexation.
2. Access to the property for both future lots shall be maintained from the existing private access along the west side of the property. No new accesses to Lake Lowell Avenue are allowed.
3. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to Nampa City services.
4. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City of Nampa at the time of property development/redevelopment, and prior to connection to Nampa City services.
5. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
6. Applicant/Owner shall comply with all Nampa City Codes, Policies, and Standards in place at the time of property development/redevelopment.

Though the Boise Project Board of Control indicated they had no facilities on the property, they pointed out that they do possess a valid water right. They state that “Local irrigation/drainage
ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

The Nampa & Meridian Irrigation District had no comment.

The Idaho Transportation Department had no comment.

Nampa Building Department had no conditions at this time.

Nampa Code Enforcement had no code violations at this time.

Staff Findings and Discussion

The location is shown on the comprehensive plan “future land use map” as being compatible with the zoning that has been requested. The Comprehensive Plan strongly encourages “in-fill development” for the many benefits that are outlined in the plan. Though this may not feel like a typical in-fill development because of the lack of the area being fully developed out, it qualifies as in-fill because it is an enclaved property. If the Nampa City Council votes to approve the requested annexation and zoning, the following findings are suggested:

1) The requested annexation property is part of an enclaved area and the property connects with the city limits along its east, south, and west boundaries.

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 have been annexed and developed.

3) The proposed zoning conforms with the city’s comprehensive plan future land use map for low density residential land use and is reasonably compatible with existing and proposed land uses in the area.

4) The property owner requested annexation and zoning to RA (suburban residential) in order to split the property into two lots and for connection to city utility services.

Though the Nampa Highway District has stated that the right-of-way in front of the property along Lake Lowell is managed by the District, the existing right-of-way was annexed into the city under Ordinance 4396 and 4405 in April of this year. Additional right-of-way requested as a condition of approval by Nampa Engineering Division, will be annexed and zoned at time of approval of this request and will become the responsibility of the City of Nampa.

The applicant will need to work with Boise Project Board of Control at time of application for a building permit to address any concerns about water rights and existing irrigation ditches running through the property.
Regular Council
August 19, 2019

**Recommended Conditions of Approval**

If the Commission recommends approval of the Annexation and Zoning to the Nampa City Council staff recommends the following conditions of approval:

1. Applicant/Owner shall dedicate 40’ of public right-of-way measured from the Section line along the entire frontage of Lake Lowell Avenue with the annexation.
2. Access to the property for both future lots shall be maintained from the existing private access along the west side of the property. No new accesses to Lake Lowell Avenue are allowed.
3. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to Nampa City services.
4. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City of Nampa at the time of property development/redevelopment, and prior to connection to Nampa City services.
5. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
6. Applicant/Owner shall comply with all City of Nampa Codes, Policies, and Standards in place at the time of property development/redevelopment.
7. Applicant shall work with Boise Board of Control to address stated concerns.
8. Applicant shall provide a Word Document legal description for the subject parcels and the 40’ (forty feet) of right-of-way required to be dedicated along the frontage of the property before the approval ordinance shall be published.

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

**MOVED** by Rodriguez 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 Haverfield and **SECONDED** by Hogaboam to approve the annexation and zoning to RA (Suburban Residential) for 2.30 acres or 100,188 sq. ft. located at 1460 Lake Lowell Avenue in a portion of the SW ¼ of the SE ¼ of Section 30, T3N, R2W, BM for Jared and Melissa Lindsay for a 2-parcel split with staff conditions and authorize the Nampa City Attorney to draw up the appropriate Ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

**MOTION CARRIED**
Regular Council  
August 19, 2019

Item #6-6. - Mayor Kling opened a public hearing for modification of annexation and zoning Commercial and Residential Development Agreements between Centennial Development LLC and the City of Nampa recorded 6/1/2006 as Inst. No. 200642352 amending Exhibit “B” Conceptual Plan changing the BC zoned area use from a conceptual Commercial/Office plan to a Public Storage Facility plan and amending the Commercial Development Agreement to apply only to the 13.34 acre BC zoned area situated in a portion of Lots 15 and 16 of Cortland Place located in the SE ¼ of the SE ¼ of Section 2, T3N, R2W BM at the NW corner of 11th Avenue North and Cherry Lane – for Jeff Likes. The Planning and Zoning Commission recommended denial (DAMO 030-19).

Jeff Likes, 1119 East State Street, Eagle, ID presented the request.

Councilmembers expressed their feeling that it should go back to Planning and Zoning due to the changes that have taken place.

Kristi Watkins presented the following staff report explaining that the request is for Modification of an Annexation & Zoning Commercial/Residential Development Agreements between Centennial Development, LLC and the City of Nampa amending Exhibit “B” Conceptual Plan changing the BC zoned area use from a conceptual Commercial/Office plan to a Public Storage Facility plan and amending the Commercial Development Agreement to apply only to the 13.34 acre BC zone area for GJS Enterprises, LLC (owner) and Jeff Likes, applicant. Property location is a 13.34 acre land located in a Community Business (BC) Zone situated in a portion of Lots 15 and 16 of Cortland Place located in the SE ¼ of the SE ¼ of Section 2, T3N, R2W, BM, 0 Cherry Lane, Parcel #R2093300000, (hereinafter the “Property”)…

History of Property and Commentary

May 1, 2006 – Ord #3568 – Annexation and Zoning to BC with Development Agreement, (Approved)

May 30, 2019 – Submitted application for Development Agreement Modification (Denied by P & Z)

August 7, 2019 – Received revised layout of the site from the applicant.

June 3, 2019 – Moratorium/Hold on Storage Unit Developments. (Applications received prior to this date will continue through the normal city process).

The Nampa City Council, at their June 3, 2019 meeting placed a 180-day moratorium on new storage unit proposals. The application you are reviewing was received on May 30, 2019, by the Planning and Zoning Department prior to the passage of the moratorium and will proceed through
the process. After the 180 days, if a Conditional Permit is determined to be required in the BC (Community Business) zoning district as per code changes, this development will hold “grandfather” status as an existing allowable use in the BC (Community Business) zoning district as stated in NCC §10-3-2: Schedule of District/Zone Land Use Controls in place prior to June 3, 2019. At the time of application for building permit, the project will need to meet all city codes that are in place at that time.

**Development Agreement Modification**

Development Agreements are land use contracts [and treated as contracts by Idaho’s Supreme Court versus a form of zoning related entitlement] authorized in state code in the Local Land Use Planning Act section (Title 67) thereof.

Criteria to guide the Council regarding the requested Development Agreement Modification(s) are absent from state statute or City of Nampa ordinance. Thus, approving or not approving the Development Agreement Modification aspect of the Applicant/Developer’s application package becomes a purely subjective matter/decision on the part of the city as [controlling] party to/of the Development Agreement contract associated with this report.

The Nampa Comprehensive Plan designation is currently Medium Density Residential. However, the Comprehensive Plan that was adopted in January 2004, would have been referenced in the Annexation of this property. The 2004 Future Land Use map showed a Neighborhood Center at this location. A Neighborhood Center was described as “Within a Neighborhood Center area uses considered to be desirable include mixes of light commercial, public and higher density residential facilities.” Therefore, a BC (Community Business) zone was allowed to be emplaced upon this property and a Commercial/Office Plan was submitted as the proposed light commercial use in the development agreement (specific uses were not defined).

Nampa’s current Comprehensive Plan (Chapter 8 Community Design):

8.1 Building Design:
The overall size and shape of a new building(s) can have a huge impact on the surrounding area and on how the development is perceived by the community…The key is to create a building whose size and shape generally complements the size and shape of surrounding buildings.

8.3.3 Entries
Buildings entries should be placed in a location that is easily identifiable from the street, while secondary entrances should be easily accessible and convenient to parking and delivery areas that serve buildings, but they should not dominate the site.

8.3.4 Commercial Design Issues:
Regular Council  
August 19, 2019  

- Richness and surfaces and textures;  
- Use of durable, low maintenance materials;  
- Significant wall articulation;  
- Pitched roofs and shed roofs;  
- Roof overhangs;  
- Traditional window rhythm;  
- Articulated mass and scale;  
- Significant landscape and hardscape elements;  
- Landscaped and screened parking;  
- Comprehensive and appealing monument signs;  
- Clear visibility of entrances and retail signage;  
- Clustering of buildings to provide pedestrian courtyards and common areas and;  
- Step-down of buildings scale along pedestrian routes and building entrances.

Goal 1: Improve the physical appearance and image of the City of Nampa  
Objective 1: Continue to support the Nampa building and site design standards.  
Objective 2: Develop a sense of community that meets the needs of the citizens by creating a visually stimulating and aesthetically pleasing community.  
Objective 3: Maintain, develop or expand design review guidelines that assist citizens, business owners, and design professionals to contribute positively to surrounding commercial and residential neighborhoods.

NCC § 10-34 outlines the requirements for building and site design in Commercial zones in Nampa. They are in a sense, standards akin to “Conclusions of Law”.

NCC § 10-1-19 specifically references Public Mini Storage Facility Design regulations.

Elements to be reviewed through the Nampa Design Review process include, but are not limited to, structure appearance, project design and layout, lighting and security, signage, landscaping, location of trash receptacles, pedestrian amenities, and fencing.

Attached hereto is a copy of Ordinance no. 3568 -- the [original] Development Agreement. The basic nature of the amendments proposed to said Agreement are as noted above in the “Requested/Needful Actions Recommendation” section of this report. Also attached is a copy of the applicant’s proposed Amended and Restated Development Agreement. This document appears to conform to the requested action and the concept described by the Applicant. The City of Nampa’s legal council will be asked to review the agreement before final approval and signature.

Correspondence received up to Wednesday, August 14 indicates no comments in regard to this request.
Planning and Zoning Decision – (reference P & Z minutes dated July 9, 2019) – Denied because of concerns about 1) compatibility, 2) compliance with the intent of the 2004 Comprehensive Plan; and 3) location of the subject property on the northwest corner of 11th Ave N and Cherry Ln.

Since then, the layout of the site has been revised to include a mix of uses more in line with the original proposed “neighborhood center” intended for that area. The proposed office buildings line the frontage around the corner on 11th Ave N and Cherry Lane with allowance for the future round-a-bout. This layout decreases the size of the storage unit facility to 8.8 acres and increases the setback/landscaped area along the north and west boundaries.

Recommended Condition(s) of Approval
If the Council votes to approve the requested Development Agreement Modification application as proposed by the Applicant, staff recommends including the following Condition(s) of Approval in your recommendation to the Council:

1. That the Applicant, as Owner/Developer shall enter into a Modified Development Agreement (contract) with the City of Nampa for the Property. The Agreement shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the properties as contemplated by the Applicant and agreed to and conditioned by the City of Nampa through its Council or executive departments or outside agencies properly involved in the review of the Applicant’s request(s).

2. <Any other condition(s) as the Commission concludes befit(s) the Development Agreement portion of the Application package…>

Mayor and Councilmembers asked questions and made comments.

Councilmembers asked questions.

No one appeared in favor of the request.

Those appearing in opposition to the request were: Donald Batze 7354 Alpine Dr. Nampa, ID; Audrey Schlapia 7161 Cherry Lane Nampa, ID; Sarah Hart 7326 Alpine Drive Nampa, ID; Beverly Miguel 7238 Lattigo Drive Nampa, ID; Mike Tolman 7448 Alpine Drive Nampa, ID; Laura Buckston, 322 South Middle Creek Drive, Nampa, ID.

Daniel Badger explained that the 4-way stop has been authorized and is being worked on by the Street Department and the round-about is not in foreseeable future.

The applicant presented a rebuttal to questions that were brought forward in testimony.
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 Hogaboam and SECONDED by Skaug to deny the request for modification of annexation and zoning Commercial and Residential Development Agreements between Centennial Development LLC and the City of Nampa recorded 6/1/2006 as Inst. No. 200642352 amending Exhibit “B” Conceptual Plan changing the BC zoned area use from a conceptual Commercial/Office plan to a Public Storage Facility plan and amending the Commercial Development Agreement to apply only to the 13.34 acre BC zoned area situated in a portion of Lots 15 and 16 of Cortland Place located in the SE ¼ of the SE ¼ of Section 2, T3N, R2W BM at the NW corner of 11th Avenue North and Cherry Lane – for Jeff Likes. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-7. - Mayor Kling opened a public hearing for modification of annexation and zoning development agreement Canyon County Lake Estates, LLC and the City of Nampa recorded 1/26/2006 as Inst. No. 200604068 amending Exhibit “B” Conceptual Plan changing use from a conceptual Neighborhood Commercial/Office plan to a Public Storage Facility plan in a BN (Neighborhood Business) Zoning District at 905 S. Middleton Rd. (A 4.81-acre portion of the NE ¼ of the NE ¼ of Section 31, T3N, R2W BM) for Jeff Hatch representing Marc Ikebasu. The Planning and Zoning Commission recommended approval (DAMO 031-19).

Jeff Hatch, Hatch Design Architecture, 511 Briarcrest Drive presented the request.

Councilmembers asked the applicant questions.

Rodney Ashby presented the following staff report explaining that the request is for Modification of an Annexation & Zoning Development Agreement between Canyon County Lake Estates, LLC and the City of Nampa amending Exhibit “B” Conceptual Plan changing use from a Neighborhood Commercial-Office plan to a Public Storage Facility plan at 905 S. Middleton Rd for Marc Ikebasu (owner) and Jeff Hatch (applicant).

The Nampa Planning & Zoning Commission approved a CUP (Conditional Use Permit) for a Public Storage Facility in a BN (Neighborhood Business) Zoning District, and recommended approval of the Development Agreement Modification to modify the approved concept plan land use from Neighborhood Commercial-Office to Self-Storage Units.
Regular Council
August 19, 2019

**General Information**

**Comprehensive Plan:** General Commercial. **Zoning:** BN (Neighborhood Business). **Existing Land Use:** Vacant Farmland. **Property Area and Location(s):** A 4.81-acre portion of the NE ¼ of the NE ¼ of Section 31, T3N, R2W, BM) at 905 S Middleton Rd (hereinafter the Property”)...  

**Planning and Zoning History**

**December 19, 2005** – Ord #3528 – Annexation and Zoning to BN with Development Agreement, Approved.

**January 10, 2017** – Nampa Planning & Zoning Commission approved a Conditional Use Permit for Storage Units, conditional upon the applicant obtaining approval of a development agreement modification from Nampa City Council.

**July 26, 2017** – No Development Agreement Modification application was submitted, and the CUP expired.

**June 1, 2019** – Submitted application for Development Agreement Modification and Conditional Use Permit.

**June 3, 2019** – Moratorium/Hold on Storage Unit Developments. (Applications received prior to this date will continue through the normal city process).

**July 9, 2019** – The Nampa Planning & Zoning Commission approved a CUP (Conditional Use Permit) for a Public Storage Facility in a BN (Neighborhood Business) Zoning District, and recommended approval of the Development Agreement Modification to allow for self-storage units, rather than the previously approved Neighborhood Commercial-Office uses.

The Nampa City Council, at their June 3, 2019 meeting, placed a 180-day moratorium on new storage unit proposals. The application you are reviewing was received on June 1, 2019, by the Planning and Zoning Department prior to the passage of the moratorium and will proceed as usual through the process for entitlement. A building permit will need to be obtained to construct any storage units on the subject property. Storage unit construction shall comply with the current zoning code at the time of permit application. Though the Nampa City Attorney’s office has determined that the moratorium does not prohibit the applicant from obtaining a building permit during the moratorium period, the applicant has stated their intent to wait for the adoption of changes to the zoning code before requesting building permits. They have indicated their intent to comply with any zoning code changes the Nampa City Council adopts for storage units.
Applicable Regulations

Development Agreements are land use contracts [and treated as contracts by Idaho’s Supreme Court versus a form of zoning related entitlement] authorized in state code in the Local Land Use Planning Act section (Title 67).

Criteria to guide the Council regarding the requested Development Agreement Modification(s) are absent from state statute or City of Nampa ordinance. Thus, approving or not approving the Development Agreement Modification becomes a purely subjective matter/decision on the part of the City of Nampa as [controlling] party to/of the Development Agreement contract associated with this report. Nampa City Council may choose to consult the Nampa City’s Comprehensive Plan for guidance, but the plan is only intended to guide actions and not to be considered regulatory. Some sections of the Comprehensive Plan that may be considered guidance in this area are highlighted under “Staff Findings & Analysis” in this report.

The BN (Neighborhood Business) zoning district requires a CUP (Conditional Use Permit) for storage units. The Planning & Zoning Commission approved a CUP on conditions of the applicant obtaining Nampa City Council approval of the Development Agreement Modification.

The BN zone is a transitional zone between commercial development and residential development. A CUP for storage units in the BN zoning district also requires additional conditions by code. These conditions are found in NCC § 10-1-19. In summary, the code states that storage unit developments in the BN and RP districts shall:

(A) – Locate buildings within three hundred feet (300’) from a collector or arterial street.
(B) – 1. Include façade changes, 2. Limit materials to masonry, glazing, and EIFS, 3. Include changes in color and materials, 4. Construct residential style roofing, 5. Include earth tone colors, 6. Ensure offices have 25% glazing, 7. Limit height to 10’ at eaves.
(C) – 1. Ensure drives are at least 22’ wide, 2. Pave drive aisles, 3. Allow storage buildings to be used as side and rear yard border fence/wall, except abutting residential use or district where a 6-8’ fence shall be constructed, 4. Ensure front yard setbacks comply with conditions of zone, 5. Place office closest to the front of the property.
(D) – 1. Limit lighting to property, 2. Limit number of light poles to 2 per one hundred 100’ of service drive (can’t light outside of parcel), 3. Place electric feeds underground, 4. Not install floodlights, 5. Place security cameras in a way to ensure privacy of neighboring properties, 6. Set audible alarms’ decibel levels to industry standards.
(E) Only allow signs as permitted for each zoning district.

NCC § 10-14-10 (B) Landscaping Adjacent to Residential District: All sites having a common boundary line with a residential classified property shall have erected and maintained a view
obscurring wall, fence or coniferous hedge not less than five feet (5’) nor more than six feet (6’) in height for screening purposes and controlling access.

NCC § 10-14-5 (D) Interior Yards: When interior lot lines of a property zoned BN abut property zoned residentially, interior yards (setback) not less than fifteen feet (15’) wide/deep shall be required opposite the residential district.

NCC § 10-33-4(A)1 Corridor Buffering: Fifteen foot (15’) wide landscaped buffer areas shall be provided/emplaced along arterial and collector street frontages when any property abutting the same is developed…

NCC § 10-34 outlines the requirements for building and site design in Commercial zones (including the BN zone) in Nampa. They are in a sense, standards akin to “Conclusions of Law”.

Attached hereto is a copy of Ordinance no. 3528 -- the [original] Development Agreement. The basic nature of the amendments proposed to said Agreement are as noted above in the “Requested Action” section of this report.

Also attached is a copy of the applicant’s proposed Amended and Restated Development Agreement. This document appears to conform to the requested action and the concept described by the Applicant. The City of Nampa’s legal council will be asked to review the agreement before final approval and signature.

**Correspondence**

- Jonathan & Elizabeth Leach of 12852 S Salorgne Way, Nampa, submitted an e-mail opposing the Conditional Use Permit and the Development Agreement Modification. Staff mistakenly indicated in the Planning & Zoning Public Hearing staff report that no citizen opposition had been received. At the hearing, multiple residents in the area testified against the proposed project for the same reasons Mr. and Mrs. Leach stated in their e-mail including:
  1. That the industrial appearance and feel of a self-storage unit development is inconsistent with the neighborhood and residential atmosphere of the area.
  2. That the number of self-storage units in the area and in the city exceeds the demand and need, as evidenced by the adopted moratorium.
  3. That storage units will obstruct the view of residential neighbors who bought their homes for the view.
  4. That storage units will bring customers to the property at all hours of the day and night and cause a safety and privacy concern for residents nearby.

The Leach’s also recommend that any future storage units should be built in more rural areas prior to construction of residential subdivisions, so that new residents can choose whether to
Regular Council
August 19, 2019

build or move into a home near existing storage units. All communication from Mr. and Mrs. Leach has been attached to this report.

- A petition with resident signatures of sixty (60) properties was submitted to the Planning & Zoning Commission at the July 9, 20019 meeting. Attached is the petition letter and signatures.
- Nampa & Meridian Irrigation District (NMID): requires a filed Land Use Change Application to review prior to final platting. An existing easement of the Fox Lateral must be protected.
- Nampa Engineering Division does not oppose the application. However, they raised the following concerns:
  1. Though the required right-of-way along the frontage, has already been dedicated, a 25’ chamfer at the intersection is still needed.
  2. The property line dimensions reflected on the conceptual site plan do not appear to accurately reflect the parcel size based on County records and do appear to reflect the already dedicated 50’ of public right-of-way along S. Middleton Road and Lake Lowell Avenue. The Applicant should confirm the parcel dimensions and adjust the site plan accordingly.
  3. Access to the property shall meet the City of Nampa’s Access Management Policy and shall be coordinated with the City of Nampa’s Engineering Division.
  4. Secondary emergency access is subject to the review and approval of Nampa Fire Marshall.

Nampa Engineering Division requested conditions as outlined in the Staff Recommended Conditions section of this report and in the attached memo from Caleb LaClair.

- Nampa Highway District #1 had no comment.

Staff Findings and Fact

The following sections of the Nampa 2035 Comprehensive Plan may help provide some guidance for approving or denying the requested development agreement modification.

- Chapter 5: Land Use
  - Goal 9
    - Objective 18
      - Strategy 1: Enhance the quality of neighborhoods by including visually appealing architectural elements and streetscapes that encourage pedestrian movement, facilitates community interaction, and promotes public safety.
      - Strategy 2: Preserve and enhance the distinct identities and historic character of existing neighborhoods and structures.
  - Goal 10
    - Objective 19
      - Strategy 1: Create neighborhood shopping opportunities for goods and services that are conveniently available to area residents.
Objective 22
- Strategy 1: Identify areas within the City of Nampa that are lacking certain types of services.
- Chapter 8: Community Design
  - 8.4: The design issues facing industrial land use may not be based as much on building scale, massing, or entry issues, but more on the visual impacts to adjacent properties and issues such as: noise, vibration and odors. These issues would have a significant impact to adjacent and nearby properties. In addition, the City of Nampa could consider the following in reviewing industrial property development:
    a. Take caution when planning to build new industrial development near residential properties.
    b. Create design criteria for industrial development which is adjacent to or near residential development.

Regarding the strategy to enhance neighborhood quality through visually appealing architecture and streetscapes, Nampa City Council may consider the conditions in place identified under “Applicable Regulations” regarding architectural conditions for storage units in a BN zone. In addition, Council may want to consider the landscaping buffers already in place for the property. A minimum 15’ (fifteen feet) landscaping buffer is required along both midland and Lake Lowell, but in the BN district, corner properties are also required to have a 20’ setback on both roadways, which also must be landscaped. In addition, the property lines abutting residential districts shall have a minimum setback of 15’. Since the Deer Flat Nampa Lateral 150’ easement extends beyond this required 15’, a much larger buffer is already in place along that property line and the applicant has indicated that buffer on their concept drawing.

Regarding concerns about safety and privacy, Council has the ability to place conditions of hours of operation on the development if they choose. Lighting standards are already in place to prevent lighting spilling to neighboring properties but also to enhance the safety of the development. Surveillance cameras are also legally prevented from pointing anywhere but within the property. Finally, storage unit structures in a BN district, shall not exceed 10’ in height at the edge of eaves. Recreational Vehicle awnings or coverings shall not exceed 16’ in height. The property is at a lower elevation than most residential properties in the area.

Relating to concerns about storage units not matching the neighborhood, Nampa City Council will need to determine whether changes the Development Agreement proposed land use from office and retail that may support the residential area to storage units. It may be argued that both of these uses fulfill a demand from residents of Nampa. Some have argued that the homes in the area, especially those in the Carriage Hill subdivision, were developed large enough for storage and RV parking to be located on each property. Over time, storage unit developments have gone from looking very industrial, to more recently being set back, with landscaping, and with variation in wall planes and materials. Some have argued that they are still an industrial use, while others claim...
they are a supportive use for residential homes. Concerns over the proliferation of storage units in Nampa, led to the request to staff to revise the Nampa City Code and to place a moratorium on storage units until that was completed. Nampa City Council has full authority to grant or deny this application for a Development Agreement Modification based on any reasoning they determine is appropriate.

**Recommended Condition(s) of Approval**

If City of Nampa Council votes to approve the requested Development Agreement Modification application as proposed by the Applicant, staff recommends the following Condition(s) of Approval:

1. That the Applicant, as Owner/Developer shall enter into a Modified Development Agreement (contract) with the City of Nampa for the Property. The Agreement shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the properties as contemplated by the Applicant and agreed to and conditioned by the City of Nampa through its Council or executive departments or outside agencies properly involved in the review of the Applicant’s request(s).
2. Access to the property shall meet the City of Nampa’s Access Management Policy and shall be coordinated with the City of Nampa’s Engineering Division.
3. Secondary emergency access is subject to the review and approval of Nampa Fire Marshall.
4. Applicant/Owner shall dedicate a 25’ chamfer of public right-of-way at the intersection of Middleton Road and Lake Lowell Avenue.
5. The Developer shall perform a turn-lane warrant analysis with the site improvement application to determine if turn lanes are required for the proposed access. A more detailed Traffic Impact Study will be required if the development is expected to generate more than 100 new trips during any peak hour or 1,000 new daily trips (total in/out) in accordance with City of Nampa 2015 Transportation Impact Study Policy. Access location and configuration is subject to Nampa Engineering Division approval.
6. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to Nampa City services.
7. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City of Nampa at the time of property development/redevelopment, and prior to connection to Nampa City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the subject property.
8. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer. The following utility extensions are required in addition to those needed to serve the development.
   a. 12’ pressure irrigation main in Lake Lowell Ave; and,
b. 8” sewer main either through the subject property or in Middleton Road to serve properties to the south.

9. Sidewalk and drainage improvements shall be constructed on the Lake Lowell Ave and Middleton Road frontages in accordance with Nampa City Code Section 9-3-1 Pavement widening is not required except for turn lanes as identified by traffic analysis.

Mayor and Councilmembers asked questions and made comments.

Numerous emails and letters were received along with a petition all in opposition to the request.

Those appearing in favor of the request were: Jerry Dickerson 3615 S Raintree Nampa ID; Sam Huff 13440 Lonestar Nampa, ID; Hugo Castillo 101 11th Ave South; Greg Ferney 1006 W. Sanetta Street, Nampa, ID; Jerilyn Briten 14221 Orchard Ave, Caldwell, ID; Jamie Wilson 14740 Valli Hi Ln, Caldwell, ID 83607; Sergio Gutierrez 12205 S Red Hawk Place, Nampa, ID; Sue Hays 15339 N. Shiko Way, Nampa, ID; Justin Walker 12674 S Carriage Hill Way, Nampa, ID; Gloria & David Arredondo 2003 W. Cross Creek Dr. Nampa, ID.

Those appearing in opposition to the request were: Walley Tuck 12888 S Salorgne Way, Nampa, ID 83686; Kathleen Tuck 12888 S Salorgne Way Nampa, ID; Barry Martin 11464 W Rosette Dr Nampa, ID; Vivian Martin 11464 W Rosette Dr Nampa, ID; Debe Loeber 12955 S. Orenco Way, Nampa, ID; Kyle Ahrberg 12395 Landau Way Nampa, ID; Jon Leach 12852 South Salorgne Way, Nampa, ID; Caleb Leach 12882 South Salorgne Way, Nampa, ID; Laurel Buckston, 322 South Middle Creek, Nampa, ID.

The applicant presented a rebuttal to the questions brought forward.

Councilmembers asked questions of the applicant and made comments.

MOVED by Bruner 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 Bruner and SECONDED by Rodriguez to deny the request for modification of annexation and zoning development agreement Canyon County Lake Estates, LLC and the City of Nampa recorded 1/26/2006 as Inst. No. 200604068 amending Exhibit “B” Conceptual Plan changing use from a conceptual Neighborhood Commercial/Office plan to a Public Storage Facility plan in a BN (Neighborhood Business) Zoning District at 905 S. Middleton Rd. (A 4.81-acre portion of the NE ¼ of the NE ¼ of Section 31, T3N, R2W, BM) for Jeff Hatch representing Marc Ikebasu. The Mayor asked for a roll call vote with Councilmembers Hogaboam, Levi,
Regular Council  
August 19, 2019

Skaug, Rodriguez, Bruner voting **YES.** Councilmember Haverfield voting **NO.** The Mayor declared the

**MOTION CARRIED**

**Item #6-8.** - Mayor Kling opened a **public hearing** for a **variance** to City of Nampa Zoning Ordinance Sections: 10-7-6-B Minimum front property line width required shall be one hundred fifty (150) ft; and, 10-7-6-D Minimum property side/rear yard setbacks shall be ten (10) ft, for property located at **614 Hawthorne St**, within an RA (Suburban Residential) zoning district. The property has a substandard lot width for the RA zone of 109 ft; and the applicant is also requesting a reduced setback of five (5) ft from the north property line to allow for construction of a 36 ft x 70 ft garage/pole barn, for **Cody Foreman.** (VAR-00077-2019)

Cody Foreman, 614 Hawthorne Street presented the request.

Norm Holm presented the following staff report explaining that the request is for a variance of the required 150-foot lot width and required 10-foot side building setback in the RA (Suburban Residential) zoning for the construction of a pole barn garage/shop at 614 Hawthorne Street for Cody Foreman.

**Requested Action(s):** Variance to City of Nampa Zoning Ordinance Sections 10-7-6 B. and D. for the RA (Suburban Residential) zoning district allowing a reduced property line width of 109’ rather than 150’ and a reduced side yard setback on the north side of the lot of 5 ft. rather than 10 ft.

**Purpose/Applicant Explanation:** The owner/applicant is requesting the variance(s) in order to construct a new Pole Barn Garage/Shop.

**General Information**

**Status of Applicant:** Owner. **Existing Zoning:** RA (Suburban Residential). **Location:** 614 Hawthorne Street – situated in the SW ¼ of Section 28, T3N, R2W, BM. **Size of Property:** A .66 acre of 28,924 sq. ft. parcel being the South 58’ of Lot 1, and the North 51’ of Lot 2, Block 2, Hawthorne Acres. **Surrounding Land Use and Zoning:** North- Residential, RA (Suburban Residential) - South- Residential, RA (Suburban Residential) - East- Residential, RS6 (Single Family Residential – 6,000 sq. ft.) - West- Residential, 6 (Single Family Residential – 6,000 sq. ft.). **Comprehensive Plan Designation:** Medium Density Residential.

**Applicable Regulations**

10-24-1: [Variance] Purpose:
Regular Council  
August 19, 2019

The Nampa City Council is empowered to grant variances to prevent or to lessen practical development difficulties, unique site circumstances and unnecessary physical, geographical hardships inconsistent with the objectives of zoning as would result from a literal interpretation and enforcement of certain bulk or quantifiable regulations prescribed by zoning ordinance.

A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of: a) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and b) the variance is not in conflict with the public interest. Hardships must result from special site characteristics relating to the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions, or from population densities, street locations or traffic conditions or other unique circumstances.

Variances are not intended to allow something that others do not have a permitted right to do. The purpose of a variance is to provide fair treatment and to see that individuals are not penalized because of site characteristics beyond their control. (Ord. 2140; amd. Ord. 2978)

10-24-2: Actions:

A. Granting of Variance Permit: The council may grant a variance permit with respect to requirements for fences and walls, site, area, width, frontage, depth, coverage, front yard, rear yard, side yards, outdoor living area, height of structures, distances between structures or landscaped areas as the variance was applied for or in modified form if, based on application, investigation and evidence submitted, the council concludes the following:

1. Literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.
2. There are extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.
3. Literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.
5. The granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

10-7-6: PROPERTY AREA, WIDTH AND YARD REQUIREMENTS: The following minimum requirements shall be complied with: … (RA Zone)

B. Minimum front property line width required shall be one hundred fifty feet (150'). …
D. Minimum property interior (side/rear) yard setbacks required shall be not less than ten feet (10') wide/deep, except where a utility easement is recorded adjacent to a side property line or rear property line in which case the interior yard setback shall then be either ten feet (10') or the width of the easement, whichever is greater (more restrictive).

10-1-7 C. 1. LOT AREA EXCEPTIONS:

C. Lot Area Exceptions: The following exceptions shall be deemed to exist and to be eligible for legal, nonconforming status when demonstrated to be legitimate (a historical reality):

1. Lots of record with less than the area required by each use district of an imposed subdistrict which existed prior to June 11, 2002.

Special Information

Transportation/Access: The parcel has direct access from Hawthorne St. Environmental, Aesthetics/Landscaping: No changes are proposed except construction of the proposed Pole Barn Garage/Shop at the north side yard area to the east end of the lot. Citizen Input: At the time of the preparation of this staff report, no comments were received by property owners or nearby residents either opposing or supporting the requested variance(s).

Narrative/Comments

The applicant also requested a variance of Section 10-7-6 (A) for the RA (Suburban Residential) zoning district allowing a reduced lot area of 28,924 sq. ft. rather than the 30,000 sq. ft. required. However, staff research found that Section 10-1-7 C. 1. allows a lot area exception for “Lots of record with less than the area required by each use district of an imposed subdistrict which existed prior to June 11, 2002.” Since this lot existed prior to that date the lot area variance is not required.

To justify a variance request, an applicant must argue successfully to the Council that there are aspects of their property that physically, topographically, or, otherwise based on code requirements, puts them at a disadvantage in trying to accomplish what they wish (e.g., develop their land) in comparison to like properties. And where a site is clear of obstructions, easily or already flat graded (i.e., not adversely, topographically affected by a river, a highway or a mountain in the way, etc.), and, is of minimal dimensions per zoning code to be “buildable”, then it is difficult to argue that a hardship is present that is not brought on by the applicant’s proposed design.

If the Nampa City Council believes that there is no real topographical hardship associated with a variance application, then the applicant must argue that there is a “unique site circumstance” sufficient to justify their request. In the past, variances have been issued on a case by case basis where a unique situation could be determined to exist.
Regular Council  
August 19, 2019

The Nampa City Council must determine if this request qualifies as a unique site circumstance providing the required justification for approval. The Nampa City Council is at liberty to either approve or deny. Either decision should not be construed as setting precedent, but consistency in the community/neighborhood and between applications is a desirable goal when dealing with case.

The owner/applicant would like to build a pole barn garage/shop approximately 36’ x 70’ in size. He is asking for a reduction from the 10’ side setback on the north property line to a 5’ setback. A 20-foot utilities setback on the back of the property forces him to build the shop length wise on the side of the property, to not waste the property. In addition, the actual lot width of this property approximately 109’. The existing RA zone requires a 150’ lot width. The applicant only has 109’ of lot width available and is required to obtain the lot width variance in order to construct the new building on the property.

*Staff recommends that if the Nampa City Council votes to approve the variance the approval be based on the required findings of Section 10-24-2 of the Nampa City Code.*

**Recommended Conditions of Approval**

Should the Nampa City Council vote to approve the requested variance, staff recommends the following conditions required by Planning and Engineering:

1) The applicant shall comply with all applicable requirements as may be imposed by Nampa City divisions/departments appropriately involved in the review of this request as the Variance approval shall not have the effect of abrogating requirements from those Nampa City divisions/departments.

2) The subject property is a portion of Lots 1 and 2, Block 2 of the Hawthorne Acres Subdivision. The recorded plat reflects a 10’ wide easement for underground utilities near the center of the lot and a 20’ wide utility easement along the easterly property boundary; see attached plat. The City of Nampa maintains a pressure irrigation main inside the 20’ wide easement.

3) The proposed garage/barn shall not encroach into either easement. Future building permit submittals shall properly reflect the location of these easements relative to the property and proposed placement of the garage/barn.

4) It may be possible to vacate the central 10’ easement, as the City of Nampa does not maintain any utilities within the easement. Vacation of the easement would require application via the Nampa Planning Department, including verification by other utility purveyors and approval by Nampa City Council.

No one appeared in favor of or in opposition to the request.
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 Hogaboam to grant the variance to City of Nampa Zoning Ordinance Sections: 10-7-6-B Minimum front property line width required shall be one hundred fifty (150) ft; and, 10-7-6-D Minimum property side/rear yard setbacks shall be ten (10) ft, for property located at 614 Hawthorne St, within an RA (Suburban Residential) zoning district. The property has a substandard lot width for the RA zone of 109 ft; and the applicant is also requesting a reduced setback of five (5) ft from the north property line to allow for construction of a 36 ft x 70 ft garage/pole barn, for Cody Foreman with staff conditions and findings of fact. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-9. - Mayor Kling opened a public hearing for adoption of the 2018 International Property Maintenance Code (IPMC) to Title 4, Chapter 11 of the Nampa City Code; Repeal of the 1997 Uniform Code for the Abatement of Dangerous Buildings as set forth in NC 04-02-01; and revision to penalties and violations set forth in NC 04-01-05 to reference Idaho State Code 18-113.

Building and Safety Director Patrick Sullivan presented the following staff report explaining that the Building Safety Department will be presenting the proposed adoption of the 2018 International Property Maintenance Code (IPMC) at a public hearing on August 19, 2019. This code replaces the 1997 Uniform Code for the Abatement of Dangerous Buildings (UCADB). The reason for the code adoption is due to the limited scope and enforcement available under the 1997 code and need to prevent urban blight and severe deterioration of buildings in our community.

The existing 1997 UCADB code allows buildings to deteriorate to a 60% structural failure condition prior deeming the building in violation which in many cases is too late to salvage the structure. One of the many improvements included in the 2018 IPMC code is the regulation of the maintenance of exterior building finishes, windows, and roofs to a minimum standard; ensuring that buildings are kept watertight, minimizing the primary cause of structural failure.

The 2018 IPMC also prescriptively regulates the minimum maintenance requirements for existing buildings and references adopted building, mechanical, electrical, plumbing codes sections which simplifies the notification and enforcement process.

The Building Safety Department investigates up to 100 code violation complaints annually including 6 notices for dangerous building conditions and 50 notices for remediation for fire
damaged structures. The adoption of the 2018 IPMC will enable our Department to more effectively manage building code violations and dangerous conditions associated with existing buildings.

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

MOVED by Rodriguez 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 Rodriguez and SECONDED by Haverfield to adopt the 2018 International Property Maintenance Code (IPMC) to Title 4, Chapter 11 of the Nampa City Code; Repeal of the 1997 Uniform Code for the Abatement of Dangerous Buildings as set forth in NC 04-02-01; and revision to penalties and violations set forth in NC 04-01-05 to reference Idaho State Code 18-113 and authorize the Nampa 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

❖ (5) New Business ❖

Item #5-6. - Mayor Kling presented the request to authorize Fleet Services Division to Proceed with Purchase of 11 (eleven) 2020 Chevrolet Tahoe PPV (Pursuit Police Vehicle) 4x4s, Not to Exceed Total Estimated Purchase Price of $541,500.00 From the Fiscal Year 2020 Budget.

Daniel Badger presented a staff report explaining that the Fleet Services Division requests authorization to purchase eleven (11) 2020 Chevrolet Tahoe PPV (Pursuit Police Vehicle) 4x4s from the fiscal year 2020 budget.

Six (6) units will be purchased from Gen Gov funds as replacement vehicles
   - Four (4) patrol units and two (2) K9 units
     - Not to exceed estimated purchase price of $299,000

Five (5) units will be purchased from police impact funds to support additional community growth
   - Not to exceed estimated purchase price of $242,500

The purchase of the eleven (11) new patrol vehicles was approved by Council in the approved fiscal year 2020 budget.

Vehicles will be purchased off of the existing Idaho state vehicle contract or an existing Request for Proposals (RFP) contract “piggyback,” whichever is in the best interests of the taxpayers.
The 2020 model year is unique in that the manufacturer will close order banks early to reconfigure plant operations for the newly redesigned 2021 model vehicles.

The manufacturer operates on a first come first serve basis. The consent to purchase request is being made at this time to avoid an extended delivery delay due to the early order cutoff date for the 2020 model year.

The City of Nampa will not take delivery of the new vehicles until after October 1, 2019.

MOVED by Hogaboam and SECONDED by Rodriguez to authorize the Fleet Services Division to proceed with purchase of 11 (eleven) 2020 Chevrolet Tahoe PPV (Pursuit Police Vehicle) 4x4s, not to exceed total estimated purchase price of $541,500.00 from the fiscal year 2020 budget. 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 Ordinance was read by title:

**AN ORDINANCE APPROPRIATING FUNDS FOR A TWELVE MONTH PERIOD FROM THE FIRST DAY OF OCTOBER, 2019 TO AND INCLUSIVE OF THE THIRTIETH DAY OF SEPTEMBER, 2020 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF NAMPA FOR SAID FISCAL YEAR, SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, DIRECTING THE CITY CLERK TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE COUNTY COMMISSIONERS AND IDAHO SECRETARY OF STATE, AND PROVIDING AN EFFECTIVE DATE.; REFERENCING SOURCES AND USES OF FUNDS AND APPROPRIATING MONIES; SPECIFYING A PROCESS FOR EXPENDITURE OF FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.**

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:

<table>
<thead>
<tr>
<th>GENERAL FUND</th>
<th>ENTERPRISE &amp; SPECIAL REVENUE FUNDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nampa City Clerk</td>
<td>$381,508</td>
</tr>
<tr>
<td>Code Enforcement</td>
<td>$539,137</td>
</tr>
<tr>
<td>Economic Development</td>
<td>$467,336</td>
</tr>
<tr>
<td>Engineering</td>
<td>$2,743,404</td>
</tr>
<tr>
<td>Facilities Development</td>
<td>$1,739,074</td>
</tr>
<tr>
<td>Finance</td>
<td>$1,151,713</td>
</tr>
<tr>
<td>Fire</td>
<td>$15,139,857</td>
</tr>
<tr>
<td>911 Fees</td>
<td>$1,051,040</td>
</tr>
<tr>
<td>Airport</td>
<td>1,079,608</td>
</tr>
<tr>
<td>Cemetery</td>
<td>306,313</td>
</tr>
<tr>
<td>Civic Center</td>
<td>1,064,019</td>
</tr>
<tr>
<td>Development Services</td>
<td>4,269,214</td>
</tr>
<tr>
<td>Family Justice Center</td>
<td>304,621</td>
</tr>
<tr>
<td>Idaho Center</td>
<td>5,232,306</td>
</tr>
</tbody>
</table>
General Government $3,612,386 Library 2,361,097
Human Resource $591,737 Nampa Recreation Center 3,367,238
Information Technology $1,535,484 Parks & Recreation 4,065,427
Legal $1,143,481 Golf 3,010,466
Mayor/City Council $646,727 Sanitation Collection 11,405,255
Planning & Zoning $705,656 Street 13,430,438
Police $25,590,873 Utility Billing 1,721,415
Public Works Admin $604,599 Wastewater 43,275,186
Fleet Management $1,436,326 Water 17,892,334
SUBTOTAL $58,029,298 SUBTOTAL $113,835,977

GRANT FUNDS $ 9,076,610 CAPITAL PROJECTS & DEBT SERVICE FUNDS
Capital Projects $2,024,730
Development Impact Fees $7,508,264
GO Bond Debt Service 2,694,750
SUBTOTAL $12,227,744

GRAND TOTAL $193,169,629

Section 2: That the amount of money derived from funds or sources created by law for specific purposes is hereby appropriated for such purposes.

Section 3: That the Finance Department is hereby authorized and required upon presentation of the proper vouchers, approved by the Council as provided by law, to draw checks on the funds stated and against the appropriations as made in the preceding sections of this Ordinance, in favor of the parties entitled thereto.

Section 4: That this Ordinance shall be in full force and effect upon publication.
The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Bruner and SECONDED by Haverfield to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4459 and directed the Clerk to record it as required.

MOTION CARRIED

Item #5-11. – The following Resolution was presented:
Regular Council  
August 19, 2019

A RESOLUTION OF THE CITY OF NAMPA, IDAHO, AN IDAHO MUNICIPAL CORPORATION, **DISCLAIMING $396,939.00** OF ITS FORGONE AVAILABLE INCREASE GENERATED BY THE PROPERTY TAX TO BE CERTIFIED IN SEPTEMBER 2019.

MOVED by Bruner and SECONDED by Haverfield to pass the resolution as presented. Mayor Kling asked for a roll call vote with Councilmembers Rodriguez, Levi, Skaug, Haverfield, Bruner voting **YES**. Councilmember Hogaboam voting **NO**. The Mayor declared the resolution passed, numbered it **41-2019** and directed the clerk to record it as required.

**MOTION CARRIED**

**Item #5-12.** – The following Ordinance was read by title:

**AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL ADDING TITLE 6, CHAPTER 11 TO THE NAMPA CITY CODE, PERTAINING TO THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; AMENDING TITLE 4, CHAPTER 2, SECTION 04-02-01, OF THE NAMPA CITY CODE, PERTAINING TO BUILDING CODES ADOPTED BY THE CITY OF NAMPA; AMENDING TITLE 4, CHAPTER 1, SECTION 04-01-05, PERTAINING TO PENALTIES FOR VIOLATING BUILDING CODES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.  (Applicant Building Department)**

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Haverfield and SECONDED by Hogaboam to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4460** and directed the Clerk to record it as required.

**MOTION CARRIED**

◆ **(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) (j) to consider labor contract matters authorized under section 67-2345A [74-206A] (1)(a) and (b), Idaho Code was concluded at the Special Council meeting at 5:00 p.m.

MOVED by Haverfield and SECONDED by Rodriguez to adjourn the meeting at 10:51 p.m. The Mayor declared the
Regular Council  
August 19, 2019  

MOTION CARRIED  

Passed this 2nd day of September 2019.  

____________________________________  
MAYOR  

ATTEST:  

____________________________________  
NAMPA CITY CLERK
Mayor Kling called the meeting to order at 5:00 p.m.

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

**Item #1-1.-** Mayor Kling presented the request to adjourn into **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.

MOVED by Haverfield and SECONDED by Rodriguez to adjourn into executive session at 5:02 p.m. pursuant to Idaho Code 74-206 (1) Idaho Code 74-206 (1) (j) to consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code. 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 Bruner to conclude the executive session at 5:40 p.m. during which discussion was held regarding Idaho Code 74-206 (1) and Idaho Code 74-206 (1) (j) to consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code. The Mayor asked all in favor say aye with all councilmembers present voting AYE. The Mayor declared the

**MOTION CARRIED**

MOVED by Haverfield and SECONDED by Bruner to adjourn the meeting at 5:41 p.m. The Mayor declared the

**MOTION CARRIED**

Passed this 19th day of August 2019.

-----------------------------------
MAYOR

ATTEST:

-----------------------------------
NAMPA CITY CLERK
Mayor Kling called the meeting to order at 4:00 p.m.

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

Nampa City Clerk also made note that Planning and Zoning Commission Members Garner, Hutchings, Kehoe, McGrath, Miller, Kirkman, Sellman, VanAuker were present. Planning and Zoning Commission Members absent were Kropp.

Nampa City Clerk also made note that Building and Site Design Members Gable, Randall, Hatch, Veloze, Volkert were present. Building and Site Design Members absent were Manlove, Smith.

Also in attendance were: Clerk Specialist II Nate Haveman; Clerk Specialist II Joy Hall; Council Candidate Jacob Bowers; P & Z Administrative Coordinator Sylvia Mackrill; Senior Planner Kristi Watkins; Work Force Director Bobby Sanchez; Code Enforcement Supervisor Kent Lovelace; Police Lieutenant Matt Crocket; Chief of Staff Clay Long; Communication Manager Amy Bowman; Building & Safety Director Patrick Sullivan; Economic Development Director Beth Ineck; Parks and Recreation Director Darrin Johnson; City Engineer Daniel Badger; Assistant Building Official Neil Jones; Planning and Zoning Director Norm Holm; Principal Planner Rodney Ashby; Senior Planner Doug Critchfield.

The Mayor gave the purpose for the meeting as we work together to achieve “a safe and healthy community where people prosper”, this workshop is intended to help enhance our communication, collaboration, and mutual understanding of our various roles. We will review the proposed 2040 Comprehensive Plan and City of Nampa’s strategic plan. The work of City Council, the Planning & Zoning Commission and the Design Review Committee is greatly valued and appreciated.

The work of all of our city commissions is appreciated. Specific to this meeting, we value and appreciate the work of the City Council, the Planning & Zoning Commission and the Design Review Committee. As we work together to achieve “a safe and healthy community where people prosper”, this workshop is intended to help enhance our communication, collaboration, and mutual understanding of our various roles. We will review the proposed 2040 Comprehensive Plan, City of Nampa’s strategic plan and recommended code changes.

City of Nampa 2040 Comprehensive Plan (Update):
Doug Critchfield will provide handouts for each chapter of the Comprehensive Plan and will briefly discuss significant changes and priority strategies identified in the update to the plan. Please review the following video before the meeting which highlights the Comprehensive Plan content and primary goals: https://livestream.com/cityofnampa/events/8707410/videos/192190978
OVERVIEW

The following provides a summary outline of each chapter to be covered:

Chapter 1: Property Rights
Federal Standards
The Fifth Amendment:
“nor shall private property be taken for public use, without just compensation.”
Land-use control context:
…if the land-use ordinance, regulation or decision is so restrictive as to deprive the owner of economically viable use of the property, then the property has, for all practical purposes, been taken by “inverse condemnation.”
Case Law regarding the “takings issue” are explored in this chapter.
Idaho State Requirements
All citizens have property rights and when land use decisions are made. Land use regulation or action must not be unduly restrictive so that it causes a “taking” of landowner’s property without just compensation.
Chapter 2: Population & Growth

- Population trends
- Historical and projected growth
- Demographics
- Challenges and opportunities of growth
- Opportunities for diversity
- Opportunities to work with regional partners

Federal Standards:
The Fifth Amendment: “nor shall private property be taken for public use, without just compensation.”

Land-use control context:
...if the land-use ordinance, regulation or decision is so restrictive as to deprive the owner of economically viable use of the property, then the property has, for all practical purposes, been taken by “inverse condemnation.”

Case Law regarding the “takings issue” are explored in this chapter.

Idaho State Requirements:
All citizens have property rights and when land use decisions are made, land use regulation or action must not be unduly restrictive so that it causes a “taking” of landowner’s property without just compensation.
Chapter 3: Housing

- Impacts of growth on housing
- The Housing Opportunity Index (HOI)
- Housing Characteristics
- Housing Tenure and Occupancy
- Innovative housing options to improve affordability
- Housing Forecasts
- Affordable housing
- Guidelines for planning

Chapter Three Highlights...

48.4% of homes are affordable for medium income residents.

Median Home Price*
2017: $155,900
2019: $224,500

Nampa Housing Stock
Single-Family – 75.2%
Multi-Family – 14.9%
Manufactured – 9.9%
30.5% were built before 1979

Housing Tenure 2010-2017
Owner – 67.5% (-9.6%)
Renter – 32.5% (+9.6%)

Housing Occupancy 2017
Units Occupied – 94.1%
Vacant Units – 5.9%

* SOURCE: Sperling, 2018/2019, downloaded April 26, 2019

Chapter 4: Economic Development

- Economic Development Trends
- Employment
- Current Business Environment
- Household Income
- Commuting Trends
- Workforce Development and Training
- Tourism
- Arts and Culture
- Business Development and Retention
Chapter 5: Land Use

- Land Use History and Patterns
- Land Use Setting Definitions
- Land Development/Redevelopment/Infill
- Innovations in Land Use: Transit Oriented, Master Planned Communities, Specific Area Plans, Cluster Development
- Land Use Regulations
- Subdivision Ordinance
- Standards and Guidelines for Density Model Development
- City Area of Impact Changes
Chapter 6: Transportation

- Stakeholders in Transportation Planning and Implementation
- History
- Transportation Master Plan
- Functional Classifications
- Public Transportation and Commuting
- Pedestrian and Bicycle Master Plan
- Freight and Rail
- Operations and Maintenance
- Regional Planning
- Safe Routes to School
- Funding

Chapter 7: Public Services, Facilities, Utilities and National Interest Electrical Transmission Lines

This chapter explores:

- City Services and Governance
- City of Nampa Departments – Roles and responsibilities
- Public Services – Health and Solid Waste
- Infrastructure - Water Delivery, Wastewater, Stormwater, Irrigation, Renewable Energy, Gas, Electrical Transmission System
Chapter 8: Community Design

- Growth impacts
- Building Design
- Commercial and Industrial Design
- Open Space and Connectivity
- Landscaping, streetscapes, guidelines and standards update (to be updated based on Ch. 33 discussion)
- Historical Structures, Downtown
- Development patterns – Gateways, Signage, Public Art, Layout of neighborhoods and commercial areas
- Community Festivals and Events
Chapter 9: Parks and Recreation

- Park Planning
- Active vs Passive recreation
- Parks and open space benefits
- A review of the current system
- Non-City recreational opportunities
- Park categorization
- Bicycle and Pedestrian Master Plan goals and objectives
- Open Space
- Facility needs and asset preservation assessment

Chapter 10: Schools and School Transportation

- Overview of existing school system
- School facility planning and development
- Educational attainment
- Districts: Nampa #131 and Vallivue #139
- Enrollment Factors
- Private and Chartered schools overview
- School transportation – bussing, safe routes
- Institutions of higher learning
Chapter 11: Cultural and Historic Sites

- Extensive overview of Nampa history
- Archeology
- Ecological Resources
- Historic sites overview
- Historic neighborhoods and districts
- Cultural events
- Cultural sites and museums

Nampa has 80 historic buildings/sites.

Nampa’s proximity to the Snake River Canyon Byway, Deer Flat Wildlife Refuge, Celebration Park petroglyphs make it attractive for ecotourism.

Historic downtown renovations require design review and review by the Arts and Historical Preservation Commission.

Nampa has 4 Historic Neighborhoods/Districts: North Nampa, City Center, University and Old Nampa. Specific plans for the first three were incorporated by reference to the 2015 Plan. 2040 plan looks for opportunities to incorporate other neighborhood/district preservation plans as they develop.
Chapter 12: Natural Resources

- Review of climate
- Environmental quality
- Surface Water and Water Delivery systems
- Groundwater, water storage, aquifers
- Stormwater treatment
- Air quality
- Agricultural impacts
- Greenways
- Soils
- Wildlife and habitat

Chapter 13: Natural Resources

- Air Quality Measures
- Floodplain
- Creeks, Canals and Ditches
- Earthquakes and seismic activity
- Stormwater discharge
- Wellhead protection
- Weather hazards/Wildfire
- Manmade hazards: noise, rail, ponds, storage tanks, gravel pits,
- Groundwater contamination
- Hazardous materials
- Airport Hazard Areas
- Remediation/Disaster Services
Chapter 14: Airport

- Airport governance
- Role in National Plan of Integrated Airport Systems – General Aviation Designation
- Airport regulation
- Airspace
- Airport hazards and land use considerations
- Airport Master Plan
- Future Development in vicinity of airport
We will also cover the following items:

- Review of Specific Area Plans
- Review of major standards & guidelines suggest in the Comprehensive Plan
- Review of Future Land Use Map
Future Land Use Map
Southeast Highlights...
Adjusts Comprehensive Plan to match existing uses. It raises need to look at Commercial land use opportunities in the areas of Medium-Density Residential – requires a specific Area Plan to look at options.
Adds Mixed Use
Adds Medium Density Residential to match existing uses.

Future Land Use Map
Southwest Highlights...
Adjusts Comprehensive Plan to match existing uses. It raises need to look at Commercial land use opportunities in the areas of Medium-Density Residential – requires a specific Area Plan to look at options.
Adds General Commercial on Caldwell Blvd. and on 3rd St. S
Purpose of Boards

Duty of Council Members:
“As members of the legislative and policy making branch of the city, the council shall devote as much time as is required for the efficient and faithful discharge of their duties. They shall attend all council meetings unless lawfully excused by the mayor or by a majority of the remaining members of council. They shall also perform all duties reasonably expected of them by nature of their office, including, but not limited to, the passing of ordinances and resolutions as well as investigation and study of work done for the city according to the committees upon which they may severally be appointed by the mayor.” (Ord. 2073) cc 2-2-3-1

Idaho State Code Title 50-210. BOARDS — COMMISSIONS. “The mayor and council shall have authority to appoint such boards, commissions and committees as may be deemed necessary or expedient to assist the mayor and council in better carrying out the responsibilities of their offices. The responsibilities, duties and authority granted permanent boards or commissions, shall be enumerated by ordinance. All appointments to permanent boards, commissions or committees shall be made by the mayor with the advice and approval of the council, and members of permanent boards, commissions or committees may in like manner be removed. Members of all such boards, commissions or committees shall serve without compensation, but actual and necessary expenses may be allowed by ordinance in the case of permanent boards, commissions or committees, or with prior approval of the mayor and city council for all other boards, commissions or committees. Unless otherwise specifically provided, each such board, commission or committee shall provide its own manner of organizing but shall maintain such records and make such reports as the mayor and city council may require or request.”
Planning & Zoning Commission:
“The powers, duties, and responsibilities of the planning and zoning commission shall comply with the state of Idaho local planning act of 1975.” (Ord. 2073)

Idaho State Code Title 67-6507. “THE PLANNING PROCESS AND RELATED POWERS OF THE COMMISSION. As part of the planning process, a planning or zoning commission shall provide for citizen meetings, hearings, surveys, or other methods, to obtain advice on the planning process, plan, and implementation. The commission may also conduct informational meetings and consult with public officials and agencies, public utility companies, and civic, educational, professional, or other organizations. As part of the planning process, the commission shall endeavor to promote a public interest in and understanding of the commission’s activities.
The commission may, at any time, make recommendations to the governing board concerning the plan, planning process, or implementation of the plan.
With the consent of the owner, the commission and its members, officers, and employees, in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon.

The commission may perform such additional duties as may be assigned by the governing board. The commission shall have the right to seek judicial process, as may be necessary to enable it to fulfill its functions.”
Building & Site Design Review Committee:
“Design review’ is a process whereby proposed architectural style for future construction is reviewed for its compliance with Nampa’s design standards. Design review also helps ensure preservation and enhancement of special design or aesthetics of an area within which a project is proposed. All qualifying project types shall require design review approval by, and through, the City of Nampa, either by administrative approval of City designated staff or by the Building and Site Design Review Committee created by title 2, chapter 16 of this Code (hereinafter “committee”), before the City will issue a building permit for said projects.” (Ord. 4421 {3-4-2019} cc10-34-1)

“The committee shall review projects forwarded by staff, requested by the applicant, greater than five thousand (5,000) square feet or complicated in nature. The committee shall review projects for compliance with design review standards within title 10, chapters 4, ‘GB (GB1, GB2 and GBE) Gateway Business Districts/Zones’, and 16, ‘BC Community Business District/Zone’, of this code. (Ord. 4159, 1-20-2015; and, Ord. 4281, 9-19-2016)

The BSDS Committee shall review projects and either approve, approve with conditions, or deny such application. The planning director, or a designated representative, shall then notify the applicant in writing of the decision. (Ord. 4159, 1-20-2015)

Staff decisions may be appealed to the BSDS committee, and conversely BSDS committee decisions may be appealed to the planning commission for review and decision.

The powers, duties and responsibilities of the BSDS committee shall comply with the state of Idaho local planning act of 1975 (Ord. 3657, 1-2-2007).” (CC2-16-5)
Self-Storage Proposed Code Changes

- Proliferation of storage units could lead to blight
  - Yardi Systems Inc.
    - National avg. per capita = 5.4 SQFT
    - Nampa per capita = 15.7 SQFT
  - Inconsistent with the feel of a residential neighborhood
  - Units along major roadway corridors do not present the economically vibrant nature of the community
  - Storage uses high value industrially zoned land for less intense use

- Require a Conditional Use Permit for all storage units
- No longer allowed in IH (Heavy Industrial) district
- All new storage units shall comply with NCC 10-1-19 (architectural, lighting, setback, etc. requirements)

- NCC 10-1-19 Changes:
  - Design Review required for all storage units
  - 150’ setback from primary roadway corridor Right-of-Way
  - 2,500’ buffer from similar storage facilities
    - Storage solely for RV/Boat are not considered the same as a walk-up traditional storage facility
  - 100’ buffer from residential districts and Low/Med Density Residential on FLUM
  - 25’ landscape buffer next to roadway, pathway, or residential
Charlotte NC
This new land use is intended to encourage going up instead of out.

These would only apply to conditioned multi-level buildings.

The bottom floor would be required to have a minimum of 50% of the sf be used for retail, office, or restaurant.

Glazing and lighting would be a critical component and design review would be responsible for ensuring compliance with standards.
Responsibilities/Authorities of Boards
As noted in the purpose for the governing boards, the City Council has the greatest number of responsibilities and authorities given to it through State Code and local laws. Other boards, commissions and committees are primarily created to “assist the mayor and council in better carrying out the responsibilities of their office.” However, when a Planning & Zoning Commission is created to assist City Council, that Commission must follow the land use planning act outlined in state code, providing the Commission some specific duties and responsibilities. As such, the City Council has the greatest number of responsibilities, the Planning and Zoning Commission has less, but still a significant amount, and the Building & Site Design Review Committee has limited and specific responsibilities for review building and site designs, but nothing beyond that. The attached exhibit “Responsibilities/Authorities of Boards” highlights each of the boards’ responsibilities related to development and land use processes. Staff has confirmed with the City’s Legal Counsel that the Council has the authority to require Conditional Use Permit review by the City Council where they desire. Staff notes a concern that taking on Conditional Use Permits may lead to significantly lengthening the required time commitment for City Council members at regularly scheduled meetings.

As a note to City Council, the following is a sample list of Conditional Use Permits that are approved or denied by the Planning & Zoning Commission and which are not considered by City Council unless the decision by the Commission is appealed to City Council for consideration.

- Multi-family residential development in a BC (Community Business) zoning district
• Drug/Alcohol Addiction Treatment Centers in some high-density residential and commercial districts
• Shelter/Temporary Housing in the DH (Downtown Historic) district and some residential districts
• Public Self-Storage unit developments
• Bars as a standalone business not associated with a restaurant
  ○ City of Nampa’s Economic Development Director – Beth Ineck, will be presenting ideas of how other communities have regulated bars in their downtown for your consideration and direction to staff.

### Responsibilities/Authorities of Boards

<table>
<thead>
<tr>
<th></th>
<th>Design Review</th>
<th>P&amp;Z Commission</th>
<th>City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design Review Applications</td>
<td>Bldgs&gt;5k sf &amp; complicated ✓</td>
<td>()</td>
<td>()</td>
</tr>
<tr>
<td>Annexation &amp; Zoning</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Zoning Map Amendment</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Code Changes</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Development Agreement</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Preliminary Plat</td>
<td>-</td>
<td>✓</td>
<td>()</td>
</tr>
<tr>
<td>Final Plat</td>
<td>-</td>
<td>✓/Denial ✓</td>
<td>Consent Agenda ✓ / ()</td>
</tr>
<tr>
<td>Short Plat</td>
<td>-</td>
<td>✓/Denial ✓</td>
<td>Consent Agenda ✓ / ()</td>
</tr>
<tr>
<td>Conditional Use Permit</td>
<td>-</td>
<td>✓</td>
<td>()</td>
</tr>
<tr>
<td>Vacation</td>
<td>-</td>
<td>-</td>
<td>✓</td>
</tr>
<tr>
<td>Variance</td>
<td>-</td>
<td>-</td>
<td>✓</td>
</tr>
<tr>
<td>Comprehensive Plan</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>RV/Mobile Home Parks</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

This graphic shows visually the Responsibilities & Authorities of each of the boards here today. On the bottom of the screen is a legend. Basically, this shows all the areas that have been delegated down to P&Z and DR from City Council.

A couple notable areas are Plats and Conditional Use Permits. Plats are recommended from P&Z, but they are approved by City Council on their consent agenda. If P&Z denies a plat, it does not automatically go to City Council. It must be appealed to City Council.

There are many land uses permitted through CUP approval. Conditional Use Permits typically are for land uses that are expected to be approved with conditions or are a use that public involvement is necessary to ensure the use fits within the neighborhood.

#### Conditional Use Permit examples

• Multi-family Residential in BC District
• Drug/Alcohol Addiction Treatment Center
Special Council  
August 26, 2019

• Shelter/Temporary Housing  
• Public Self-Storage Unit Developments  
• Bars (not associated with restaurant)

These are just a few examples of Conditional Use Permits that are approved or denied by P&Z Commission and would not continue to Nampa City Council unless the decision is appealed. Legal Council has confirmed that CC has the authority to require certain CUPs come before them if that is their wish. P&Z Commission would act as a recommending body in those specific cases.

Proposed Code Amendments to Title X Chapters 1 & 3 for Self-Service Storage Units

Purpose of Proposed Changes:  
Nampa City Council adopted a moratorium on storage units on June 3, 2019. The moratorium stated several reasons for placing a hold on storage unit applications. First, the City of Nampa needed additional time to evaluate how to better regulate storage unit proposals after a dramatic increase in applications for entitlements. The City of Nampa wished to manage visual conflict with surrounding land uses. In addition, the City of Nampa wished to maintain continuity within zoning districts, a pleasant appearance on major roadways, and regulate an overabundance of storage units leading to impacts on surrounding properties’ marketability and value. Finally, the City of Nampa wished to evaluate the preservation of industrially zoned properties for more intense land uses that bring greater numbers of jobs, require more utility services, and improve economic vitality of the community.

Yardi Systems Inc. a market research company produced a market analysis report this year for a local developer interested in storage unit development in Nampa. The report indicated that the “national average square/footage of self-storage per capita = 5.4 SQFT. Current square footage per capita based on completed facilities in Nampa = 15.7 SQFT (based on population of 102,000).” Conflicting reports have been given by storage unit developers & owners about vacancy rates in Nampa over the past three months, some claiming low and some moderate vacancy rates. This Yardi report appears to be the most objective analysis done about storage unit saturation. Since 2017, we have confirmed 18 storage unit entitlements or building permits. This proliferation of units has been a cause of concern for city leadership. Some have expressed concern of a future downturn in the economy that will potentially leave storage units vacant and lead to deterioration and blight. Another concern is that the abundance of storage units may lead to an economic hardship for existing businesses and upset the local market.

Attached, as an exhibit, is a table showing multiple local and some non-local communities’ approach to regulating self-storage units as compared to Nampa.

Summary of Proposed Changes:  
Proposed changes to the zoning code chapters are attached as exhibits. The following is a summary of the most critical changes being proposed.

1. Currently, Storage Facilities are permitted uses in the BC (Community Business), BF (Freeway Business), IP (Industrial Park), IL (Light Industrial), and IH (Heavy Industrial Zones). The proposed changes eliminate the possibility of developing new storage unit facilities in the IH (Heavy Industrial) zoning district and require developers to obtain a
CUP (Conditional Use Permit) for all other zones that previously permitted storage unit facilities.
  a. Any Self Storage Unit shall be required to meet the architectural, landscaping, location, setback, lighting, and safety standards identified in 10-1-19 of the Nampa City Code.

2. An additional land use category: Storage – Conditioned Multi-Level Building, is proposed on the “Schedule of District/Zone Land Use Controls” in 10-3-2 of the Nampa City Code. This use is proposed to require a CUP in the following districts: DB (Downtown Business), DV (Downtown Village), BC (Community Business), GB1&2 (Gateway Business). This land use will also require design review and shall ensure a minimum of 50% of the ground floor square footage to be used for retail, office, or restaurant. (please see the following article for reference: https://www.thejaxsonmag.com/article/packed-murray-hill-house-debates-self-storage-proposal/)

3. Nampa City Code 10-1-19 proposed changes include the following:
   a. Projects along the following roadways shall place storage unit buildings a minimum of one-hundred-fifty feet (150’) from the primary roadway corridor right-of-way: Caldwell Blvd, Garrity Blvd, Idaho Center Blvd, Cherry Ln, Franklin Blvd, Ustick Rd, State Highway 20/26 (Chinden Blvd), Midland Blvd, State Highway 55 (Karcher Rd), Midland Blvd, Middleton Rd, Roosevelt Ave, State Highway 45 (12th Ave Rd), Southside Blvd, Northside Blvd, Amity Ave, and Lake Lowell Ave. Exception for Interstate/Freeway: Public storage facility buildings shall be placed a minimum of two-hundred-fifty feet (250’) from the interstate freeway.
   b. New public storage facilities shall be located a minimum distance of two thousand five hundred feet (2,500’) from an existing or permitted storage facility’s property lines; expansion of storage facilities shall be limited to the property boundaries existing at date of securing planning & zoning entitlement; storage facilities having obtained a building permit for construction of a storage facility as of DATE of ADOPTION, shall be permitted to expand within the boundaries of the property/properties as those property boundaries existed on DATE of ADOPTION; i. Exception: Storage facilities solely for RV and/or boat storage, shall be allowed within two thousand five hundred feet (2,500’) of a “walk-up” or traditional enclosed storage facility; and shall be located a minimum distance of two thousand five hundred feet (2,500’) from another RV and/or boat storage facility; and
   ii. Exception: Storage facilities which include “walk-up” or traditional enclosed storage units, shall be allowed within two thousand five hundred feet (2,500’) of a solely RV and/or boat storage facility; and
   c. Public storage facility buildings shall be located a minimum distance of one hundred feet (100’) from any RS (Single Family Residential) or RD (Residential Duplex) zoning district, from any low or medium density designation on the Comprehensive Plan Future Land Use Map not annexed into the city, and one hundred feet (100’) from any existing residential building.
   d. Public storage facility properties that are contiguous to RS (Residential Single Family) or RD (Residential Duplex) zoning districts, or that are located in a BN (Neighborhood Business) or RP (Residential Professional) zoning district shall limit the height of storage buildings to ten feet (10’) at the edge of eaves.
e. Landscape buffer: The fifteen-foot (15’) landscape buffer as described in 10-33-4 A.1 shall be expanded to twenty-five feet (25’) and apply to any portion of the project property/properties that are contiguous to street, pathway, or sidewalk right-of-way, and along any property line shared by a residentially zoned property or a property designated as low or medium density residential in the Comprehensive Plan Future Land Use Map.

Questions were asked and statements made on the storage units by the Mayor, Nampa City Council, Planning and Zoning Commission and the Building and Site Design Committee.

MOVED by Rodriguez and SECONDED by Haverfield to adjourn the meeting at 6:37 p.m. The Mayor declared the

MOTION CARRIED

Passed this 3rd day of September 2019.

____________________________________
MAYOR

ATTEST:

____________________________________
NAMPA CITY CLERK
Mayor’s Summer Town Hall Meeting  

Meeting #2 - Summary  
August 14, 2019  
Nampa Library 12:00pm – 1:00pm

Prepared by:  
Doug Critchfield, Senior Planner  
Amy Bowman, Communications Manager
Overview

Nampa’s current Comprehensive Plan was adopted in 2012 after a more than two-year process which involved over 300 residents. Much of the plan is likely still applicable, but with continued growth, a complete review became necessary. The Comprehensive Plan Review Committee met in 4 meetings from October 2018 through February 2019 and focused on updating data, changed the horizon year to 2040 to match other plans, reviewed existing strategies, and changed the future land use map to make it relevant to existing conditions and compliant with community needs. The Comprehensive Plan Advisory committee will be the primary body tasked with finalizing the plan and with making recommendations to the Planning and Zoning Commission and City Council for approval. The broader community has been involved through a Boise State University Survey, and a town hall meeting held on June 6, 2019 at City Hall and a podcast of that meeting that was made available for public view.

The Mayor hosted a town hall meeting on Wednesday, August 14, 2019 from 12 – 1:00 p.m. at the Nampa Library. Forty-one (41) people signed into the meeting. This document outlines the meeting content and outcomes.

Presentation

Mayor Kling welcomed and thanked the public, staff and Nampa City Council and Nampa Planning and Zoning Commission members who were present (Councilmember Sandi Levi, Councilmember Darl Bruner, and Planning and Zoning Commissioner Steve Kehoe). She mentioned the importance of the planning processes that Nampa is currently engaged in; namely the Comprehensive Plan, Bicycle and Pedestrian Plan, Strategic Action Plan, 2020 Census, and Airport Master Plan. A timeline of completion of these plans was given. She also spoke about the Community Survey and indicated the City has heard what the citizens are saying. They Mayor introduced staff who would be speaking about the planning processes.

Doug Critchfield, Senior Planner explained the Comprehensive Plan’s purpose, the planning process to date, and briefly reviewed information from feedback at the Comprehensive Plan Review Committee meetings.

Jeff Barnes, Deputy Director of Public Works over Transportation spoke about the Transportation Master Plan and the $532 Million in funding required between now and 2040 to complete 141 capital improvement projects. He also spoke about the Airport Master Plan and anticipated growth with additional hangers and new terminal building.

Kristi Watkins, Senior Planner addressed the Bicycle & Pedestrian Master Plan progress. She mentioned that the work is being spearheaded by the Bike and Pedestrian Master Plan Committee. The plan focusses on the off-street system to provide connectivity. A survey was just completed, an open house was held the week prior.

Robyn Sellers, Assistant Director of Economic Development spoke about the Downtown Nampa plan. She mentioned that $100,000 was received by Main Street, A Federal HUD program that provides funding to revitalize downtowns. Parking was also mentioned as an issue that the City is seeking resolution.
A question was asked by Steve Kehoe of the Nampa Planning and Zoning Commission regarding the status of the ‘Project Bronco’ property. The Mayor indicated that we cannot talk about it, but should be able to in the near future.

### Display Boards

Participants were invited to speak with staff from Public Works, Planning and Zoning, Economic Development, Police and Fire at 4 stations. The stations included maps of the Bicycle Pedestrian Master Plan, Emergency Service Locations, Future Land Use, Zoning, and Transportation projects from 2019-2022.

### Report-Out Comments from Display Boards:

#### Planning and Zoning

Staffed by:
Norm Holm, Director, Planning and Zoning Department
Rodney Ashby, Principle Planner
Doug Critchfield, Senior Planner

**Participants reviewed the Future Land Use map and provide their feedback (what do they like, not like, or other comments)**

Adam Mills, Mills and Co. Realty suggested changes to the Future Land Use Map:

1. SE corner (1/4 Section) of Can-Ada Rd. and Ustick Rd. from Business Park to Medium Density Residential due to current land uses in this area
2. NE corner of Airport Rd. and Pit Ln. from Medium Density Residential to Light Industrial due to current land uses in the area.

Councilmember Sandi Levi asked about the Idaho Center property and if would make sense for the City to sell off a portion of the parking lot along Idaho Center Blvd. as Commercial Property.

#### Public Safety

Staffed by:
Jason Kimball, Nampa Police Dept.
Nick Adams, Nampa Fire Dept.

**Participants reviewed the Emergency Services Locations map and provide their feedback (what do they like, not like, or other comments)**

Participants desired to know about expansion of the fire department and the location of a new fire station. A few people wanted to know about impact fees related to Police Department. Jason Kimball told them that they would be spent on an additional building to serve the community more effectively.

#### Pedestrian and Bicycle Master Plan

Staffed by:
Kristi Watkins, Senior Planner
Robyn Sellers, Assistant Director Economic Development
Q: When will the last section of the Stoddard Pathway be complete?
   A: We have the ROW and some funding to complete the pathway almost to 2nd ST S
   A: Other funding will be applied for to complete the connection to downtown

Q: What can do to increase activity downtown and at Lloyd Square?

Q: New homeowners on Greenhurst were curious about sidewalks and street crossings. Their realtor told them that the field behind them would develop into single family homes, however the property is developing as 4-plexes. The property has been zoned RD and slated for 4-plexes for a long time – realtor was not being honest.

A resident who lives downtown has a bike but hasn’t quite ventured out so was curious about the safest routes.

The link to the Webmap input tool was given to a few people.

The purpose of the Bike/Ped Plan was discussed:
   - It is intended to provide future funding opportunities
   - It provides guidance to transportation engineers, developers and streets department as infrastructure is improved and maintained

The difference between a Bike Blvd and Bike Lanes was explained to a few individuals.

**Transportation**

*Staffed by:*
*Jeff Barnes: Deputy Director of Public Works, Transportation*

Questions were asked about specific locations of traffic projects in Nampa. Mr. Barnes showed a map of the work that is being done over the next five years.
Written Comments
TOWNHall – Planning Nampa's Future
August 14, 2019 | Nampa Public Library

PLEASE SHARE YOUR FEEDBACK

Name: Larry Clark
Phone: 208-284-3656
Email: lac1456@msn.com

Overall, how would you rate the information provided today?

[ ] Excellent [ ] Good [ ] Neutral [ ] Not Good [ ] Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

Get a roundabout at Greenhurst & Midland using the CURRENT Development Fees for this NEW addition being developed. Need to be done sooner rather than later.

Make Middleton a 4 lane top to bottom with NO stops. Preferably before it is fully developed.

Consider a building moratorium until the infrastructure catches up.
PLEASE SHARE YOUR FEEDBACK

Name: Nanette Duncan Phone: 208-716-0813
Email: nanetteneet@yahoo.com

Overall, how would you rate the information provided today?

Excellent Good Neutral Not Good Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

Please use mics!
PLEASE SHARE YOUR FEEDBACK

Name: Randy Newman  Phone: 208-681-6333
Email: randynew@gmail.com

Overall, how would you rate the information provided today?

- Excellent
- Good
- Neutral
- Not Good
- Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

Some speakers hard to hear
Microphones would be nice
TOWN HALL – Planning Nampa’s Future
August 14, 2019 | Nampa Public Library

PLEASE SHARE YOUR FEEDBACK

Name: *Rich* *Fountain*  Phone: 208-899-8238
Email: *rfountain@gmail.com*

Overall, how would you rate the information provided today?
- Excellent
- Good
- Neutral
- Not Good
- Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

- Downtown development — have old train station be the center point — a restaurant — then develop shops around that.

- Events — quilt show — holiday charm week — art show — car show
TOWN HALL – Planning Nampa’s Future
August 14, 2019 | Nampa Public Library

PLEASE SHARE YOUR FEEDBACK

Name: Sarah Riley Phone: 208-297-0014
Email: sarah@realtimecommunity.com

Overall, how would you rate the information provided today?

Excellent Good Neutral Not Good Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

Thank you for your presentation & all your hard work!

I’m curious if any movement is planned for bussing and/or any other means of transportation to help our low income/vehicle those without vehicles, navigate the city - to work, healthcare, grocery stores, etc.

I’m also curious to know if there’s any plan to seek businesses in areas where food is difficult to get to.

I appreciate the proactive approach to communicate with the public. Well done!
Name: Tina Elays Phone: 208-373-0863
Email: tina.elays@deq.idaho.gov

Overall, how would you rate the information provided today?

[ ] Excellent  [ ] Good  [ ] Neutral  [ ] Not Good  [ ] Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

I thought it provided a good overview.
### Areas for specific feedback

<table>
<thead>
<tr>
<th>PUBLIC SAFETY</th>
<th>TRANSPORTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FUTURE LAND USE MAP</th>
<th>BIKE &amp; PEDESTRIAN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DEQ's Brownfield's program may be able to assist with concerns of potential contamination. Applies to all areas.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDITIONAL COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Thank you for joining us! We value your time and feedback.

*Please follow us on social media and Nextdoor.*
TOWN HALL – Planning Nampa’s Future
August 14, 2019 | Nampa Public Library

PLEASE SHARE YOUR FEEDBACK

Name: Linda Schaeffer
Phone: 208 412 6660
Email: bikewalknampa@gmail.com

Overall, how would you rate the information provided today?

- Excellent
- Good
- Neutral
- Not Good
- Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

```
Don’t decisions about land use directly impact transportation?

It would be nice if those in transportation planning consider supporting (to a much greater extent) encouraging multimodal (public, bicycle, hiking, walking, bike share) as a tool to address traffic congestion.

Based on the transportation plan, it looks like the only tools or factors being considered are:
road widening (research shows this does not reduce congestion), wait time for cars, and travel times for cars. Time to invest in public transit.
```
### Areas for specific feedback

<table>
<thead>
<tr>
<th>PUBLIC SAFETY</th>
<th>TRANSPORTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>more street lights - enforce sidewalk codes, requiring owners to keep sidewalks clean. We spend $1 to build, but so many are impassable because of trees, poor lighting, weed growth.</td>
<td>see flip side - time to invest in public transit. Instead of just road widening, transport plan should follow adoption of Comp plan - not the revenue.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FUTURE LAND USE MAP</th>
<th>BIKE &amp; PEDESTRIAN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>School districts should be required to install sidewalks, crosswalks, ADA ramps when they build in a new site. (maybe this already happens?)</td>
</tr>
</tbody>
</table>

### ADDITIONAL COMMENTS

If Middleton is marked for lanes + sidewalks why aren't the Ustick Middleton overpass (ITU) including on both sides (regime F FHWA standard)? IDEA for overpass - reduce lanes for cars by 1 ft. and install black top + sidewalk on both sides for bike & pedestrian.

Thank you for joining us! We value your time and feedback.

Please follow us on social media and Nextdoor.
TOWN HALL – Planning Nampa’s Future
August 14, 2019 | Nampa Public Library

PLEASE SHARE YOUR FEEDBACK

Name: Sue Hoffman
Phone: 253-653-7026
Email: shortman509@reagan.com

Overall, how would you rate the information provided today?

[ ] Excellent  [ ] Good  [ ] Neutral  [ ] Not Good  [ ] Terrible

What specific suggestions for improvement would you like us to consider?

Comments – Please let us know if you have any comments or suggestions regarding the meeting format, proposed process, strategies or policies discussed. You can also use ask questions below and we will do our best to respond to you with the contact information provided above.

1st Street - Take parking off this street so that the restaurants can expand outdoor seating and have other areas for the public to congregate. Allow mural painting on the sides of buildings to attract walkers.

The curb crossing areas need to be improved for wheelchair use, it’s currently a rough ride - being in an electric wheelchair I can’t use all of the cross areas.
### Areas for specific feedback

<table>
<thead>
<tr>
<th>PUBLIC SAFETY</th>
<th>TRANSPORTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Important - Enough police/fire to keep up with population</td>
<td>Looking forward to Ms. Dunn's Orchard traffic light</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FUTURE LAND USE MAP</th>
<th>BIKE &amp; PEDESTRIAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Keep the farmlands if possible</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDITIONAL COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Really hate roundabouts 😞</td>
</tr>
</tbody>
</table>

Thank you for joining us! We value your time and feedback.

Please follow us on social media and Nextdoor.
Good afternoon,
I won’t be able to attend the town hall but wanted to provide some thoughts on the growth of Nampa. As someone who moved here from a town of almost 200,000 I feel that I may be able to provide some insights into life of a big town.
The first downside is the cost of housing. The more expensive the housing the fewer and fewer people who work in this area will be able to afford a place to live. They are getting pushed further and further out. With more people is an increase in traffic (I know super obvious point) but with that increase comes more stress, road rage and general unhappiness. There is not the infrastructure of roads, police or fire to keep this community safe at the rate in which it’s being built. Not to mention we are totally ruining a very valuable way of life, farming. The farmers are being pushed out and we are losing an entire group of people just to build, build, build. I do SO appreciate the effort to revitalize downtown and make it a nice family area. I guess the only thing I can guarantee is that with more people, comes more crowds, longer lines, increase in stress levels, increase in impatience, reckless driving, more pollution (noise, environment and air) and a lower quality of life. I know we moved here because of the small town feel and it is very quickly losing that feel. I know we all want Nampa to be the best it can be but with all my heart I don’t think this insane growth with the houses (and what’s with all the storage units) is the way to do it. I don’t pretend to know it all nor could I do your job. Thank you for your hard work and thanks for taking the time to read my rant-😁 Brooke Kirsch

Sent from my iPhone

Mon 8/5/2019 6:52 PM
Arma Jo Zimmerman armajoz@gmail.com

I emailed you last week and forgot to mention a couple of things that our government has not taken into consideration. The price of my house has risen over $100k in the last six months. That means my taxes are going up AGAIN! My daughter cannot find a place to rent because she cannot afford the rent increases that have occurred in the last year. Taxes, rent, and what else?? By allowing the Californication of our community, YOU are destroying the local population. I’m on a fixed income. I cannot afford more taxes. My children and grandchildren are on the low end of the pay scale and they cannot afford housing of any kind. PLEASE stop the madness. A moratorium on building must be made until these matters are addressed and SOLVED. Sincerely,

Arma Jo Zimmerman
208-899-5440
2360 W. Lake Pointe Court
Nampa, ID 83651
armajoz@gmail.com

Fri 8/2/2019 9:37 AM
Arma Jo Zimmerman armajoz@gmail.com

YOU need to declare a moratorium on ALL new construction in this city and outlying areas until YOU straighten out the infrastructure. Have you been on Middleton Rd lately? Have you been held up at Orchard and Middleton for 10 to 15 minutes due to the line of traffic. Have you been to Target lately or had to get to the St. Luke’s hospital in a hurry? Have you driven on Northside heading into town from the beet plant, under the freeway? Have you seen the mess that used to be a beautiful golf course?

The people of this TOWN don’t want to live in a big city. We don’t want to have any more traffic. Get the dollar signs out of your eyes and the eyes of the planning commission and straighten out this mess before you make it any worse.
Sun 8/4/2019 6:03 PM
Sherman sisensee@complexbuilders.com
Master Plan Citizen Input

We perform development from around the region and we see over and over again the same mistakes with master plans.

This being communities following the California model of development where zones are designated and then are connected via major arterial roadways to accommodating transportation of the populous from one zone to another. The negative consequences from this form of development are wide ranging and profound.

One only need look around and drive around the treasure valley at peak travel spikes during the development induced mass exodus that occurs where the populous moves from residential zones to business zones. The process has a direct correlation with a deterioration in quality of life, quality of community and with the expansion of infrastructure also becomes a bureaucracy and taxing behemoth.

The California style of development with its various zones is such a disaster for communities that those citizens living in them, to even get a gallon of milk means having to get in your car to drive to connect to a major arterial roadway in order to transport yourself to a grocery store; and this becomes the norm for all basic necessities because walking becomes a far flung exercise and only a fool would walk along a major arterial roadway along side high volume high speed vehicles.

Another adverse affect, the good farm ground becomes increasingly obsolete and this high quality of lifestyle and community heart becomes supplanted with a form of community destruction known as the California form of development.

There are complex questions and profound sociological issues involved and don’t claim to have all the answers .... but old style town sectors are pleasant places to live and raise families, whereas far flung islands of developments aren’t and that’s because one form of development evolved around people ....... and the other form of development evolved around the automobile.

Nampa like Meridian like Caldwell like Eagle like Star and Middleton and Boise are in the same process of making the same mistake as what Southern California made when they paved their paradise and turned it into a parking lot.

Hopefully Nampa won’t follow the failed form of California style development and will choose one that evolves around people and kids rather than the automobile.

Thank you,
Sherman Isensee
702-664-4301
sent via iPad

Wed 7/31/2019 5:26 AM
Cecelia Brown kacb82@gmail.com
Dear Mayor,

First of all, I just want to say how much I love Nampa! I love the new library, and just about everything about it and everything about our wonderful city! Today I am going to Meridian to play with my granddaughters because the parks there have splashpads along with their playgrounds. All summer long we go to Middleton, Caldwell, and Meridian to their parks because the girls can play.... cool down running through the water features, and go back to playing. In the fall and spring we will again be using the wonderful Nampa parks.....why doesn't any of the Nampa parks have this feature? We just visited the new Midway park....and again no water feature. Even Middleton has a wonderful water feature for the children to play through and on at
their new park. Please consider adding a water feature to two or three of our Nampa parks. Thank you for all you do! I do appreciate that in a city of 100,000 it is difficult to accommodate everyone. Have a great day, and thank you for listening to my concern!

Sincerely,
Cecelia Brown

Thu 8/1/2019 10:01 AM
Christine Sugg chrissu2017@yahoo.com
Dear Mayor Kling,

Thank you for the many opportunities you provide for input—and for caring about consensus-building. We appreciate you dedication to our city’s people so very much.

Caldwell Boulevard
We would very much like to see Caldwell Blvd. (through Nampa) made to look much more pleasant, as it is a main through-way representing our City. It would be nice if used-car lots, storage, etc. be restricted to be off Caldwell Blvd. to make room for more attractive uses. Also, restrictions on the number and condition of plastic signs that fade and crack.

Walking to School
We appreciate your interest in reducing childhood obesity.

However, if children were walking to school when it was light outside, that would feel more tenable. However, with poor visibility on the roads in the winter when children are walking and drivers are hurrying to work, this is frightening to me (and to some children).

If bussing were eliminated (or curtailed) in order for children to walk, there would be more parents driving their children, and creating yet more traffic, and offset, at least to some or a large degree, the savings in pollution by eliminating or reducing bussing (although we appreciate your interest in reducing pollution, too.)

It is too bad that daily P.E. can’t be added back in to the school day as a safer means of providing exercise.

Another concern will be mentioned below under Snow Removal.

Snow Removal
Before you were in office, we visited the city office about our concern of dangerous conditions of well-used roadways due to poor or lack of snow removal. We were told that the focus was to keep around schools well cleared. We drove around a couple schools in Nampa—and that simply was not true.

Especially as our city grows, more efficient snow removal, especially around schools, but also everywhere is very important in reducing accidents—especially if children will be walking! If this means investing in more equipment and manpower, then we hope that the City of Nampa will be able to do that, raising taxes, if necessary, to accomplish that.

Roads
You have done an excellent job in doing what is most practical and necessary in repairs and making roadways more understandable and clear for safety purposes! Keep up the good work! We know you are aware of some intersections (such as Middleton and Orchard) that, due to all the fine people moving here, are getting pretty backed up at stop signs.

Zoning – Space for Small Farmers
It is hard to curtail growth when people want to move here (as we did eleven years ago) and when builders can make money, and jobs are provided.

However, balance is also important. We do hope that plenty room is devoted to the important production of food—which Canyon County is known for—with its 35 crops (WOW!) and especially for those small growers who are farming in sustainable
ways, not contributing to polluted runoff, etc., growing crops that are healthy for our city’s population. I hope that some good measure of suitable land can devoted for small farms, especially those that promote health for our environment.

Thank you for this opportunity—and keep up the excellent job you are doing in caring for our City!

Warm regards,
Christine Sugg
11490 W Cumberland River Drive
Nampa, ID 83686

---

Tue 7/30/2019 5:00 PM
Candice lovemysoldier1231@yahoo.com

Hello Mayor Kling,

I am writing today to express my concerns regarding the City Master Plan. I know lots of subdivisions have been approved and gone up over recent years and I myself have enjoyed living in a subdivision built within the last 15 years. My intent here is not to knock them.

That said, those of us living off of Middleton Rd, towards Roosevelt and those off of Midway Rd are feeling incredibly frustrated with the lack of ability to move freely from our homes into the city and/or to the I-84.

In the short time my family and I have lived in Nampa, and it cannot be overstated how very much we love it here, our drive times have increased significantly. Unfortunately alternate routes to get to places like Costco, Kohl’s, and the I-84 are extremely limited from where we are and we are stuck in traffic heading down Middleton, Midway, and then also on Karcher.

It would be a blessing to stop seeing subdivisions being added off of Middleton and Midway towards Greenhurst as neither of these roads have the necessary room to be able to be expanded. They each butt up against private property. There will be no adding lanes to these roads. They are as they will remain from what I understand. Continuing to approve and add subdivisions & businesses to these areas harm all of the residents currently living here. I would venture to say even approving subdivisions off of Karcher at this point in time is not in The People’s best interests.

Can we consider looking at what roads can be expanded and then build around those, if necessary?

We absolutely love the Idaho way of life and the slow pace we have found moving from California to this beautiful state. We could not ask for a happier transition, and I understand entirely why other families want a small slice of this way of life, too. That said, if we are trapped in traffic, taking 30+ minutes to get just 6 miles .. well, I hope you can see how this greatly impacts the slower pace of life we so love here.

Please, I beg of you to consider the residents currently residing here when deciding whether to approve new subdivisions and buildings along these roads that have zero chance of being expanded.

I greatly appreciate your time, and all of the energy you put into making Nampa what we all need it to be.

Blessings,
Candice Del Vecchio
(208)550-5894

---

Hi Doug,

Thanks for catching me up on all the good work you are doing to update your Comp Plan.

I appreciate the detailed response and the link to the Comp Plan update webpages too.

Thanks again!
Thanks Jane – All of these changes were proposed by staff or by public input. The staff changes reflect existing land uses that will likely not change in the future. Changes proposed by the public largely reflected future plans for development by landowners, or to add to staff’s input on existing long-term uses that staff may have missed. All proposals are subject to review and approval by the Planning and Zoning Commission and City Council late this year - so nothing is set in stone. Even after approval of the Future Land Use map is complete, future changes can and will be made through Council action.

To answer your question – Currently, the 2035 Comprehensive Plan Future Land Use Map shows the land use setting for the ‘Note 31’ property as ‘Industrial’. The proposed change for the 2040 Update is to ‘Residential Mixed Use’. ‘Residential Mixed Use’ land use setting integrates compatible residential, professional office, retail and commercial land uses at a ‘residential’ scale. The change on that property is based on a proposal received to develop that property in the future into a residential complex, and on a staff proposal to provide compatibility with existing Low-Density residential housing to the south, and Community Mixed Use to the north and east.

Note 31 was included on the Future Land Use Map in the presentation to the Comprehensive Plan Advisory Committee during Meeting #3 on January 24, 2019. I’ve attached the meeting summary, which has a copy of the PowerPoint. During that meeting, Future Land Use Maps were placed at tables for a detailed review by Committee Members. The Future Land Use Map was also posted for public review and input in two public meetings: on June 6th at City Hall; August 14th at the Nampa Library. It has also been posted at https://www.cityofnampa.us/516/Comprehensive-Plan-Update. The public has had the opportunity to comment on that change during all of these processes, as well as through the website and from a posted podcast from the June 6th meeting. No suggested changes to that proposal have been received to date. As I mentioned yesterday, we will be providing an updated map with additional proposals at the end of this month.

You are certainly welcome to provide input on Note 31, or on any other part of the plan, and I will include that in the report to the Committee and Council.

Hope that helps. Thanks - Doug

Hi Doug,
Thanks for sending the map over. It looks like there is a planned change from Industrial to Residential Mixed Use (note 31) on the property at Happy Valley and Railroad Street/Greenhurst Road.
Can I find out what Note 31 means? Is there a staff or consultant’s report that explains the revisions to the map?
And finally, can I get a copy of both the map and report (or find them on your website)?
Thanks so much for your help,
Jane
From: Doug Critchfield <critchfield@cityofnampa.us>
Sent: Wednesday, August 14, 2019 4:06 PM
To: Jane Suggs <jsuggs@whpacific.com>
Cc: Rodney Ashby <ashbyr@cityofnampa.us>
Subject: RE: [External] FW: Changes to Nampa Comprehensive Plan

Hi Jane – Here is a copy of the proposed changes as of June 4. There have been a few more proposed that are not reflected yet on this map – none will affect the property that you mentioned. The map will be updated at the end of this month. Please let me know if you have any questions. Thanks! Doug

From: Jane Suggs
Sent: Thursday, August 8, 2019 4:12 PM
To: watkinsk@cityofnampa.us
Subject: Changes to Nampa Comprehensive Plan

Hi Kristi,

Are you working on updates/changes to your Comp Plan that would impact some land uses? I am particularly interested in the area around Happy Valley Road and Railroad Street.

If you are considering revisions, do you have a webpage or some other way I can look at potential changes to the Comp Plan. Thanks!

Jane

Jane Suggs | Planner
WHPacific, Inc. | 2141 W Airport Way, Suite 104, Boise, ID 83705
Direct 208.275.8729 | Mobile 208.602.6941 | Fax 208.342.5353 | jsuggs@whpacific.com

8-14-19
To whom it may concern,

My name is Jeremy Eaton, town the property located at 5318, Airport Rd, Nampa Idaho 83687 ..

I am submitting this brief letter to propose to the city of Nampa to incorporate the area west of Pit Ln and North of Airport Rd to to be considered for Light Industrial Zoning for the 2020 Comp Plan for the City of Nampa.

Thanks
Jeremy Eaton

Closing & Next Steps

The Mayor indicated that the Transportation Master Plan will be completed this fall, Bicycle Pedestrian Master Plan, Airport Master Plan, Comprehensive and Strategic Plan will be completed in late fall.

Appendix

- Agenda
- Meeting Participant List
- PowerPoint presentation slides
Mayor’s Summer Town Hall Meetings
AGENDA
Nampa Library, 215 12th Ave. S
August 14, 2019
12:00 - 1:00 PM


1. Welcome - Mayor Kling
2. Recap of Comprehensive Planning Process – Doug Critchfield, Senior Planner
3. Nampa Planning processes: Transportation Master Plan, Pedestrian and Bicycle Master Plan, Downtown Plan – Department representatives
4. Canyon County Comprehensive Plan – Kate Dahl, Planner III, Canyon County
5. Display Boards – Public feedback with department staff (Future Land Use Map, Transportation Plan [current-2022], Pathways Plan, Public Safety, Economic Development)
6. Next Steps – Mayor Kling
Thank you for attending!
Mayor Kling

WHY ARE WE HERE?

ADVISORY GROUP RECOGNITION

YOUR INPUT MATTERS

CENSUS 2020

STRATEGIC PLANNING

Serving Nampa. Here for you.
mayor@cityofnampa.us
(208) 468-5401

Action items from the City

- Strategic Action Plan
- Comprehensive Master Plan
- Transportation Master Plan
- Bicycle & Pedestrian Master Plan

2020 Census
Join the Complete Count Committee
We are listening to you.

2019 Community Survey

Overall Priorities: What issues should be the top priorities for the City of Nampa? Select your top five (5).
Transportation & Traffic Congestion

• Reducing wait times at Intersections

• Street widening on busy roads

• Travel times to commercial centers and I-84

Public Safety

★ Maintain a high level of service

★ School Safety

★ Safe Neighborhoods
Managing Growth

- Bike and pedestrian paths should be connected
- Quality of life
- Loss of open space, ag land and industrial land to housing
- Preserve Nampa’s Historic Downtown
- Keep housing affordable
COMPREHENSIVE MASTER PLAN ADVISORY COMMITTEE WORKSHOPS

Workshop #1
October 23, 2018 | Nampa Civic Center

Top Priorities
- mitigate traffic congestion
- public safety
- promote infill
- protect water quality
- protect industrial land
- mixed-use development
- affordable housing

Community Values
- family
- community
- freedom
- open space
- safety
- economic opportunity
- affordable housing
- religion/faith
- small town feel
- ease of transportation

Role of Government
- public safety
- transparency
- fiscal responsibility
- transportation
- planning
- vision
- fair treatment

CityofNampa.US
**Workshop #2: Future Land Use**

November 15, 2018 | Nampa Civic Center

- **Transportation**
  - 20/26 Corridor Mixed-Use
  - Highway 45 realignment
  - Highway 16 Corridor
  - Ustick Road Corridor
  - Midland Blvd. Corridor
  - Northside Corridor
  - Southern Corridor access and traffic issues

- **Parks & Pathways**
  - Access
  - Boise River Corridor
  - Park system preservation
  - School property use
  - City gateway beautification
  - Trail/pathway/sidewalk connectivity
  - Pollinator gardens

- **Economic Development**
  - 20/26 Corridor Mixed-Use opportunities
  - Airport Light Industrial land designation
  - Transitional zones
  - Mixed-Use and Industrial-Use opportunities throughout community

---

**Workshop #3**

January 24, 2019 | Nampa Civic Center

- **Future Land Use Map Changes**
  - Land use changes based on existing use
  - Extend Nampa impact area to south

- **Identified Committee’s Emerging Priorities**
  - Impacts of growth on traffic/housing/services
  - Economic opportunities
  - Business retention
  - Protect open space/ag land
  - More Mixed-Use Residential/Commercial, access to government, services
  - Live/work/play in Nampa

- **2035 Comprehensive Plan Strategies Update**
  - Strategy review completed
  - Received City department input
  - Highlighted strategies supporting committee priorities
Workshop #3
Future Land Use Map Changes
January 24, 2019
Nampa Civic Center

Workshop #4
Strategic Goals & Priorities
February 21, 2019 | Nampa City Hall

- Reviewed and edited committee priorities
- Reviewed Strategies from the 2035 Comprehensive Plan needed to be highlighted in the 2040 Comprehensive Plan
- Received committee feedback on the Strategic Plan’s Mission, Vision, Core Values and Focus Areas
Committee Priorities

Many priorities centered around managing growth and its impact on our community

Impacts of growth on:

- Traffic congestion
- Affordable housing
- Essential services (public safety, utilities, water quality and quantity and access to community services)
- Quality of life/family life

Committee Priorities (continued)

- Economic Diversity: Job Opportunity Growth; Preservation of Industrial Land; Business Retention and Expansion
- Mixed Use Commercial and Mixed Use Residential
- Agricultural and Open Space Land Conservation
- Preservation of Nampa’s Character: ‘Live, Work and Play’ in Nampa
- Connectivity Between Communities; A Connected Non-Motorized Pathway; Trail and Bike Lane System; Access to Parks and Open Space
- Promotion of Infill Development; Avoid Urban Sprawl
Transportation Master Plan

- Update to the 2012 plan nearing completion
- Identified future needs and existing system deficiencies
- 141 capital projects needed between now and 2040 costing $532 M
- Developed funding strategy
Transportation Master Plan

Three Phase Funding Plan Underway

1. 2019, Impact Fees, 1% tax increase
2. 2020-24, Vehicle registration fee increase, GO Bond reallocation
3. 2025, Stormwater funding

Airport Master Plan

• Update to the 2010 plan underway
• Determined that runway will not be extended—5,000 foot existing runway is sufficient.
• Our goal is to be the best small airport we can be!
• 20 year plan for growth including new hangars and terminal building
Bicycle & Pedestrian Master Plan 🚴‍♂️

- Update to the 2011 plan underway
- Goals of the plan include: Safety, Connectivity, Livability and Health
- A public open house was held August 8 to review the recommended network created based on previous public input
- Public input currently being collected via webmap at [https://nampa.altaplanning.cloud/#/](https://nampa.altaplanning.cloud/#/) until August 20
- Plan is estimated to be adopted by end of September or early October
Downtown Nampa

City of Nampa worked with Idaho Department of Commerce to participate in the Idaho Downtown Assessment Program

- Focus Groups
- Community Survey
- Plan for the Downtown
Downtown Nampa Recommendations

- Revigorated Nampa’s Main Street Organization
- Encourage Evening and Weekend Hours
- Parking
- Pursue Dining and Beverage Businesses
- Activities and Events

Next Steps

APPROVALS OF:

- Transportation Master Plan (Late Summer 2019)
- Bicycle & Pedestrian Master Plan (Fall 2019)
- Airport Master Plan (Fall 2019)
- Comprehensive Plan and Strategic Plan submitted for Council approval later this year
Station Rotation & Feedback

Public Safety
Transportation
Future Land Use Map
Bike & Pedestrian

THANK YOU
for your feedback and involvement!

Give feedback at:
https://nampa.altaplanning.cloud/#/
by August 20

CITYOFNAMPA.US
Acting Chairman Kirkman called the meeting to order at 6:55 p.m.

ANNOUNCEMENTS: Holm reminded the Commission of the public meeting at the Library, tomorrow, Wednesday, August 14th regarding the updating of the Nampa Comprehensive Plan.

Approval of Minutes: Garner motioned and Kehoe seconded to approve the Minutes of the July 23, 2019 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions. No City Council member present to report on City Council actions.

There were no Business Items on the Agenda.

Acting Chairman Kirkman proceeded to the public hearing items on the Agenda.

Public Hearing No. 1:
Preliminary Plat Approval for Spring Hollow Ranch Subdivision at 17535 and 17547 Star Rd, in an RS-8.5 (Single Family Residential – 8,500 sq ft minimum lot size) zoning district between Ustick Rd and Cherry Lane, on the west side of Star Rd (for 349 Single Family Detached lots on 102.88 acres for 3.39 dwelling units per gross acre – a 102.88 acre portion of the E ½ of Section 6 T3N R1W BM), for Kent Brown, representing Trilogy Idaho (SPP-00042-2019).

Acting Chairman Kirkman proceeded to public hearing.

Kent Brown of 3161 E Springwood, Meridian – representing the applicant:
• Mr Brown stated the subject property had previously been annexed and zoned RS-8.5 in 2015 and the applicants were now bringing forward a subdivision plat.
• Mr Brown indicated the walking and open areas proposed for the development.
• According to Mr Brown, the applicants were in favor of the proposed conditions of approval for the development.

Kristi Watkins – Senior Planner:
• Watkins stated the development was located within the Nampa City limits with an RS-8.5 zoning designation. There were 349 single family lots proposed for the 102.88 acres. All standard building lots meet or exceed the minimum 8,500 sq ft lot size, added Watkins, with the exception of the 65 infill lots –
with the smallest infill lot comprising 5,500 sq ft. Watkins stated the lots comply with the width and depth requirements for that zone.

- According to Watkins, the landscaping plan will be compliant upon the replacement of one species of tree.
- City utilities and emergency services, continued Watkins are available to the subject property.
- A Traffic Impact Study, stated Watkins, has been reviewed and approved by the Engineering Division.
- Watkins reviewed the COMPASS analysis, the Staff Report, and recommended conditions of approval.

- **Kehoe** noted Preliminary Plat Comment F, regarding shifting the Hunt Divide Street stub off Jim Bridger Ave to the south to provide access to both westerly adjacent parcel and eliminate common Lot 4, Block 12.
- **City Engineer Badger** responded that Engineering Division considered it would better line up if moved south.
- **Badger** replied to a question from **Kehoe** regarding Preliminary Plat Comment G, for the Spring Hollow Ranch Subdivision, along with the Silver Star Subdivision, to temporarily sewer to the Birch Trunk via a private lift station and force main, and advised that “temporarily” was not defined as a finite period of time and would probably be in the region of ten years. Badger discussed the extension of the trunk line.
- In response to a question from **Kirkman**, Badger confirmed the Wastewater Plant had adequate capacity to serve the proposed development and stated their temporary private lift station would be abandoned once the gravity sewer line reaches the site.

**Acting Chairman Kirkman** proceeded to public testimony.

**Paul Turnbull of 4924 Golden Spur Dr, Nampa – opposed:**
- Mr Turnbull stated his property was located in Silver Spur Subdivision, across Star Rd from the proposed development.
- The area, continued Mr Turnbull, was rural with large lots.
- Mr Turnbull noted that Legal Notice of the public hearing was only sent out to property owners within 300 ft of the subject property.
- Mr Turnbull considered the proposed subdivision should not be approved as presented and suggested the minimum building lot size should be no less than one acre.
- According to Mr Turnbull, the proposed subdivision, represented growth that did not have adequate infrastructure and resources in place – including roads, schools, water, sewer, police and fire protection.
- When growth doesn’t pay for itself, continued Mr Turnbull, then the rest of the property owners have to pay higher taxes, sit in traffic for hours and face critical delays in emergency response times.
- Mr Turnbull considered road capacities were already at a deficit.
- Mr Turnbull referred to future Project Bronco business in the Star Rd/I84 area that would be going in in the near future.
- Normally, added Mr Turnbull, housing densities were usually lower and in keeping with existing farming and rural character near the County boundary.
- High housing densities, added Mr Turnbull, infringe upon residents’ rights to enjoy where they live due to traffic noise and additional air pollution.
- To mitigate those problems, suggested Mr Turnbull, require building lot sizes of at least one acre, require impact fees that cover the full impact of the development, and road improvements.
- **Acting Chairman Kirkman** advised that as well as notification by mail to property owners within 300 ft, the Legal Notice was also posted in the Press Tribune newspaper, and the new larger public hearing signs were placed adjacent the subject property.

**Connie Turnbull of 4924 Golden Spur Dr, Nampa – opposed but did not wish to speak.**
- Ms Turnbull concurred with Mr Paul Turnbull’s comments.

**Kent Brown:**
- Mr Brown reiterated the fact the subject property has already been annexed with the RS-8.5 zoning district and therefore the lot size had already been determined at that time, and the proposed subdivision was in compliance with that zoning district.
- Mr Brown noted the City was now utilizing much larger signs to indicate upcoming public hearings on a property.
Mr Brown indicated the Comprehensive Plan Future Land Use map and noted the Community Mixed Use designation to the north and south, and the future Highway 16 bisecting the valley east of Star Rd.

The subject property was located within the Medium Density designation on the Comprehensive Plan future Land Use Map, as well as a Business Park designation to the west.

According to Mr Brown, the vicinity was changing.

The applicants, added Mr Brown, were trying to develop a subdivision that would match the Development Agreement put in place at the time of Annexation and RS-8.5 zoning of the property in 2015.

Mr Brown stated a Traffic Impact Study had been done in relation to the proposed subdivision.

The City of Nampa, continued Mr Brown, had put in place Impact Fees that would apply to all new construction and address traffic/streets, parks, and public safety.

Kehoe considered the proposed development would be a good fit for the area.

Brown stated the location of the subdivision would enable a close commute to businesses adjacent the freeway and on the north side of Nampa.

In response to a question from Kirkman, Badger advised Star Rd had been classified as a minor arterial and referred to the Transportation Master Plan, COMPASS, and the Traffic Model for the entire valley regarding the thresholds and how those arterials are classified.

Badger suggested when Highway 16 was built it would change the dynamic of the traffic in that area.

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

Kehoe reiterated the proposed development would be a good fit with Project Bronco proposed for Star Rd and E Franklin Rd.

Kehoe motioned and Van Auken, Jr seconded to approve the Preliminary Plat for Spring Hollow Ranch Subdivision in an RS-8.5 zoning district between Ustick Rd and Cherry Ln on the west side of Star Rd at 17535 and 17547 Star Rd, for 349 single family detached lots on 102.88 acres for 3.39 dwelling units per gross acre, for Kent Brown representing Trilogy Idaho, subject to:

1. Frontage road improvements along Star Road shall be constructed in accordance with Nampa City Code Section 9-3-1.
   a) Developer shall be responsible to construct the mitigation identified in the Traffic Impact Study for the project, including:
   b) Southbound right-turn lane and northbound left-turn at the Open Canyon Way and Star Road intersection; and,
   c) Southbound right-turn lane and northbound left-turn at the Painted Sky Way and Star Road intersection.

2. Developer shall construct traffic calming measures (speed hump, cross gutters, bulb-outs, etc.) on the following street segments:
   a) Boone Peak Ave;
   b) Open Canyon Way from Jim Bridger Ave to Phelps Lake Dr;
   c) Kit Carson St from Beckworth Ave to Jack Pine Dr;
   d) Painted Sky Street; and,
   e) Burnte Peak Street.

3. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of individual property development/redevelopment and prior to connection to City services.

4. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of individual property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

5. An analysis shall be provided at final design to support proposed lift station depth to serve both the Spring Hollow Ranch and Silver Star Subdivisions.

6. In lieu of constructing Master Planned sewer main in Star Road along the project frontage, Developer shall pay 50% of the cost of construction to be held by the City for future construction. The cost shall be based on an Engineer’s Estimate and proportionally paid with each Final Plat contiguous with Star Road prior to City signature of the plat.

7. A new public pressure irrigation pump station shall be constructed and operational prior to City signature of the first Final Plat for either the Spring Hollow Ranch or Silver Star.
Subdivisions. The minimum capacity shall be 1,500-gpm with ability to expand capacity to 3,000-gpm. The cost of design and construction is subject to reimbursement by the City.

9. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer. Utility construction to include the following main lines based on the City’s Master Plans:
   a) 12” pressure irrigation main from the new pump station to Star Road;
   b) 12” pressure irrigation main in Star Road; and,
   c) 12” water main in Star Road.

10. Offsite 12” water main extensions in Cherry Lane at the Fellowship Baptist Church property and in Star Road from the Purdam Gulch Drain shall be constructed with either the first phase of the Spring Hollow Ranch or Silver Star Subdivision, whichever comes first.

11. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.

12. Applicant shall address all street name comments identified in the letter from Nampa Engineering Division prior to Final Plat submittal.

13. Developer shall obtain plan approval and right-of-way permit from Nampa Highway District No. 1 for any work to be performed within Star Road.

14. Provide revised landscape plan to replace the Liquidambar Styraciflua and indicate Class II trees in the planting strip;

15. Provide top of foundation wall or finish floor elevation, on the construction plans prior to final plat approval;

Motion carried.

Public Hearing No. 2:
Annexation and Zoning to RS-4 (Single Family Residential – 4000 sq ft lot size) zoning district, and Preliminary Plat Subdivision Approval for Springbrook Subdivision at 1104, 1210, 1306, and 1318 Lone Star Rd. (59 single family detached lots on 13.73 acres for 4.3 dwelling units per gross acre – a parcel of land being a portion of the SE ¼ of Section 20 T3N R2W BM) for Mason and Associates, representing Lanco Inc. (ANN-00126-2019 and SPP-00043-2019).

Acting Chairman Kirkman proceeded to public hearing.

David Bills of 3400 S Montego Way, Nampa – the applicant:
- Mr Bills noted the subject application was one of the first plats and projects before the Commission since the approval of the RS-4 infill zoning district to the Zoning Ordinance.
- Mr Bills noted the challenges working through the various issues with the new Ordinance for infill communities.
- Mr Bills indicated the annexation area for the four parcels addressed as 1104, 1210, 1306 and 1318 Lone Star Rd, which would be greater than the area of the plat. One of the requirements of the RS-4 (Infill) Ordinance, was that those who are selling the land must also participate in annexation of the remainder of the parcels that are outside of the subdivision boundary.
- The remainder parcels, continued Mr Bills, also dedicate the right-of-way the City requires with annexation.
- According to Mr Bills, the proposed development comprised very little land touching Lone Star Rd, but included previously enclaved land.
- Mr Bills noted the Joseph Drain running through the middle of the subject property and Nampa Meridian Irrigation District has determined they needed 100 ft of right-of-way for the Joseph Drain.
- The plat layout would provide for access on to Lone Star Rd on the south and connecting to N Joseph Drive on the north.
- Mr Bills discussed the proposed lot sizes for the development.
- According to Mr Bills, a private sewer lift-station and force main would be utilized due to the shallow existing sewer and site grades, which would be maintained by the Homeowners Association.
- Mr Bills noted the Impact Fees for the project would bring in approximately $322,000 to the City of Nampa, for an infill development with no new infrastructure required.
- The proposed homes would probably range from $250,000 to $325,000, added Mr Bills.
Mr Bills indicated a view of the proposed location for the ingress/egress road on to Lone Star Rd from the development and connections to the existing subdivisions to the north and west.

The infill development, continued Mr Bills, would have narrower streets in order to work within the existing boundaries.

Kehoe considered the new Ordinance for infill projects would be important to the City.

Senior Planner Watkins:
- Watkins noted the applications before the Commission were for the requested Annexation and RS-4 zoning, and the Preliminary Plat for Springbrook Subdivision.
- The subdivision, continued Watkins, comprised 13.73 acres for 59 single family lots and 9 common lots, located on portions of 1104, 1210, 1306 and 1318 Lone Star Rd.
- The subject properties were currently enclaved – surrounded by City limits, stated Watkins and bordered on all sides by single family residential subdivisions zoned RS-6 and RS-7.
- Watkins reported the RS-4 designation was adopted into Code in April of 2019 and the Springbrook Subdivision was the first project requesting that zoning designation.
- The RS-4 zoning district allowed a reduced property depth and overall lot area.
- The four parcels to be annexed, noted Watkins, would be annexed in their entirety and the dwellings currently on the properties would remain. The plat would separate them into smaller parcels, but the dwellings would not be incorporated into the boundary of the subdivision plat.
- The Comprehensive Plan designation for the subject properties, continued Watkins, was Medium Density Residential – 4 to 9 residential units per acre and the proposed development would be 4.3 residential units per acre.
- Watkins noted that infill development meets the intent of the Comprehensive Plan, and City utilities would be available to the site.
- One common lot, advised Watkins, had been removed from the plat, due to the fact that it was right on the corner. It would be a better configuration, suggested Watkins, for that common lot to be absorbed into the adjacent residential lot.
- Watkins reviewed the proximity of the proposed development to local schools.
- Watkins discussed the Staff Report regarding the new RS-4 zoning and infill subdivisions.
- The minimum lot areas, continued Watkins, would comply with the minimum lot requirements and would be exempt from the lot compatibility requirements. Lot width and lot depth would comply with the newly adopted zoning codes.
- According to Watkins, the applicant would be requesting City Council authorize some reduced setbacks for Lots 1, 2 and 4 of Block 4, as allowed by the recently adopted Code changes.
- The Landscape Plan has been approved by the City Forester, noted Watkins.
- Staff, continued Watkins, would support a recommendation of approval to City Council for the annexation and RS-4 zoning for the subject properties.
- The Preliminary Plat for the Springbrook Subdivision, stated Watkins, complies with the newly adopted and existing Codes for infill subdivisions and staff would support an approval of the preliminary plat.

Acting Chairman Kirkman proceeded to public testimony.

Linda Stamper of 12 N Zion Park Dr, Nampa – in favor.
- Ms Stamper stated when they bought their property, they understood that eventually there would be a development behind them.
- Ms Stamper inquired if the homes would be individual houses, townhomes, or condos.
- According to Ms Stamper, there was only one entrance/exit off the Granite Basin Subdivision and inquired if the Springbrook Subdivision would have more than one ingress/egress to allow for emergency access.
- Ms Stamper inquired what “impact fees” referred to, and would the existing homeowners’ property taxes increase.
- Kirkman advised the proposed Springbrook Subdivision would not change the property taxes for the adjacent subdivisions and the Impact Fees would be paid by the developer towards City infrastructure.

Heather Mingus – 1306 Lone Star Rd, Nampa – in favor.
• Ms Mingus, stated she and her husband were the owner of 1306 Lone Star Rd, and their property was one of the parcels requesting annexation.
• According to Ms Mingus, they moved there 4 ½ years ago thinking they would have country property within the City, but found that farming inside the City does not work very well.
• Ms Mingus added they would now like to move out to the country with their farming equipment.

Norma Laverty of 8 N Zion Park Dr, Nampa
• Ms Laverty inquired if there would be a stop light, or a stop sign for the new subdivision road access on to Lone Star Rd.

City Engineer Badger:
• Badger stated the intersection for Lone Star Rd and the ingress/egress road for Springbrook Subdivision would have a Stop sign but would not have any traffic signals, or Stop sign on Lone Star Rd.
• Regarding the earlier comment pertaining to a single entrance into Granite Basin, continued Badger, the Springbrook Subdivision would connect to the existing stub street in Granite Basin providing a secondary access.
• The Impact fees, advised Badger, are a mechanism the State has granted the Cities to make growth pay for growth. The City establishes a level of service that we currently provide and can charge fees to help the City maintain that level of service but cannot use those fees to address existing deficiencies.
• In response to a question from Kirkman, Badger stated the traffic volumes generated by the new subdivision would not warrant a turn lane on Lone Star Rd.
• In response to a question from Kehoe, Badger stated the only speed limit sign would be a 20 mph sign going in, at the entrance to the subdivision, and would remain 35 mph on Lone Star Rd.

David Bills:
• Mr Bills confirmed the proposed Springbrook Subdivision would be a single family home development, with lots ranging in size from 4,500 sq ft to 7,000 sq ft.
• Mr Bills noted there were two story homes to the west in the adjacent Granite Basin Subdivision.
• It was anticipated the majority of the homes would be single level, between 1600 to 2200 sq ft in size, with two and three car garages.

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

Garner motioned and Kropp seconded to recommend to City Council approval of the Annexation and RS-4 zoning for 1104, 1210, 1306, and 1318 Lone Star Rd, for Mason and Associates, representing Lanco, Inc, subject to:
1. Construct a pathway along the Joseph Drain.
2. Protect the Joseph Drain easement with a 50 ft easement on each side.
3. Construct utilities to and through the property at the time of development, as well as, provide looping/redundant connections for water and pressure irrigation.
4. Apply for permits for any lift station and force main through Idaho Department of Environmental Quality. Include in CCR’s and provide documentation at that time for long-term operation and maintenance and associated funding mechanism; OR,
5. Provide alternative designs for shallow sewer including upgrading of sewer laterals to water class pipe and Type “C” lateral connections in conjunction with filling the site.
6. Coordinate with Nampa Engineering Department to resolve concerns with proposed road widths.
7. Utility locations in the roadway shall be modified at final design to adhere to City Standard Drawing N-308A. Deviations will be allowed in some instances to avoid unnecessary utility crossings.
8. Pressure irrigation connection in N Joseph Drive should be to the existing 6 inch stub located at the rear of 1123 Briarwood Drive.
9. The Final Drainage Report shall adhere to Section 106 of the Nampa Engineering Development Process and Policy Manual and address the following comments:
   a. SD Area 1 shall be expanded to include more of the lot frontage for the easterly lots.
b. Provide back-up for use of the proposed weighted runoff coefficient of 0.4, including assumptions for on lot impervious coverage.

c. Specify how rear lot drainage will be contained on the lot and reflect on the final grading plan, particularly since the proposed lots are relatively small.

d. Provide support for use of an 8-in/hr infiltration rate. The geotechnical report references an infiltration rate of 4-in/hr.

e. Provide calculations for gutter/inlet capacity. All primary conveyance facilities shall be sized for the 50-year storm event.

10. Dedicate the following public right-of-way across all properties at the time of annexation:
   a. Lone Star Road – 50’ from the Section Line.

11. Frontage road improvements shall be constructed in accordance with Nampa City Code Section 9-3-1. Local road widths shall be revised at final design to adhere to Table 80.07 in Section 101 of the Nampa Engineering Development Process and Policy Manual; and,

12. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of individual property development/redevelopment and prior to connection to City services.

13. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of individual property development/redevelopment, and prior to connection to City services. Provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

14. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.

15. Applicant shall address all street name comments identified in the letter from Nampa Engineering Division prior to Final Plat submittal:
   a. Propose new unique street name for Kelby Way
   b. Propose new unique street name for Joseph Loop
   c. Joseph Dr should be N Joseph Dr

16. Provide top of foundation wall or finish floor elevation, on the construction plans prior to final plat approval.

17. Note reduced setbacks for Lots 1, 2, & 4 Block 4 on the Preliminary and Final recorded plats. Motion carried.

Garner motioned and Kropp seconded to approve the Preliminary Plat for Springbrook Subdivision to be located at 1104, 1210, 1306 and 1318 Lone Star Rd for Mason and Associates, representing Lanco, Inc, subject to:

1. Construct a pathway along the Joseph Drain.

2. Protect the Joseph Drain easement with a 50’ easement on each side.

3. Construct utilities to and through the property at the time of development, as well as, provide looping/redundant connections for water and pressure irrigation.

4. Apply for permits for any lift station and force main through Idaho Department of Environmental Quality. Include in CCR’s and provide documentation at that time for long-term operation and maintenance and associated funding mechanism; OR,

5. Provide alternative designs for shallow sewer including upgrading of sewer laterals to water class pipe and Type “C” lateral connections in conjunction with filling the site.

6. Coordinate with Nampa Engineering Department to resolve concerns with proposed road widths.

7. Utility locations in the roadway shall be modified at final design to adhere to City Standard Drawing N-308A. Deviations will be allowed in some instances to avoid unnecessary utility crossings.

8. Pressure irrigation connection in N Joseph Drive should be to the existing 6” stub located at the rear of 1123 Briarwood Drive.

9. The Final Drainage Report shall adhere to Section 106 of the Nampa Engineering Development Process and Policy Manual and address the following comments:
   a. SD Area 1 shall be expanded to include more of the lot frontage for the easterly lots.
   b. Provide back-up for use of the proposed weighted runoff coefficient of 0.4, including assumptions for on lot impervious coverage.
c. Specify how rear lot drainage will be contained on the lot and reflect on the final grading plan, particularly since the proposed lots are relatively small.

d. Provide support for use of an 8-in/hr infiltration rate. The geotechnical report references an infiltration rate of 4-in/hr.

e. Provide calculations for gutter/inlet capacity. All primary conveyance facilities shall be sized for the 50-year storm event.

10. Dedicate the following public right-of-way across all properties at the time of annexation:
   a. Lone Star Road – 50’ from the Section Line.

11. Frontage road improvements shall be constructed in accordance with Nampa City Code Section 9-3-1. Local road widths shall be revised at final design to adhere to Table 80.07 in Section 101 of the Nampa Engineering Development Process and Policy Manual; and,

12. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of individual property development/redevelopment and prior to connection to City services.

13. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of individual property development/redevelopment, and prior to connection to City services. Provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

14. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of individual property development/redevelopment.

15. Applicant shall address all street name comments identified in the letter from Nampa Engineering Division prior to Final Plat submittal:
   a. Propose new unique street name for Kelby Way
   b. Propose new unique street name for Joseph Loop
   c. Joseph Dr should be N Joseph Dr

16. Provide top of foundation wall or finish floor elevation, on the construction plans prior to final plat approval.

17. Note reduced setbacks for Lots 1, 2, & 4 Block 4 on the Preliminary and Final recorded plats. Motion carried.

Public Hearing No. 3:
Annexation and IL zoning district for manufacturing facilities at 39 N Picard Lane. (A 7.83 acre or 341,054 sq ft portion of SE ¼ of Section 24 T3N R2W BM – Tax 19044 in the S ½), for Tom Hines (ANN-00127-2019).

Acting Chairman Kirkman proceeded to public hearing.

Tom Hines of 4660 Saddle Ridge Dr, Nampa – the applicant:

- Mr Hines stated he had requested annexation and IL zoning for the subject property and noted the area was already planned for Light Industrial use.
- The intent, was to construct a building for his company as well as leasing opportunities for other companies.
- Mr Hines responded to a question from Acting Chairman Kirkman and stated the location next to the runway would not bother him.
- Mr Hines advised he would be running a machine shop from the proposed building, manufacturing facility, marketing for firearms products, and robotics.
- With the remaining land the intent was to construct facilities to help new businesses get started and create an industrial park.

Principal Planner Ashby:

- Ashby reported the request for Annexation and IL zoning for a manufacturing facility on 7.83 acres at 39 N Picard Ln.
- Ashby indicated an aerial view of the subject property and noted the Comprehensive Plan Future Land Use Map indicated the area as Employment Center, but directly to the north was the Light Industrial designation for the airport, therefore, the IL use would be appropriate.
- Canyon County zoning indicated M1 or Light Industrial at the present time for the subject property.
• The airport runway, added Ashby, was located to the immediate north of the property.
• To the south was enclosed industrial use and vacant land and to the east was vacant farmland. To the west, added Ashby, was vacant enclosed land and an auto auction business in the IL zoning district.
• Ashby indicated the location of City utilities available to the subject property.
• A private common driveway (Cajun Lane) would be the access to the subject property.
• Ashby indicated the Memorandum, with conditions of approval, from the Engineering Division, authored by Caleb LaClair, dated July 26, 2019.
• Ashby reviewed the Staff Report and recommended conditions of approval.
• Kehoe inquired if the buildings currently shown on the aerial view would be removed.

Acting Chairman Kirkman proceeded to public testimony.

• Mr Hines advised the structures shown on the aerial map were part of an old dairy and most of those remaining structures would be demolished.
• Discussion followed regarding possible damage to buildings from aircraft.
• Mr Hines noted there was a height easement for the airport.

Garner motioned and Kehoe seconded to close public hearing. Motion carried.
• Van Auker, Jr, considered the proposed IL zoning would be a good fit for the property as it was surrounded by industrial properties.

Van Auker, Jr motioned and Garner seconded to recommend to City Council annexation and IL zoning for the property located on 7.83 acres at 39 N Picard Ln for Tom Hines, subject to:

Generally:
1. Developer(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not, have the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property;

Specifically:
1. Applicant/Owner shall document ingress/egress easement documentation at time of development.
2. N Cajun Lane should be improved for two-way traffic to support the intended use and provide better emergency vehicle access at the time of development.
3. The applicant/developer shall protect the irrigation/drainage ditch along the northerly and westerly property lines during development for storm water conveyance from the Airport to Mason Creek.
4. The owner will be required to construct utilities to and through the property at the time of development, though it may be possible to provide irrigation via a separate onsite private system in place of extending the pressure irrigation main up the private road.
5. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time property development/redevelopment and prior to connection to City services.
6. Water rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services.
7. Applicant shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
8. Development/Redevelopment of the property shall comply with conditions and requirements defined in the existing Aviation Easement established in 1975 and as Instrument No. 755201 in the records of Canyon County, Idaho.
9. The Applicant shall file FAA Form 7460 prior to commencing the building of any structure(s) on the property.

Motion carried.
Public Hearing No. 4:
Conditional Use Permit for a Recreational Vehicle Park – 126 spaces on 8.22 acres or 357,913 sq ft.
located in a part of the NW ¼ and SW ¼ Section 15 T3N R2W BM, in an IL-RS (Industrial Park – Single Family Residential) zoning district at 304 E Carol St, for Paul Hilbig, Zoke, LLC. (CUP-00148-2019)

Acting Chairman Kirkman proceeded to public hearing.

Paul Hilbig of 408 S Eagle Rd, No. 205, Eagle – the applicant:
- Mr Hilbig indicated the location of the subject property, with the freeway to the north, to the south a small mobile home park, to the east the expansion area for the cemetery, and to the west the recently remodeled Jackson’s fuel stop.
- According to Mr Hilbig, there would be 126 RV spaces. All utilities are available to the site.
- Mr Hilbig stated they would like to protect the privacy to the site with two different types of fencing, with privacy vinyl fencing around the residential areas contiguous to the site, and a chain link fence adjacent to open areas.
- Amenities would include a clubhouse with registration office, shower facilities and laundry facilities, and lounge area. Outside, added Mr Hilbig, there would be a playground and outside manager.
- Mr Hilbig stated each RV pad would be fully paved with asphalt and between each pad would be a 4 ft wide landscape strip, as well as perimeter landscaping around the entire facility.
- The common areas would be centralized in the site with the clubhouse, continued Mr Hilbig.
- Mr Hilbig stated the proposed location was ideal for an RV Park, and there was the continuing demand for RV spaces.
- Kehoe noted that just a few weeks ago another RV Park had been approved for the west side of Northside Blvd.
- Mr Hilbig stated they were aware of the proposed RV Park west of Northside Blvd, and considered there was sufficient demand for RV spaces to allow for both locations.
- In response to a question from Acting Chairman Kirkman, Mr Hilbig advised they had done a lot of research and looked into national market studies, and RV Parks seem to be an industry for both a good economy and a recession economy.
- Mr Hilbig referred to the Staff Report and requested a change to Suggested Condition of Approval No. 8, replacing, “The manager’s residence shall be a permanent structure and not a recreational vehicle.” To, “The manager’s residence may be a permanent structure and not a recreational vehicle.” Mr Hilbig continued, that they were reviewing putting in an “Indie Dwell” unit for the Manager, however, there may be a time delay due to the demand, and, therefore, a mobile home may be utilized rather than a permanent structure.

Planning Director Holm:
- Holm reviewed the application for a 126 space Recreational Vehicle Park in the IL-RS (combination Light Industrial and Single Family Residential) zoning district at 304 E Carol St.
- Holm noted the proposed RV Park would also incorporate a small amount of IL zoning immediately south of the freeway.
- The Comprehensive Plan Future Land Use Map, continued Holm, indicated the area as Business Park, bordered by Heavy Industrial zoning to the north, with General Commercial and Public Land designations surrounding the subject property.
- The parcel size, stated Holm, comprised 8.22 acres.
- Water sewer and pressurized irrigation services were available in the area.
- Access to the proposed RV park would be from E Carol St on the south and N Ann St on the north.
- Holm noted that once the RV Parks get their Conditional Use Permit approval, they would then come back before the Commission with more specific information for Preliminary and Final Plan Approval.
- Holm reviewed the criteria and regulations for an RV Park.
- Holm reviewed the Staff Report and recommended conditions of approval.
- In response to a question from Acting Chairman Kirkman regarding condition No. 8 requiring a permanent structure for the manager’s residence, Holm stated that requirement had been in the letter from the applicant and was not a requirement of the Ordinance for RV Parks, and therefore could be omitted from the conditions of approval.
• Acting Chairman Kirkman referred to the FEMA regulations contained in Chapter 32 of the Zoning Ordinance.
• Additionally, stated Holm, the length of stay in an RV Park was also contained in Chapter 32.
• According to Holm, updates to the RV Park Ordinance were being reviewed at the present time.
• Holm noted the privacy fencing around the proposed RV Park would be adjacent the residential areas with chain link fencing around the open areas, and the freeway.

**Acting Chairman Kirkman** proceeded to public testimony.
No public comment forthcoming.

**Kehoe motioned and Van Auker, Jr seconded to close public hearing. Motion carried.**

Kehoe motioned and Garner seconded to approve the Conditional Use Permit for a 126 Unit RV Park located on 8.22 acres at 304 E Carol St, for Paul Hilbig, Zoke, LLC, representing Treasure Valley Enterprises, subject to:

1. All requirements of the Nampa Fire and Building departments regarding recreational vehicle park use shall be satisfied.
2. The Conditional Use Permit is issued for the life of the recreational vehicle park.
3. The recreational vehicle park shall be designed, approved and developed in accordance with the provisions of Chapter 32 - Recreational Vehicle Parks, including the submittal and approval of both Preliminary and Final Site Plans.
4. Safety in the recreational vehicle park shall be achieved, and security provided by a perimeter landscape buffer of trees and shrubs, and other barriers, including a combination of 6 ft privacy vinyl adjacent existing residential uses bordering the park, and chain link fencing at locations where view is important or where it is deemed more appropriate than site obscuring fencing.
5. Amenities in the recreational vehicle park shall be in accordance with that presented by the applicant: Community Clubhouse, including several private full bathrooms and a laundry facility.
6. Site maintenance and operations shall be handled by an onsite manager.
7. The existing irrigation lateral shall be piped and covered in order to increase safety and provide more usable open space within the recreational vehicle park.
8. The managers residence may be a permanent structure and not a recreational vehicle.
9. Roadway frontage improvements shall be constructed in accordance with Nampa City Code Section 9-3-1 at the time of development/redevelopment.
10. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
11. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
12. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

Motion carried.

**Public Hearing No. 5:**
Conditional Use Permit for Firearms Dealer in an IL (Light Industrial) zoning district at 1110 E Kercher Rd. (A 2.0 acre parcel of land being a portion of the SE ¼ of Section 10 T3N R2W BM), for Joshua Sharp.

**Acting Chairman Kirkman** proceeded to public hearing.

**Joshua Sharp of 14901 Eagle Dr, Caldwell, the applicant:**
• Mr Sharp stated he had recently purchased Musick Auction at 1110 E Karcher Rd.
• Musick Auction, added Mr. Sharp, had been in business for 42 years, and stated he would be carrying on the auction business.
• According to Mr. Sharp, Musick Auction has always handled the disposition of consignments by individuals, government entities, police departments, commercial, and industrial applicants.
• Among the consignments have been firearms.
• In order for Mr. Sharp to carry on business, he was required to obtain a Federal Firearms License.
• Mr. Sharp stated he had applied for a Class II License, and explained the restrictions involved with that Class.
• According to Mr. Sharp, he and the investigator from the Alcohol, Tobacco and Firearms branch of the government have developed and implemented above and beyond measures for insuring that people that come in and buy guns from the auction are not only legal and pass the background check, but they are also comfortable with them as an individual.
• Mr. Sharp stated that even if their background check process, they can decline anyone for any reason.
• Kehoe inquired how Mr. Sharp would obtain the weapons, and Mr. Sharp stated all firearms that are sold are received on consignment.
• Mr. Sharp stated they would not be manufacturing weapons of any kind.
• Mr. Sharp advised they would be receiving and recording weapons, and insuring the weapons they get are legally for sale and not stolen or modified.
• When those firearms are sold, added Mr. Sharp, they will insure that the individuals buying those guns are legal in all ways.
• Kehoe inquired what would be considered a secure location for storage of weapons on the subject property.
• Mr. Sharp advised they would be using both safes and a secure location – with glass that is impact resistant and metal shutters protecting the areas where guns are kept.
• Mr. Sharp stated that ammunition would also be sold, and would also be secured.

Principal Planner Ashby:
• Ashby advised the Comprehensive Plan Future Land Use Map designation for the subject property was Light Industrial.
• The zoning of the subject property was also Light Industrial, added Ashby.
• Ashby advised sewer, water and pressurized irrigation were connected to the property.
• Access to the property was by a private shared road, labeled as N Elder St.
• The firearms dealership would be operated out of the existing vehicle auction facility.
• Ashby reviewed the Staff Report and recommended conditions of approval.
• Acting Chairman Kirkman inquired if the applicant were to change from selling firearms to manufacturing firearms would they be required to come back for C-U-P approval for manufacturing firearms.
• Ashby stated manufacturing would be a different purpose and would probably require a new Conditional Use Permit application.
• Mr. Sharp advised about 8 percent of the items sold were firearms.

Acting Chairman Kirkman proceeded to public testimony.
No public comment forthcoming.

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

Kehoe motioned and Van Auker, Jr seconded to approve the Conditional Use Permit for an FFL Firearms Dealer in an IL zoning district at 1110 E Karcher Rd for Joshua Sharp, subject to:
Generally:
1. Developer(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlement(s) granted by virtue of the City’s approvals do not, and shall not, have the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property; and,
Specifically:
1. The owner shall be in compliance with all restrictions associated with the Gun-Free School Zone Act.
2. The owner maintains all regulatory permitting, licensures and operational procedures as required by law.
3. Inventory is locked in a secure location.
4. The Conditional Use Permit is granted only to the property for the duration of the use and shall not be transferable to any other location.

Motion carried.

Public Hearing No. 6:
Conditional Use Permit for Home Occupation Auto Repair Shop in an RS-6 (Single Family Residential – 6000 sq ft minimum lot size) zoning district at 324 S Olive Street. (Lot 6, Block 11 Giese and Moads Subdivision and a .16 acre portion of the SE ¼ of Section 28 T2N R2W BM) for Glenn Lappin. (CUP-00146-2019). ACTION ITEM.

Acting Chairman Kirkman proceeded to public testimony.

Glenn Lappin of 324 S Olive St, Nampa – the applicant:
- Mr Lappin stated he was seeking permission to open up a one person specialty auto repair shop.
- For the last 10 years, continued Mr Lappin, he had been a partner in a similar type of business in Meridian and he had since sold his share in that business in order to downsize his business.
- According to Mr Lappin, he had purchased the home at 324 S Olive St about 5 years ago and would like to run the business from that location.
- It would not be a regular auto repair shop stated Mr Lappin, most of the cars he works on are collector cars, classic cars, muscle cars and some race cars.
- Most of the repair jobs are pretty involved, stated Mr Lappin and the vehicle could be on site for weeks, or months.
- None of his clients would like their cars sitting along the street or curb waiting for him to get to their vehicle.
- Therefore, there would not be a large impact to the area, or a lot of old junk sitting outside.
- Mr Lappin added that he liked the neighborhood clean and wanted to keep it that way.

Planning Director Holm:
- Holm indicated the site layout for the property, with the house facing Olive St and the old Paul’s Supermarket to the south.
- The zoning for the subject property, continued Holm was RS-6 (Single Family Residential) with RP (Residential Professional) to the east and BC (Community Business) to the south.
- The Comprehensive Plan Future Land Use map designation, stated Holm, was Medium Density Residential, however, it was right next to the General Commercial designation.
- The lot size, stated Holm, was 7,000 sq ft, and access to the shop area would be from W Sherman Ave and the alley.
- Holm indicated pictures of the subject property.
- Holm reviewed the Home Occupation Standards, Staff Report, and recommended conditions of approval.
- In response to a question from Kehoe, Holm stated the Home Occupation should be operated only by the homeowner.

Acting Chairman Kirkman proceeded to public testimony.

Rodney Beam of 315 S Olive St, Nampa – in favor.
- Mr Beam stated he was a neighbor to Mr Lappin and added Mr Lappin had been an ideal member of the neighborhood and the property was always impeccably maintained.

Alex Yant of 319 S Olive St Nampa – in favor.
- Mr Yant stated he was at the meeting in support of Mr Lappin’s Home Occupation application.
- Mr Yant requested the Commission approve Mr Yant’s Home Occupation.
• **Acting Chairman Kirkman** inquired the hours of operation for the business.
• Mr Lappin stated he would be working on customer cars from 8:00 a.m. to 5:00 p.m., Monday through Friday.
• Mr Lappin added there would be no painting, heavy welding, or major construction on vehicles. For the most part, added Mr Lappin, he would be doing wiring, plumbing, mechanical on the vehicles, with no fumes or excessive noise.
• **Garner** inquired how long Mr Lappin had resided at the subject property and Mr Lappin replied 5 years.

Van Auker, Jr motioned and Kropp seconded to close public hearing. Motion carried.

Van Auker motioned and Garner seconded to approve the Conditional Use Permit for 324 S Olive Street, subject to:
1. All requirements of the Nampa Planning, Building, Engineering, and Fire Departments as well as State, or Federal agencies regarding use of the property for a Home Occupation auto repair shop shall be satisfied prior to occupancy.
2. All vehicles to be worked on shall be parked on the property. In no instance should customer vehicles either before, during, or after repair be parked within the public right-of-way. No portion of the area to the south side of the shop building shall be used for parking.
3. The Conditional Use Permit shall be issued only for a Home Occupation Auto Repair shop.
4. No outside impoundment of vehicles or salvage activities shall be allowed.
5. All repairs shall be conducted inside the shop building.
6. The off-street parking and yard areas adjacent the shop shall be maintained free of oil and debris and otherwise maintained in a neat and orderly manner. Any vehicle fluids shall be disposed of at an approved dump site and not on the property.
7. The property shall be continuously maintained in conformance with weed and nuisance ordinance provisions.
8. The Conditional Use Permit is granted only to the property and its property owner for the duration of the use and shall not be transferable to any other location.
Motion carried.

Public Hearing No. 7:
Conditional Use Permit for a New Duplex in an RS-6 (Single Family Residential – 6,000 sq ft minimum lot size) zoning district at 1024 S Elder St. (A .25 acre or 10,722 sq ft portion of Block 136, Kurtz Addition, and Tax 7 in the NE ¼ Section 34 T3N R2W BM) for Joshua Morrison (CUP-00147-2019. ACTION ITEM.

Acting Chairman Kirkman proceeded to public hearing.

Julia Morrison of 1131 E Hawaii, Nampa – representing the applicant:
• Ms Morrison stated they were requesting approval of the Conditional Use Permit for a duplex at 1024 S Elder.
• According to Ms Morrison, they had been building investment properties in south Nampa for the last ten years. Ms Morrison added that all of their properties are high quality, high end buildings.
• There would be a garage, and parking.
• The subject property, continued Ms Morrison, previously had a partially burned mobile home.
• Everything had been cleared off the lot, stated Ms Morrison. There had been a number of issues with the lot, with encroachment, gas lines and overhanging power lines.

Senior Planner Watkins:
• Watkins stated the applicants were requesting a Conditional Use Permit to build a new duplex on an RS-6 zoned lot, located at 1024 S Elder St.
• The surrounding zones, continued Watkins, were RS-6 and RD (Two Family-Duplex), with some RMH (Multi Family Residential) directly across the street.
• According to Watkins, the surrounding uses were single family and two family residential, with many
duplexes and fourplexes already existing in the area.
• The Comprehensive Plan indicates the area as Medium Density Residential, with a 4 to 9 living units per
acre, and in the “University” specific plan area.
• Watkins reported the lot comprised .25 acres, or 10,890 sq ft, and added the RS-6 zoning required a
minimum lot size of 6,000 sq ft.
• Water, sewer, and irrigation services are located in S Elder Street.
• Access to the property, added Watkins, would be one single driveway accessing S Elder St.
• Watkins indicated the proposed floor plan and layout of the duplex on the subject property, with the garage
in the center of the two living units.
• Watkins reviewed the Staff Report and recommended conditions of approval.
• In response to a question from Acting Chairman Kirkman, Watkins concurred the replacement of any
distressed existing curb and sidewalk replacement would be from property line to property line.
• Kehoe considered the plan for the duplex was an improvement to the usual plan because the garages were
located in the middle and not in the front or on the side and therefore the living units were separated by the
garages rather than a wall to wall connection.

**Acting Chairman Kirkman** proceeded to public testimony.

No public comment forthcoming.

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

Kehoe motioned and Hutchings seconded to approve the Conditional Use Permit for a new duplex
in an RS-6 zoning district at 1024 S Elder St for Joshua Morrison, subject to:

1. 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 this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering
   Departments, etc.) as the CUP approval does not, and shall not, have the effect of abrogating
   requirements from those agencies.
2. Protect the city’s sewer easement.
3. Access shall be via a single common drive access.
4. Curb and sidewalk along S Elder Street shall be completed across the property frontage at
   the time of development. In addition, any distressed existing curb and sidewalk shall be
   replaced.
5. Curb shall be extended to the existing terminus located approximately 60 ft to the south of the
   property and existing drain inlet relocated to a new curb low point as commented during
   building permit review.
6. All onsite drainage shall be retained onsite in accordance with City standards and policies.
   Motion carried.

**Public Hearing No. 8:**
Rescission of Annexation and Zoning Development Agreement between Trust 1 LLC and the City of
Nampa recorded 9/12/2006 as Inst # 200674066, repealing the Development Agreement applicable to the
property at 17155 and 17175 Star Rd. (On the west side of Star Rd north of Cherry Ln, being a 20.12
acre portion of the SE 1/4 of Section 6 T3N R1W BM) for the City of Nampa Planning and Zoning
Department. (DAMO-00032-2019)

**Acting Chairman Kirkman** proceeded to public hearing.

• Principal Planner Ashby stated there had recently been a request for a Short Plat on the subject property
  along Star Rd. During that process, it was found there was an existing Development Agreement on the entire
  section of land, involving the four parcels of land.
• The rescission of the Development Agreement, added Ashby, was the request before the Commission.
• The Comprehensive Plan Future Land Use Map designation, stated Ashby, was Community Mixed Use.
• The subject parcels were zoned RA (Suburban Residential), 30,000 sq ft minimum lot size.
• Ashby indicated the property further to the north on Star Rd, zoned RS-8.5, that had requested Preliminary Plat approval earlier in the evening for the 349 single family lots for Spring Hollow Ranch Subdivision.
• Agricultural land and County subdivisions surrounded the subject property, added Ashby.
• To the immediate west, continued Ashby, was Low Angle Subdivision.
• Ashby reviewed the Planning and Zoning History on the property: In 2006 the property was annexed with a Development Agreement, and RS-8.5 zoning; That Development Agreement had been for a single family residential subdivision of approximately 8,500 sq ft lots; In 2007 the Final Plat for the Sonoma Creek Subdivision, with single family homes, was approved; In 2008, the Final Plat expired at the time the economy turned - however, the Development Agreement, stayed with the property; In 2015 there was an Administrative Lot Split into four parcels – a larger parcel and smaller parcel with a single family home – and adjusted the lot lines and split those two lots into four lots; In 2016, the parcels were rezoned to RA and four new homes were built on those four parcels; In 2019, the Short Plat for Atkinson Acres was submitted, when it was discovered the initial Development Agreement still existed on the property.
• The requested action, reiterated Ashby, was to rescind the Development Agreement, so the property owners can legally have the properties as currently existing.

Acting Chairman Kirkman proceeded to public testimony.

Larry Atkinson of 5025 E Feather Creek Ln – in favor of the Rescission but did not want to speak.

Garner motioned and Van Auker, Jr motioned to close public hearing. Motion carried.

Garner motioned and Kehoe seconded to recommend to City Council Rescission of the Development Agreement recorded 09/12/2006 as Inst No. 200674066 between the City of Nampa and Trust 1, LLC, applicable to the property at 17155 and 17175 Star Rd, on the west side of Star Road, north of Cherry Lane, being a 20.12 acre portion of the SE ¼ of Section 6 T3N R1W BM. Motion carried.

Meeting adjourned at 9:14 p.m.

Norman L Holm, Planning Director :sm
## Welcome and Roll Call

**Board Attendees:** Citizens at Large David Peterson, Nathan Cleaver; Tom Points, Public Works Director; Doug Racine, Finance Director; Daniel Badger, City Engineer

**Additional Attendees:** Mayor Kling; Nate Runyan, Deputy Public Works Director (Water); Mark Hilty, City Attorney; Sheri Murray, Executive Assistant; Caleb LaClair, Assistant City Engineer; Jacob Allen, Public Works Business Manager

**Absent Board Member:** Citizen at Large Sharon Harris

### Proposed Amendments to Agenda
- No requests received to amend Agenda

### Staff Communications

1. **Underlying Irrigation Districts Summary of Landowner Requests for Exclusion of Water Rights** – *Daniel Badger, P.E., City Engineer*
   - Report provided. Only one request was received from the underlying irrigation districts (Pioneer Irrigation District (PID))
   - Staff provided written comment to PID opposing their customer’s request
   - Discussion held regarding irrigation exclusion criteria per Idaho Code 43-1102

2. **Irrigation Conservation** – *Nate Runyan, P.E., Deputy Public Works Director (Water)*
   - Information provided on City’s delivery system for irrigation water
   - Key Points presented: Conservation Practices, Maximizing Irrigation Efficiency and Water Conservation, Programs Other Communities Have in Place, and City Code 8-1-22 (Waste of Irrigation Water)
   - An educational campaign for irrigation conservation discussed; mailing of pressurized irrigation pamphlet in annual irrigation assessments suggested, as well as customer utility bills during irrigation season
   - Suggested evaluation of irrigation use discussed. An Irrigation Master Plan is scheduled to be performed in fiscal year 2020 which could assist in this evaluation

3. **Impact Fees for Utilities** – *Tom Points, P.E., Public Works Director*
   - Utility Impact Fee Matrix report presented to add another source of revenue for utility expansion and maintenance
Unfinished Business

1) Action Item: No items

New Business

1) Action Item: City Summary of Landowner Irrigation Tax Exclusion and/or No Benefit Rate Requests; Review of Response Letter to Customer Requests and Memorandum of Law – Daniel Badger, P.E., City Engineer

A. No change in customer status as property does not meet criteria for exclusion and/or reduced rate:

i. Review and discussion held for Exhibits A and B. It was determined that no decision would be made pending further investigation of customer’s requests by City staff.

MOTION made, Seconded, for no action until the next Board meeting for Exhibits A and B. 5 YES votes, 0 NO votes. MOTION PASSED

ii. Review and discussion held for Exhibit C. It was determined to approve the customer’s request, with the condition of dedication of right-of-way, to reduce irrigation assessment accordingly.

MOTION made, Seconded, to approve Exhibit C reduction of irrigation assessment if right-of-way conditions are met. 5 YES votes, 0 NO votes. MOTION PASSED

iii. Review and discussion held for Exhibits D thru H. The Board concurred with staff recommendation for no reduction and/or exclusion of irrigation assessments for these properties.

MOTION made, Seconded, for no reduction and/or exclusion for Exhibits D thru H. 5 YES votes, 0 NO votes. MOTION PASSED

B. No change in customer status as property does not meet criteria for exclusion and is already assessed at a reduced (No Benefit) rate:

i. Review and discussion held for Exhibit I. The Board concurred with staff recommendation of no change in customer status for the irrigation assessment of this property.

MOTION made, Seconded, for no change in customer status for Exhibit I. 5 YES votes, 0 NO votes. MOTION PASSED

C. Authorize No Benefit rate as properties do meet qualifications for reduced rate:

i. Review and discussion held for Exhibits J thru L. The Board concurred with staff recommendation to authorize reduction (No Benefit) in irrigation assessment as properties meet qualifications.

MOTION made, Seconded, to authorize no benefit rate for Exhibits J thru L. 5 YES votes, 0 NO votes. MOTION
D. **Authorize No Benefit rate as property meets undeveloped lot criteria. Upon issuance of building permit, property to be assessed at full benefit rate.**

   i. Review and discussion held for Exhibits M thru P. The Board concurred with staff recommendation to authorize reduction (No Benefit) in irrigation assessments until issuance of building permits, at which time properties will be assessed at a full benefit rate.

**MOTION made, Seconded, to approve no benefit rate for Exhibits M thru P until issuance of building permit, as which time property will be assessed at a full benefit rate. 5 YES votes, 0 NO votes. MOTION PASSED**

- Following the motions, further discussion was held regarding:
  - Calculation methodology of irrigation assessments using the City’s current GIS mapping software system
  - The question was raised as to a way to reduce total square footage, thus reducing irrigation assessments for utility customers, if the property encompasses ditches, storm drains, and canals
  - Report was made that improvements are forecasted with new billing software which may be able to take this methodology into consideration
  - Legal counsel commented on underlying irrigation districts concern with reducing actual square footage of property assessments
  - Collection of delinquent payments for irrigation assessments, and Local Improvement Districts (LID), and the overall effect to the City budget
    - City staff will meet to explore these matters and report back to the Board at the next meeting

2) **Action Item: Update of EDU (Equivalent Dwelling Unit) and Strength Class Guide for Wastewater and Water User Classifications (Restaurants and Breweries) – Daniel Badger, P.E., City Engineer**

- Report made on recommended updates to EDU rates pertaining to breweries (non-industrial customers) and restaurants

**MOTION made, Seconded, to approve recommended changes to City Council for approval of the EDU and Strength Class Guide for Wastewater and Water User Classifications (Restaurants and Breweries). 5 YES votes, 0 NO votes. MOTION PASSED**

**Meeting Adjourned**

*See “Attachment A” for August 22, 2019, Board of Appraisers meeting agenda and packet.*
City of Nampa  
Board of Appraisers Meeting Agenda  
Thursday, August 22, 2019, 2:00 p.m.  
City of Nampa Development Services Center  
(500 12th Avenue South, Second Floor, Conference Room No. 2)

<table>
<thead>
<tr>
<th>Call to Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roll Call of Board Members</td>
</tr>
<tr>
<td>Proposed Amendments to Agenda</td>
</tr>
<tr>
<td>Staff Communications</td>
</tr>
<tr>
<td>1) Underlying Irrigation Districts Summary of Landowner Requests for Exclusion of Water Rights – Daniel Badger, P.E., City Engineer</td>
</tr>
<tr>
<td>2) Irrigation Conservation – Nate Runyan, Deputy Public Works Director (Water)</td>
</tr>
<tr>
<td>3) Impact Fees for Utilities – Tom Points, P.E., Public Works Director</td>
</tr>
<tr>
<td>Unfinished Business</td>
</tr>
<tr>
<td>1) Action Item:</td>
</tr>
<tr>
<td>New Business</td>
</tr>
<tr>
<td>1) Action Item: City Summary of Landowner Irrigation Tax Exclusion and/or No Benefit Rate Requests; Review of Response Letter to Customer Requests and Memorandum of Law – Daniel Badger, P.E., City Engineer</td>
</tr>
<tr>
<td>A. No change in customer status as property does not meet criteria for exclusion and/or reduced rate.</td>
</tr>
<tr>
<td>B. No change in customer status as property does not meet criteria for exclusion and is already assessed at a reduced (No Benefit) rate.</td>
</tr>
<tr>
<td>C. Authorize No Benefit rate as property meets qualifications.</td>
</tr>
<tr>
<td>D. Authorize No Benefit rate as property meets undeveloped lot criteria. Upon issuance of building permit, property to be assessed at full benefit rate.</td>
</tr>
<tr>
<td>2) Action Item: Update of EDU (Equivalent Dwelling Unit) and Strength Class Guide for Wastewater and Water User Classifications (Restaurants and Breweries) – Daniel Badger, P.E., City Engineer</td>
</tr>
<tr>
<td>Adjourn</td>
</tr>
</tbody>
</table>
Boise-Kuna Irrigation District

No requests were received from the Boise-Kuna Irrigation District since last report of March 6, 2019.

Nampa Meridian Irrigation District

No requests were received from the Nampa Meridian Irrigation District since last report of March 6, 2019.

Pioneer Irrigation District

- City Staff was notified by Pioneer Irrigation District (PID) of the following exclusion from water rights request for the following property:

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Within City Limits</th>
<th>Service Available</th>
<th>Exhibit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1313 Willow Avenue</td>
<td>Yes</td>
<td>No</td>
<td>A</td>
</tr>
</tbody>
</table>

- Staff has provided written comment to PID opposing their customer’s request
- If within City limits and utilities are available, annexation of property into the Nampa Municipal Irrigation System can occur upon owner request and payment of fees
June 27, 2019

Sarah Love  
Pioneer Irrigation District  
PO Box 426  
Caldwell, ID 83606

RE: 1313 Willow Ave, David V. Pamperien (Acct# 3918) – Petition for Exclusion of Lands from Pioneer Irrigation District

Dear Sarah,

The subject parcel is located in the Nampa City limits located in the old O.K. Subdivision. The property appears to still be served by private onsite well and septic. The City maintains a domestic water main in Willow Avenue, and a pressure irrigation main approximately 130’ to the west from the southwest corner of the property installed with the Goldcrest Estates PUD Subdivision. The City could provide irrigation service to this property from this main if the property owner is able to obtain an easement from 1321 and 1409 Willow Ave properties for installation of service line, or when the Municipal Irrigation System is extended in Willow Ave in the future. As such, the City of Nampa opposes the granting of the exclusion request.

Please call me at (208) 468-5422 should you have any follow up questions or concerns.

Sincerely,

Caleb LaClair, P.E.  
Assistant City Engineer

CC: File  
CC: Daniel Badger, P.E., City Engineer  
CC: Tom Points, P.E., Public Works Director
Pioneer Irrigation District has received an exclusion petition from a patron requesting to exclude from the District and give up their water right. We are providing you the opportunity to comment prior to processing the exclusion. Please review the information attached and comment to Pioneer via regular mail or response to this e-mail no later than 7/5/2019.

Reason for exclusion request: Unable to access irrigation
Property Owner: Florence M. Myers, David V. Pamperien
Property Address: 1313 Willow Ave
See attachment for map and legal description

Thank you,

Sarah Love
Office Assistant | Pioneer Irrigation District
Po Box 426 | Caldwell, ID | 83606 | 208-459-3617
www.pioneerirrigation.com | assessments@pioneerirrigation.com
PETITION FOR EXCLUSION
OF LANDS FROM
PIONEER IRRIGATION DISTRICT

Name of Petitioner(s) – (please print): David V. Pamperin
Address of Property: 1313 Willow Ave, Nampa 83651

TO THE BOARD OF DIRECTORS OF PIONEER IRRIGATION DISTRICT:

The undersigned respectfully petition that the land hereinafter described be excluded from Pioneer Irrigation District.

The land, owned by the undersigned, is situated in (circle one) Canyon / Ada County and is described as follows:

(Attach a copy of deed demonstrating ownership. Deed must include a legal description.)

The reasons for requesting exclusion of such land from Pioneer Irrigation District are as follows (per Idaho Code 43-1102) - check where applicable:

1. ( ) The lands so described at too high to be watered from water owned or controlled by Pioneer Irrigation District without pumping by the owners of the land.
2. ( ) Petitioner(s) have installed a good and sufficient water system independent of the water system of Pioneer Irrigation District for the irrigation of the lands because of the District not owning a sufficient water right to furnish an adequate water supply therefore.
3. ( ) The lands so described, in their present condition, are not agricultural lands and Pioneer Irrigation District has not:
   i. adopted a resolution to construct a distribution system for the lands pursuant to Section 43-333, Idaho Code; or
   ii. called an election on the question of construction a distribution system for the lands under the provisions of Section 43-329, Idaho Code; or
   iii. independently or in cooperation with a city or county established a local improvement district to construct a distribution system for the lands; or
   iv. constructed a distribution system for the lands.
4. ( ) Prior to acquisition of the land by the Petitioner(s), and without my/our knowledge or consent, the ditch or other transmission facility extending from the District's delivery point to the so described lands has been rendered permanently incapable of carrying water to the lands for which the exclusion from the District is sought, and the lands are less than five (5) acres in size.

Please attach a separate page to explain the option you have marked above.

The Petitioner(s) understand that land excluded from Pioneer Irrigation District pursuant to proceedings on this petition shall not thereafter be entitled to receive water from the water
WARRANTY DEED

FOR VALUE RECEIVED REBECCA L. HILDE, an unmarried woman

the Grantor, does hereby grant, bargain, sell and convey unto FLORENCE M MEYERS and DAVID V PAMPEREN, both single persons

the Grantees, whose address is 1313 W. WILLOW AVENUE, NAMPA, ID 83651

the following described premises, to-wit:

Lot 12 in Block 2 of O.K. SUBDIVISION, Nampa, Canyon County, Idaho, according to the Plat filed in Book 3 of Plats, Page 44, records of said County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2005 and subsequent years, covenants, conditions, restrictions and easements of record; and that she will warrant and defend the same from all lawful claims whatsoever.

DATED: November 17, 2005

REBECCA L. HILDE

STATE OF IDAHO
COUNTY OF CANYON

On this 17 day of NOVEMBER, 2005, before me, a notary public, personally appeared REBECCA L. HILDE, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public
Residing at Nampa, ID
My commission expires: 4/17/2009

EDIE R. O'DELL
NOTARY PUBLIC
STATE OF IDAHO

PIONEER TITLE COMPANY
OF CANYON COUNTY
100 10TH AVE SOUTH
NAMPA, IDAHO 83651

100 10TH AVE SOUTH
NAMPA, IDAHO 83651
Mark,

Could you please check exclusion on the property located at 1313 Willow Ave., Nampa? Nampa's pressure system close.

Acct #3918
Delivery Point: 1505 Main Branch
Gate: 12
MEMORANDUM

DATE: August 16, 2019

TO: Board of Appraisers

FROM: Nate W. Runyan, P.E., Deputy Public Works Director

RE: Water Conservation for Irrigation

Background:
In 2018 the City of Nampa delivered customers over 8.7 billion gallons of irrigation water through the irrigation system. The irrigation system covers the city limits and includes more than 80 pump stations and 450 miles of pipes. For the 2018 irrigation season, July was the peak month with over 2.1 billion gallons being delivered, for an average of 69 million gallons each day.

Water conservation is becoming a viable alternative for communities to meet growth with limited resources. Water conservation supports environmental stewardship, reducing capital investment, and relieves pressure on a finite water resource. Reducing water demand through conservation measures and public education is being employed in communities around the western United States. Communities are recognizing the opportunity to capitalize on water conservation programs that support new economic growth and help foster permanent best practices for water conversation. The City of Nampa provides customers with an educational pamphlet on water conservation, including recommended watering schedules for new or established lawns, hazards created for mosquitoes breading, and water damage to roadways (see Attachment A). The City of Nampa also has an adopted ordinance in place for “Waste of Irrigation Water,” City Code 8-1-22 (see Attachment B).

Key Points:
- Conservation Practices
  - Irrigation water management encourages the application of water in an amount that meets the need of the growing plant in a manner that avoids extended soil saturation and runoff. By increasing application precision and reducing unneeded applications, water can be conserved, and energy can be saved
- Maximizing Irrigation Efficiency and Water Conservation
  - Maximizing our inputs (precipitation, irrigation water supply) while minimizing potential outputs (evaporation, transpiration, and leaching or runoff)
• Water Intelligently and Strategize
  o Irrigation Scheduling – Practical tool for preventing the overapplications of water
  o Measure Water Used – Data provides crucial information to irrigation districts and regional water planning groups
  o Crop Residue Management and Conservation Tillage – Best management practices for reducing soil erosion and capturing precipitation
  o Irrigation Audit – Complete analysis to increase water efficiency

Programs Other Communities Have in Place:
• Water Recovery Programs
• Agricultural Water Management Plans
• Comprehensive Water Conservation Plan
  o Water Savings Incentive Programs

Resources:
• https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/energy/conservation/?cid=nrcs143_023638
• https://ag.umass.edu/turf/fact-sheets/maximizing-irrigation-efficiency-water-conservation
• http://www.twdb.texas.gov/publications/brochures/conservation/doc/AgBrochure2_irrigation.pdf
• https://www.sfwmd.gov/community-residents/water-conservation
• https://water.ca.gov/Programs/Water-Use-And-Efficiency/Agricultural-Water-Use-Efficiency
• https://wateruseitwisely.com/100-ways-to-conserve/landscape-care/principles-of-xeriscape-design/efficient-irrigation/
One of the great assets the people of Nampa enjoy is our pressurized irrigation system. For a nominal yearly fee, city residents have access to all the water they need to irrigate their lawns and gardens for the entire growing season. We are indeed fortunate to have our irrigation system in place.

With the rapid growth of the city, our irrigation system is being stretched and costs to the city keep escalating. We need to think about conservation and preservation of the irrigation system for the future of Nampa.

Although paying irrigation tax entitles residents to all the water they need, it is not a license to waste water.

I urge every resident to read this pamphlet carefully, and make adjustments to your watering practice to use our precious water wisely.

Ruben King

City of Nampa
Waterworks Division
24 1st St S
Nampa, ID 83651
Phone: 208-468-5860
Fax: 208-465-2216
Email: water@cityofnampa.us
The City of Nampa receives the majority of our irrigation water from canals and ditches supplied from mountain reservoirs like Arrow Rock, Lucky Peak, and Anderson Ranch. The reservoirs store rain water and snow melt/runoff for irrigation. Pumps draw water from the canals and ditches to provide pressurized services to the City's customers.

Irrigation water is filtered to remove large debris and courser sand. Some sediment may still make it to your system. We encourage homeowners to install a filter with a recommendation of 32 mesh screen. Also it is recommended that you regularly maintain and clean the filters. Please make sure to install a private shut off valve to control your system. The City curb stop is for emergency use only and should not be used to control system.

The City of Nampa strives to maintain pressure at 40 PSI in its irrigation system. Individual sprinkler systems should be designed to operate at this pressure or lower. At times however, we may encounter pump failures due to power loss or loss of ditch water. Please be patient at these times as our crews will work to get these systems up and operating.

DID YOU KNOW:

Over-watering is a serious issue facing the City of Nampa.

Water standing in the gutters stagnates and results in foul odors and creates a safe haven for mosquitoes to reproduce.

Excessive waste of water results in higher demands on the system resulting in a direct pressure loss for the user.

Excessive watering promotes root disease that can kill lawns.

Proper lawn watering causes the grass roots to grow deeper and creates a healthier lawn.

Standing water in lawns and water running off yards and out into the street is an indication of over watering, and violates Nampa City Ordinance 8-1-22, which may include a fine and/or prosecution.

HOW MUCH IS TOO MUCH?

New Lawns:

For newly planted or seeded lawns, control boxes should be set to water 3 or 4 times a day for 10-15 minutes; avoiding pooling water or run-off.

After 3 to 4 weeks, reprogram the control box for an established lawn watering cycle.

Established Lawns:

For established lawns set the control box for 2 to 3 times a week for 20 to 30 minutes per station, again avoid pooling and run-off.

If you need help setting your sprinkler control box or have any other questions regarding your sprinkler system please contact your lawn-care professional.

Thank you for your cooperation.

Sincerely,

Keith Begay
Waterworks Superintendent

SETTING THE SPRINKLER CONTROL BOX:

New Lawns:

For newly planted or seeded lawns, control boxes should be set to water 3 or 4 times a day for 10-15 minutes; avoiding pooling water or run-off.

After 3 to 4 weeks, reprogram the control box for an established lawn watering cycle.

Established Lawns:

For established lawns set the control box for 2 to 3 times a week for 20 to 30 minutes per station, again avoid pooling and run-off.

If you need help setting your sprinkler control box or have any other questions regarding your sprinkler system please contact your lawn-care professional.

Thank you for your cooperation.

Sincerely,

Keith Begay
Waterworks Superintendent
8-1-22: WASTE OF IRRIGATION WATER:

It is and shall be unlawful for any person to allow or permit the waste of irrigation water by allowing said water to flow on or upon any street, alley or other public right of way in the city, or by allowing said water to flow on or upon adjacent or adjoining property so as to cause unnecessary inconvenience or expense to the owner of such adjacent or adjoining property or by using more of said water than good husbandry requires for the maintenance and cultivation of the premises being irrigated.

When it has come to the attention of the city that a wasting of water has occurred, the city shall notify the user of that determination. It shall then be the user’s responsibility to make the necessary repairs, or to institute actions that will correct the situation within forty eight (48) hours of the city’s notification to the user. If the situation has not been corrected or is repeated, then the city may fine and/or prosecute the user. Violation of the provisions of this section shall constitute an infraction per violation.

This section may be enforced by the issuance of an irrigation citation by a duly authorized representative or enforcement officer to the property owner or responsible party who caused the wasting of irrigation waters. Said citation is intended to discourage repeat offenders and constant abusers from waste and is not intended to penalize the regular and otherwise productive use of municipal irrigation waters. (Ord. 3439, 4-18-2005)
Utility Impact Fee Matrix
City of Nampa – Tom Points
7/25/2019

**Purpose:** To add another source of revenue for utility expansion and maintenance. Per Idaho code the impact fee can not be used to improve the level of service. The baseline level of service for the utility systems must be defined along with the impact fee capital improvement plan.

**Revenues:** 

Hookup fees + Developer installed infrastructure + Rates + Impact fee

The total need for each utility is defined in the master plans. If an impact fee is added, then one of the revenue sources will need to go down (likely the rates).

The hookup fee will continue to go up as more infrastructure is added. This is particularly true for the wastewater hookup fees as the hookup fee is defined as:

\[
\text{Net Value of the System/Number of Users}
\]

**Wastewater Matrix:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Rates</th>
<th>Hookup</th>
<th>Impact Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trunk Lines</td>
<td>Maintenance only</td>
<td>Maintenance only</td>
<td>New lines for growth</td>
</tr>
<tr>
<td>WWTP</td>
<td>Maintenance of facility</td>
<td>Maintenance of facility</td>
<td>Increase capacity</td>
</tr>
<tr>
<td>Lift Station</td>
<td>Maintenance only</td>
<td>Maintenance only</td>
<td>New stations for growth</td>
</tr>
<tr>
<td>Force Mains</td>
<td>Maintenance only</td>
<td>Maintenance only</td>
<td>New related to growth</td>
</tr>
</tbody>
</table>

**Irrigation Matrix:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Rates</th>
<th>Hookup</th>
<th>Impact Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pipe Lines</td>
<td>Maintenance only</td>
<td>Maintenance only</td>
<td>NA</td>
</tr>
<tr>
<td>Wells or Pumps Stations</td>
<td>Maintenance of facility</td>
<td>Maintenance of facility</td>
<td>New for growth</td>
</tr>
<tr>
<td>Irrigation related culverts</td>
<td>Maintenance only</td>
<td>Maintenance only</td>
<td>For pipe extension for widened roads</td>
</tr>
</tbody>
</table>

**Domestic Water Matrix:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Rates</th>
<th>Hookup</th>
<th>Impact Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pipe Lines</td>
<td>Maintenance only</td>
<td>Maintenance only</td>
<td>NA</td>
</tr>
<tr>
<td>Wells</td>
<td>Maintenance of facility</td>
<td>Maintenance of facility</td>
<td>New for growth</td>
</tr>
<tr>
<td>Water Tanks</td>
<td>Maintenance only</td>
<td>Maintenance only</td>
<td>Portion related to growth (approx. 50%)</td>
</tr>
</tbody>
</table>
Nampa Municipal Irrigation System
Summary of Landowner Irrigation Tax Exclusion and/or No Benefit Rate Requests
Board of Appraisers
August 22, 2019

Since the last Board of Appraisers meeting of March 6, 2019, staff has received several exclusion and/or reduced rate (No Benefit) requests. Based upon field report findings, staff makes the following recommendations to the Board of Appraisers:

A. **No change in customer status** as the following properties do not meet the criteria for exclusion and/or reduced rate:

<table>
<thead>
<tr>
<th>Name of Landowner</th>
<th>Service Address</th>
<th>Exhibit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cano, Branden</td>
<td>2511 E Denver Ave</td>
<td>A</td>
</tr>
<tr>
<td>Ferdinand, Michael</td>
<td>29 N Joseph Dr</td>
<td>B</td>
</tr>
<tr>
<td>Fergusson, Jerald</td>
<td>323 S Almond St</td>
<td>C</td>
</tr>
<tr>
<td>Forsberg, Michael</td>
<td>1169 S Barberry Pl</td>
<td>D</td>
</tr>
<tr>
<td>Genovese, Michael</td>
<td>316 12th Ave N</td>
<td>E</td>
</tr>
<tr>
<td>Mehling, Steven</td>
<td>112 N Midland Blvd</td>
<td>F</td>
</tr>
<tr>
<td>Vizenor, Vancha</td>
<td>0 7th Ave N</td>
<td>G</td>
</tr>
<tr>
<td>Wilson, Jason</td>
<td>1900 W Lotus Ponds Ct</td>
<td>H</td>
</tr>
</tbody>
</table>

B. **No change in customer status** as the following property does not meet the criteria for exclusion. Property is currently assessed at a reduced (No Benefit) rate:

<table>
<thead>
<tr>
<th>Name of Landowner</th>
<th>Service Address</th>
<th>Exhibit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garrity Appliance Holdings, LLC</td>
<td>1207 3rd St S</td>
<td>I</td>
</tr>
</tbody>
</table>

C. **Authorize No Benefit rate** for the following customers as the properties meet the qualifications for reduced rate:

<table>
<thead>
<tr>
<th>Name of Landowner</th>
<th>Service Address</th>
<th>Exhibit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elquist, Tate</td>
<td>1308 12th Ave S</td>
<td>J</td>
</tr>
<tr>
<td>Magic Auto Sales, LLC</td>
<td>1715 Garrity Blvd</td>
<td>K</td>
</tr>
<tr>
<td>Zoubida, Amara</td>
<td>336 Smith Ave</td>
<td>L</td>
</tr>
</tbody>
</table>
D. **Authorize No Benefit rate** for the following customers as properties meet the criteria of an **undeveloped lot**. Upon issuance of building permit, property will be assessed at full **benefit rate**:

<table>
<thead>
<tr>
<th>Name of Landowner</th>
<th>Service Address</th>
<th>Exhibit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fleet Reserve Association Branch 382</td>
<td>0 Powell Ave*</td>
<td>M</td>
</tr>
<tr>
<td>Reynolds Bros Construction, LLC</td>
<td>0 E Shortline Dr</td>
<td>N</td>
</tr>
<tr>
<td>Reynolds Bros Construction, LLC</td>
<td>1934 E Shortline Dr</td>
<td>O</td>
</tr>
<tr>
<td>Reynolds Bros Construction, LLC</td>
<td>1940 E Shortline Dr</td>
<td>P</td>
</tr>
</tbody>
</table>

*Currently assessed at reduced (No Benefit) rate. Housekeeping item in order to identify property as undeveloped lot.

There are no appeals to report at this writing.

Also attached to this report, for the Board’s review, is the standard letter of response from the City to Nampa irrigation customers regarding their request for exclusion and/or reduced rate, with the enclosed referenced Memorandum of Law regarding irrigation tax assessments dated November 25, 2009 (see Attachment 1).

**REQUEST:** Board of Appraisers authorize action as identified by staff and await City Council ratification.
Greetings,

This letter is in response to your request to be relieved from the City of Nampa’s irrigation tax assessment billing for your property located at (Service Address). On occasion the City receives requests from landowners who wish to be excluded, or receive a reduced rate, from irrigation tax assessment. It may be because the property owner does not use the irrigation water, doesn’t want it, or the land is rendered incapable of carrying water. Landowners also offer to abandon or forfeit the water right serving their property for exemption of the tax.

This matter has been studied and explored with the City’s water counsel. As explained in the attached memorandum of law, a landowner who chooses not to use the irrigation water made available by an irrigation district is not eligible to be excluded, except under limited circumstances. Even if these circumstances were to occur, the City may continue to assess the landowner for drainage services and for irrigation water made available by the City. In regard to abandoning or forfeiting water rights; these rights are not held by the landowner, but by the irrigation district providing the water for the benefit of all eligible landowners.
A field survey and report has been completed for your property and the following was determined:

- Property meets criteria for irrigation tax exclusion
- Property meets qualifications for reduced rate
- Property does not meet criteria for irrigation tax exclusion
- Property does not qualify for reduced rate

If the request has been denied, as limited circumstances do not apply for exclusion, hopefully this correspondence offers a better understanding as to the City’s determination.

If I can offer further clarification, please call me at 208-468-5420.

Sincerely,

Tom Points, P.E.
Public Works Director

/slm

cc: Dawn Adams, Utility Billing
    Alpha Rodriguez, Utility Billing
    file

enclosure: Memorandum of Law dated November 25, 2009
MEMORANDUM OF LAW

TO: Michael Fuss, Director, Public Works Department

FROM: Christopher H. Meyer

RE: Irrigation Tax Assessments

DATE: November 25, 2009

QUESTION PRESENTED

Is the City of Nampa obligated to exclude from irrigation tax assessments landowners within an irrigation district who no longer use irrigation water made available by the City?

BRIEF ANSWER

No. A landowner who chooses not to use irrigation water made available by an irrigation district is not eligible to exclude his or her lands from the irrigation district except under limited circumstances. Even if an exclusion of those lands were to occur, the City may continue to assess the landowner for drainage services and for irrigation water made available by the City. In the case of irrigation district water rights, those rights are held in trust by the irrigation district providing the water. That trust is for the benefit of all landowners eligible to receive such irrigation water. Water rights owned by the City are not held in trust. When a landowner elects no longer to receive irrigation water, this does not result in an automatic forfeiture or abandonment of the portion of the water rights formerly serving that individual. Those rights may continue to serve other irrigation uses within the irrigation service area.

DISCUSSION

The City of Nampa has contracts with three irrigation districts (Nampa & Meridian Irrigation District, Pioneer Irrigation District, and Boise-Kuna Irrigation District) to provide pressurized irrigation water from these entities to residences and businesses within the City. These surface supplies are augmented by extensive water rights from wells and other facilities owned and operated by the City of Nampa itself.
Idaho statutes authorize the City to assess landowners for the cost of this service. This includes a pass through of costs assessed by the irrigation districts as well as additional costs of service incurred by the City.

From time to time landowners who are eligible to receive this irrigation water from the City elect not to receive it for one reason or another. These landowners sometimes contend that (1) they may exclude their lands from the irrigation district providing the surface component of water, (2) they have abandoned or forfeited the water right serving their property, and/or (3) they are not subject to assessments by the City for irrigation water. As discussed below, these conclusions are based on misperceptions regarding Idaho water rights and irrigation districts. Each of these is discussed below.

I. **Except in special circumstances, landowners no longer using irrigation water may not exclude their land from the irrigation district.**

The right of a landowner to exclude his or her land from an irrigation district is governed by Idaho Code §§ 43-1101 to 43-1121. Section 43-1102(a) sets out four criteria for exclusion. To be eligible for exclusion, the landowner must meet at least one of these. The four criteria may be paraphrased and summarized as follows:

- lands too high to be irrigated without pumping;
- owners have installed an independent irrigation system because the district does not own a sufficient water right;
- lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- in the case of lands of five acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

The first criterion cannot be satisfied in Nampa because the three irrigations districts that serve the City do not include within their district boundaries any lands above the canal that cannot physically be irrigated with surface water provided by the irrigation district.

The second criterion cannot be satisfied because each of the irrigation districts serving the City holds adequate water rights to support pressurized irrigation within the service area.

The third criterion cannot be satisfied because the irrigation districts and/or the City have constructed or will construct a distribution system to all lands subject to assessment.

The fourth criterion may or may not be satisfied, depending on the circumstances. This criterion typically applies where a developer removes all means of delivery to an entire subdivision so that individual homeowners could not restore service even if they wanted to do receive the water. It does not apply where water is available, but an individual landowner
disables the connection to his or her property. It also does not apply if the parcel served is over five acres. Finally, the criterion is not satisfied if the landowner acted in or acquiesced in rendering the conveyance incapable of carrying water. In sum, merely electing not to use the water is not a sufficient basis to be excluded from an irrigation district.

Additional requirements are set out in section 43-1103, dealing with the contents of a petition for exclusion. For example, certain landowners (but not all) are required to show that the exclusion will be in the best interests of the owner and the district. In addition, the landowner must provide consent by the holder of any affected mortgage.

Section 43-1102(b) provides that if the lands to be excluded are also served by drainage facilities of the district, the lands shall be excluded for irrigation purposes only, and shall remain subject to assessment for drainage purposes.

As the discussion above shows, relatively few landowners served by the Nampa pressurized irrigation system will be eligible for exclusion from an irrigation district.

II. CUSTOMERS OF THE CITY’S PRESSURIZED IRRIGATION SYSTEM DO NOT HOLD INDIVIDUAL WATER RIGHTS FOR EITHER SURFACE OR GROUND WATER SUPPLIES.

Landowners served by irrigation districts do not hold individual water rights in connection with that service. This is in contrast to a mutual canal company (such as a Carey Act company) in which irrigators hold shares representing individual water rights in the company.

As the Idaho Supreme Court said, “The consumers possess no water right which they can assert as against any other appropriator,—their rights are acquired from the district which is the appropriator and owner and it is the district’s business to protect the appropriation and defend it in any litigation that arises.” Nampa & Meridian Irrigation Dist. v. Barclay, 56 Idaho 13, 47 P.2d 916, 921 (1935).

Most irrigation districts rely on water rights for storage in federal reclamation projects. These rights are acquired under state law by the Bureau of Reclamation and held in the name of the United States. Under United States v. Pioneer Irrigation District, 144 Idaho 106, 115, 157 P.3d 600, 609 (2007), while the federal government holds nominal “legal” title to water rights it acquired for these projects, “[t]he irrigation districts hold an interest on behalf of the water users pursuant to state law.” In other words, the Court concluded, “Irrigation districts act as trustees for the landowners.” Pioneer, 144 Idaho at 114, 157 P.3d at 608.1

While these water rights are held in trust, these cases do not hold that the trust is for the benefit of specific, individual landowners. As our Supreme Court has noted, landowners may come and go—beyond the control of the irrigation entity. When one landowner stops using the water, the irrigation entity may deliver water under those water rights to serve other lands within

---

1 In addition to these storage rights, irrigation districts typically hold legal title to other water rights (e.g., natural flow rights) in their own name; these rights also are held in trust for users within the district. Jensen v. Boise-Kuna Irrig. Dist., 75 Idaho 133, 141 269 P.2d 755, 760 (1954).
the authorized service area, subject to limits specified in the right. *Aberdeen Springfield Canal Co. v. Peiper*, 133 Idaho 87, 982 P.2d 917 (1999). Although *Peiper* dealt with a canal company, its holding was codified and applied to irrigation districts by Idaho Code § 42-223(7). In sum, while there are circumstances under which an irrigation district’s water rights can be forfeited or abandoned, this does not happen simply because the landowner elects not to use that water.

This is not to say that landowners have no interest in water rights held in trust by irrigation districts and made appurtenant to their lands by beneficial use. For example, under *Ickes v. Fox*, 300 U.S. 82, 93 (1937), the Court ruled that the government may not unilaterally take water en masse from all the landowners applying it to beneficial use on their land and redirect it to other water users in another district such that the original landowners’ land is left “barren and nonproductive.” But neither *Ickes*, nor *Pioneer*, nor any other case has held that a landowner no longer applying water supplied by a federal reclamation project to a beneficial use retains an individual legal interest in that water.

As noted above, the City’s pressurized irrigation system relies on both surface water supplied by irrigation districts and water supplied by the City’s own wells. It goes without saying that individuals served by a municipal water system do not thereby acquire title to the City’s water rights. Accordingly, a landowner’s mere decision not to receive water provided under those municipal water rights cannot work a forfeiture or abandonment of the City’s rights.

III. IDAHO STATUTES AUTHORIZE CITIES TO ASSESS LANDOWNERS TO WHICH IRRIGATION WATER IS AVAILABLE IRRESPECTIVE OF WHETHER THEY ARE USING IT.

The authority of Idaho cities to deliver irrigation district water rights within its service area and assess landowners for that service is reinforced by the amendments made in 1981 to Chapter 18 of Title 50 dealing with city irrigation systems. These amendments expressly authorize cities providing irrigation district water to municipal customers to pool their water rights for delivery as needed. Idaho Code §§ 50-1805 and 50-1805A. As a practical matter, the rights could not effectively be “pooled” for use in a centralized delivery system if they were subject to forfeiture or abandonment (or exclusion from assessment) every time a particular landowner elected not to use such water.

Note further that Idaho Code § 50-1806 provides that a city may assess and apportion the cost of irrigation service “according to the length of time each user or landowner may use such water.” Thus, it is not necessary that the landowner be a water user; it is only necessary that the landowner may use such water. Accordingly, this statute does not serve as a basis for a landowner’s contention that it may not be assessed for irrigation water available but not used.

In enacting this provision, the Idaho Legislature has recognized the impracticality of requiring cities to entertain petitions for exemption from assessment by every landowner who, from time to time, elects not to make use of the city’s irrigation water service. The modest cost of this valuable municipal benefit would increase substantially if the City of Nampa had to devote resources to determining who is and who is not actually using irrigation water at any given time among the many thousands of residents it serves.
In conclusion, a landowner may be relieved of assessments based on pass through of irrigation district charges for water delivery only if the land has been excluded from the irrigation district. Even in that case, the landowner still would be subject to assessments for any drainage services provided by the irrigation district and for water supplied by the City based on its own water rights and delivery system.
## 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

### A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: March 15, 2019</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of Request:</strong> Exclusion or Reduction:</td>
<td></td>
</tr>
<tr>
<td><strong>Reason for Request:</strong> There is an easement that he says he should not be billed for. The amount is too much.</td>
<td></td>
</tr>
<tr>
<td><strong>Landowner’s Name:</strong> Branden Cano</td>
<td><strong>Service Address:</strong> 2511 E Denver Ave</td>
</tr>
<tr>
<td><strong>Mailing Address:</strong> 2511 E Denver Dr</td>
<td><strong>Assessment No:</strong> R1529051700</td>
</tr>
<tr>
<td></td>
<td><strong>Current Irrigation Code:</strong> Full Benefits</td>
</tr>
<tr>
<td><strong>Is Request for Current Tax Season Only?</strong> yes</td>
<td><strong>Is Current Code at No Benefit Rate?</strong> YES ☒ NO ☐</td>
</tr>
<tr>
<td><strong>Square Feet:</strong> 17,782.52</td>
<td><strong>Total Dollar Assessment:</strong> $255.67</td>
</tr>
<tr>
<td><strong>Phone No.:</strong> 208-936-0539</td>
<td><strong>Cell No.:</strong></td>
</tr>
<tr>
<td><strong>Completed By:</strong> Dawn Adams</td>
<td><strong>Ext. No.: 5714</strong></td>
</tr>
</tbody>
</table>

### Field Survey & Report of Property

**B. Engineering Division:**

| Date of Survey: | |
|-----------------| |
| **Comments:** (See attached Field Survey & Report) | |
| Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒ | |
| Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒ | |
| **Completed By:** Caleb LaClair | **Ext. No.: 5422** |

### C. Public Works Administration:

**Reviewed & Approved By:**

| **Recommendation to BOA:** YES ☐ NO ☒ | **Date:** |
| **Decision Letter Sent By:** | **Date:** |
**2019 FIELD SURVEY AND REPORT**

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 3/15/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Branden Cano</td>
<td>Service Address: 2511 E Denver Ave</td>
</tr>
<tr>
<td></td>
<td>Assessment NO: R1529051700</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Survey: July 18, 2019</th>
<th>Time Arrived at Site: N/A</th>
<th>Time Left Site: N/A</th>
</tr>
</thead>
</table>

**Exclusion Criteria:** (Check all that Apply)

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

**Additional Comments:**
The property is residential Lot 8, Block 5 of the Venice Second Subdivision recorded in 1979. The Developer constructed municipal pressure irrigation mains and services to each lot at that time. A 6” pressure main and service are located in the rear of the lot. The lot is encumbered by Mason Creek and an associated 40’ wide easement totaling approximately 8,400-SF. The rear yard fence appears to be constructed outside of the easement. The lot is also encumbered by the City’s Venice Irrigation Pump Station

**Recommendation:** Based on the findings of this field survey report, it is recommended to deny the request for “Exclusion” on the grounds it is a residential lot and irrigation service is still. A reduced rate may be warranted given the significant encumbrances that limit landscaping and irrigable area.

Does this property meet criteria for Irrigation Tax Exclusion?  YES  [X]  NO  [ ]

Does this property meet qualifications for No Benefit Rate?  YES  [X]  NO  [ ]

**Completed By:** Caleb LaClair  **Ext. No.**  5422
### 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

#### A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>Irrigation District:</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/23/2019</td>
<td>Nampa Meridian</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Request:</th>
<th>Exclusion or Reduction:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reduction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reason for Request:</th>
<th>Portion of land is not usable per county.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Landowner’s Name:</th>
<th>Service Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Ferdinand</td>
<td>29 N Joseph Dr.</td>
</tr>
<tr>
<td></td>
<td>Nampa, ID 83651</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address:</th>
<th>Assessment NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>29 N Joseph Drive</td>
<td>R0797900000</td>
</tr>
<tr>
<td>Nampa, ID 83651</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Irrigation Code:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Benefits</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is Request for Current Tax Season Only? Yes and forward</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is Current Code at No Benefit Rate?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes □ NO ☒</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Square Feet:</th>
<th>Total Dollar Assessment:</th>
</tr>
</thead>
<tbody>
<tr>
<td>20,297.12</td>
<td>$ 337.36</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone No.</th>
<th>Cell No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>208-573-9028</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Completed By:</th>
<th>Ext. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dawn Adams</td>
<td>5714</td>
</tr>
</tbody>
</table>

#### FIELD SURVEY & REPORT OF PROPERTY

##### B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
</tr>
</thead>
</table>

| Comments: (See attached Field Survey & Report) |

Does this property meet required criteria for exclusion of irrigation tax? YES □ NO ☒

Does this property meet qualifications for No Benefit Rate? YES □ NO ☒

<table>
<thead>
<tr>
<th>Completed By:</th>
<th>Ext. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caleb LaClair</td>
<td>5422</td>
</tr>
</tbody>
</table>

#### C. Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Recommendation to BOA:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES □ NO ☒</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Decision Letter Sent By:</th>
<th>Date:</th>
</tr>
</thead>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
2019 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 7/23/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Michael Ferdinand</td>
<td>Service Address: 29 N Joseph Dr.</td>
</tr>
<tr>
<td></td>
<td>Assessment NO: R0797900000</td>
</tr>
</tbody>
</table>

Date of Survey: July 25, 2019
No site visit necessary

Time Arrived at Site: N/A
Time Left Site: N/A

Exclusion Criteria: (Check all that Apply)

☐ Lands too high to be irrigated without pumping;
☐ Owners have installed an independent irrigation system because the district does not own a sufficient water right;
☐ Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
☐ In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
The property is residential Lot 6, Block 5 of the Briarwood Subdivision recorded in 1979. The Developer constructed municipal pressure irrigation mains and services to each lot at that time. A 2” pressure main and service are located through the lot along the east bank of the Joseph Drain. The lot is encumbered by the Joseph Drain and an associated 30’ to 60’ wide easement. In addition, a portion of the lot is located on the west side of the Joseph Drain, which is not directly accessible by the existing pressure irrigation system. This portion of the lot is likely irrigated as a result of runoff from adjacent lots to the west and south. The total area of the lot that is encumbered by the Joseph Drain and not directly accessible is approximately 14,000-SF.

Recommendation: Based on the findings of this field survey report it is recommended to deny the request for “Exclusion” or a “No Benefit Rate” on the grounds it is a residential lot and irrigation service is still available. A reduced rate may be warranted given the significant encumbrances that limit landscaping and accessible irrigable area. The vacant land to the south and west is currently in the Preliminary Plat review process for future development known as the Springbrook Subdivision. The property owner could pursue splitting the property along the Joseph Drain centerline and selling the remaining triangle piece to the developer of the Springbrook Subdivision as it would provide more benefit to that development.
<table>
<thead>
<tr>
<th>Completed By: Caleb LaClair</th>
<th>Ext. No. 5422</th>
</tr>
</thead>
</table>

Does this property meet criteria for Irrigation Tax Exclusion? **YES ☒**

Does this property meet qualifications for No Benefit Rate? **YES ☒**
### A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>07-24-2019</th>
<th>Irrigation District:</th>
<th>Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request:</td>
<td>Exclusion or Reduction:</td>
<td>Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request:</td>
<td>Customer states he owns 20 feet of the road and the alley. It is not fit for watering. Would like a re-evaluation of his property.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name:</td>
<td>Jerald Fergusson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service Address:</td>
<td>323 S Almond St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>323 S Almond St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment NO R1078700000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Irrigation Code:</td>
<td>Full Benefits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only?</td>
<td>No, 2016-2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Square Feet:</td>
<td>19,002.90</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Dollar Assessment:</td>
<td>$ 1044.54 for all years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone No.</td>
<td>208-250-7637</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cell No.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Completed By:</td>
<td>Dawn Adams</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ext. No.</td>
<td>5714</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**FIELD SURVEY & REPORT OF PROPERTY**

### B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments: (See attached Field Survey &amp; Report)</td>
</tr>
</tbody>
</table>

Does this property meet required criteria for exclusion of irrigation tax? YES ☑ NO ☐

Does this property meet qualifications for No Benefit Rate? YES ☑ NO ☐

<table>
<thead>
<tr>
<th>Completed By:</th>
<th>Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ext. No.</td>
<td>5422</td>
</tr>
</tbody>
</table>

### C. Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation to BOA:</td>
<td>YES ☑ NO ☐</td>
</tr>
<tr>
<td>Decision Letter Sent By:</td>
<td>Date:</td>
</tr>
</tbody>
</table>
2019 FIELD SURVEY AND REPORT

Date Request Received from
Central Services: 7/24/2019

Report Completed By:
Caleb LaClair

Landowner’s Name:
Jerald Fergusson

Service Address:
323 S Almond St
Assessment NO:
R1078700000

Date of Survey:
July 25, 2019
No site visit necessary

Time Arrived at Site: N/A

Time Left Site: N/A

Exclusion Criteria: (Check all that Apply)

☐ Lands too high to be irrigated without pumping;
☐ Owners have installed an independent irrigation system because the district does not own a sufficient water right;
☐ Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
☐ In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
The property is part of the old Kurtz Addition subdivision. The City owns and maintains a 6” irrigation main along the rear of the lot (west side). The Landowner is correct in that the property lines extend to the center of S Almond Street. The typical public right-of-way width along S Almond Street is 40’ from centerline. Almond Street is classified as a Local Road; therefore, a 30’ public right-of-way dedication from centerline would be sufficient.

Recommendation: Based on the findings of this field survey report the property does not qualify for “Exclusion” or “No Benefit Rate”. It is recommended the landowner coordinate with the City to dedicate the easterly 30’ of the property to the City as public right-of-way for S Almond Street. This will in effect reduce the assessment area for both irrigation as well as other property taxes.

Does this property meet criteria for Irrigation Tax Exclusion? YES ☐ NO ☒

Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒

Completed By: Caleb LaClair
Ext. No. 5422
## A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: 04-02-2019</th>
<th>Irrigation District: NAMPA MERIDIAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: EXCLUSION</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: Has capped off the line and built a deck over it. Does not want to be billed for it any longer. “Don’t need it, don’t use”</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Michael Forsberg</td>
<td>Service Address: 1169 S Barberry Place Nampa, ID 83686</td>
</tr>
<tr>
<td>Mailing Address: 1169 S Barberry Place Nampa, ID 83686</td>
<td>Assessment NO R1163610200</td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? Yes and future</td>
<td>Is Current Code at No Benefit Rate? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Square Feet: 1,924.52</td>
<td>Total Dollar Assessment: $28.43</td>
</tr>
<tr>
<td>Phone No. 208-965-7167</td>
<td>Cell No.</td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

### FIELD SURVEY & REPORT OF PROPERTY

#### B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments: (See attached Field Survey &amp; Report)</td>
</tr>
<tr>
<td>Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Completed By: Caleb LaClair Ext. No. 5422</td>
</tr>
</tbody>
</table>

#### C. Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation to BOA: YES ☐ NO ☐</td>
<td>Date:</td>
</tr>
<tr>
<td>Decision Letter Sent By:</td>
<td>Date:</td>
</tr>
</tbody>
</table>
## 2019 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 3/19/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Michael Forsberg</td>
<td>Service Address: 1169 S Barberry Place</td>
</tr>
<tr>
<td></td>
<td>Assessment NO: R1163610200</td>
</tr>
</tbody>
</table>

### Date of Survey: July 18, 2019
- No site visit necessary
- Time Arrived at Site: N/A
- Time Left Site: N/A

### Exclusion Criteria: (Check all that Apply)

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

### Additional Comments:
The property is Lot 2C, Block 1 of the Barberry Estates Subdivision created in 2007. The Developer installed pressure irrigation main and services to all lots at the time of development. While the owner may have capped the service on the lot, the service still exists and could be used.

### Recommendation:
Deny request for “Exclusion” on the grounds that irrigation service is still supplied to the property and could be used.

<table>
<thead>
<tr>
<th>Does this property meet criteria for Irrigation Tax Exclusion?</th>
<th>YES [ ] NO ☒</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does this property meet qualifications for No Benefit Rate?</td>
<td>YES [ ] NO ☒</td>
</tr>
</tbody>
</table>

## Completed By: Caleb LaClair
### Ext. No. 5422
### 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

**A. Central Services:**

<table>
<thead>
<tr>
<th>Date of Request: 03-19-2019</th>
<th>Irrigation District: Pioneer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: Has no access. No pipes or lines</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Michael Genovese</td>
<td></td>
</tr>
<tr>
<td>Service Address: 316 12th Ave N</td>
<td></td>
</tr>
<tr>
<td>Mailing Address: 724 W Kinghorn Dr</td>
<td></td>
</tr>
<tr>
<td>Nampa, ID 83651</td>
<td></td>
</tr>
<tr>
<td>Assessment NO R0880400000</td>
<td></td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? yes</td>
<td></td>
</tr>
<tr>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
<td></td>
</tr>
<tr>
<td>Square Feet: 14,018.77</td>
<td></td>
</tr>
<tr>
<td>Total Dollar Assessment: $ 214.27</td>
<td></td>
</tr>
<tr>
<td>Phone No. 208-789-6318</td>
<td></td>
</tr>
<tr>
<td>Cell No.</td>
<td></td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

**B. Engineering Division:**

<table>
<thead>
<tr>
<th>Date of Survey: July 30, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments: (See attached Field Survey &amp; Report)</td>
</tr>
<tr>
<td>Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Completed By: Caleb LaClair Ext. No. 5422</td>
</tr>
</tbody>
</table>

**C. Public Works Administration:**

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation to BOA:  YES ☐ NO ☐</td>
<td>Date:</td>
</tr>
<tr>
<td>Decision Letter Sent By:</td>
<td>Date:</td>
</tr>
</tbody>
</table>
## 2019 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 3/19/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Michael Genovese</td>
<td>Service Address: 316 12th Ave N</td>
</tr>
<tr>
<td></td>
<td>Assessment NO: R0880400000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Survey: July 30, 2019</th>
<th>Time Arrived at Site: 1:00pm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time Left Site: 1:10pm</td>
<td></td>
</tr>
</tbody>
</table>

### Exclusion Criteria: (Check all that Apply)

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

### Additional Comments:
Property is a consolidation of Lots 9 and 10, Block 103 of the Griffith and Kings Addition plat. The City maintains a 6” pressure irrigation main in the alley between 12th and 13th Ave N. A duplex was constructed on the property in early 2019. The City watershop records indicate a service was installed on March 18, 2019. Visual observation confirms the service was installed on the north side of the lot; see attached pictures.

### Recommendation:
Deny request for “Exclusion” on the grounds that irrigation service is supplied to the property and could be used.

Does this property meet criteria for Irrigation Tax Exclusion?  YES ☒ NO ☐

Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐

Completed By: Caleb LaClair  Ext. No. 5422
### 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

**A. Central Services:**

<table>
<thead>
<tr>
<th>Date of Request: 08-02-2019</th>
<th>Irrigation District: PIONEER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: EXCLUSION</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: States he does not have a way to irrigate. He has no spigot</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Steven Mehling</td>
<td>Service Address: 112 N Midland Blvd</td>
</tr>
<tr>
<td>Mailing Address: 108 N Midland Blvd Nampa ID 83651</td>
<td>Assessment NO R16165011A0</td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only?</td>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
</tr>
<tr>
<td>Square Feet: 12,801.20</td>
<td>Total Dollar Assessment: $ 1024.17 INCLUDING LATE FEES AND PAST YEARS</td>
</tr>
<tr>
<td>Phone No. 208-880-5270</td>
<td>Cell No.</td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

---

### Field Survey & Report of Property

**B. Engineering Division:**

<table>
<thead>
<tr>
<th>Date of Survey: 8/2/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments: (See attached Field Survey &amp; Report)</td>
</tr>
<tr>
<td>Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Completed By: Caleb LaClair Ext. No. 5422</td>
</tr>
</tbody>
</table>

---

### Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation to BOA: YES ☐ NO ☐</td>
<td>Date:</td>
</tr>
<tr>
<td>Decision Letter Sent By:</td>
<td>Date:</td>
</tr>
</tbody>
</table>
Date Request Received from Central Services: 8/2/2019
Report Completed By: Caleb LaClair

Landowner’s Name: Steven Mehling
Service Address: 112 N Midland Blvd
Assessment NO: R16165011A0

Date of Survey: August 2, 2019
No site visit necessary
Time Arrived at Site: N/A
Time Left Site: N/A

Exclusion Criteria: (Check all that Apply)

☐ Lands too high to be irrigated without pumping;
☐ Owners have installed an independent irrigation system because the district does not own a sufficient water right;
☐ Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
☐ In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
The property is part of Lot 26 of the old Westview Subdivision. The property was annexed into the Nampa Municipal Irrigation District in 1993 via Ordinance #2335. The property owner is shown to also own adjacent 108 N Midland Blvd, and that 112 N Midland Blvd is being used as yard space for the residence existing on the 108 N Midland Blvd property. There is an active service installed on 108 N Midland Blvd, and it appears the subject property is being irrigated from the same service.

Recommendation: Based on the findings of this field survey report, it is recommended to deny the request for “Exclusion” on the grounds it is a residential lot and it appears the property is being irrigated from an active service located on 108 Midland Blvd. The City could install a separate service for the subject property if desired by the owner.

Does this property meet criteria for Irrigation Tax Exclusion?  YES ☐ NO ☒
Does this property meet qualifications for No Benefit Rate?  YES ☐ NO ☒

Completed By: Caleb LaClair
Ext. No. 5422
### 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

**A. Central Services:**

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: Undeveloped back lot. Does not have irrigation</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Vancha May Vizenor</td>
<td></td>
</tr>
<tr>
<td>Service Address: 0 7th Ave N</td>
<td></td>
</tr>
<tr>
<td>Mailing Address: 624 7th Ave N</td>
<td></td>
</tr>
<tr>
<td>Assessment NO R14713508A0</td>
<td></td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? Yes</td>
<td></td>
</tr>
<tr>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
<td></td>
</tr>
<tr>
<td>Square Feet: 9,590.00</td>
<td></td>
</tr>
<tr>
<td>Total Dollar Assessment: $ 145.21</td>
<td></td>
</tr>
<tr>
<td>Phone No. 360-608-3224</td>
<td></td>
</tr>
<tr>
<td>Cell No.</td>
<td></td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

**FIELD SURVEY & REPORT OF PROPERTY**

**B. Engineering Division:**

| Date of Survey: June 17, 2019 |
| Comments: (See attached Field Survey & Report) |
| Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒ |
| Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒ |
| Completed By: Caleb LaClair Ext. No. 5422 |

**C. Public Works Administration:**

| Reviewed & Approved By: |
| Recommendation to BOA: YES ☐ NO ☐ |
| Decision Letter Sent By: |
| Date: | Date: | Date: |
2018 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: March 29, 2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Vancha May Vizenor</td>
<td>Service Address: 0-7th Ave No., Nampa, Idaho 83687</td>
</tr>
<tr>
<td>624 7th Ave No.</td>
<td>Assessment NO: R14713508A0</td>
</tr>
<tr>
<td>Nampa, Idaho 83687</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Survey: June 17, 2019</th>
<th>Time Arrived at Site: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>No site visit necessary</td>
<td>Time Left Site: N/A</td>
</tr>
</tbody>
</table>

Exclusion Criteria: (Check all that Apply)

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
Irrigation installed with Zone 8 Phase 1 in 1978. Property split in the last 5 years. Irrigation service was never installed on the newly created lot.

Recommendation: Based on the findings of this field survey report, it is recommended that City will install a service on this lot pending payment of service riser fee.

Does this property meet criteria for Irrigation Tax Exclusion? YES [ ] NO [x]
Does this property meet qualifications for No Benefit Rate? YES [ ] NO [x]

Completed By: Caleb LaClair Ext. No. 5422
# 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

## A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>Irrigation District: Pioneer</th>
</tr>
</thead>
<tbody>
<tr>
<td>05-31-19</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Request:</th>
<th>Exclusion or Reduction: Exclusion</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Reason for Request:</th>
<th>Mr Wilson says he does not use the water. He hasn’t for 4 years. States that when he used it made weeds grow out of control and he was consistently fined by his HOA. Also, had to repair a major line. Says the water was unavailable to him and feels he should not have to pay it.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Landowner’s Name:</th>
<th>Jason Wilson</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Service Address:</th>
<th>1900 W Lotus Ponds Ct</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Mailing Address:</th>
<th>1900 W Lotus Ponds Ct</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nampa ID 83651</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessment NO</th>
<th>R3148838400</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Current Irrigation Code:</th>
<th>Full Benefits</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Is Request for Current Tax Season Only? 2016 and forward</th>
<th>Is Current Code at No Benefit Rate?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>YES ☐ NO ☒</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Square Feet:</th>
<th>7897.21</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Total Dollar Assessment:</th>
<th>663.38 total. 2019 = 127.66</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Phone No.</th>
<th>208-906-7052</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Cell No.</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Completed By:</th>
<th>Dawn Adams Ext. No. 5714</th>
</tr>
</thead>
</table>

## FIELD SURVEY & REPORT OF PROPERTY

### B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Comments:</th>
<th>(See attached Field Survey &amp; Report)</th>
</tr>
</thead>
</table>

Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒

Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒

<table>
<thead>
<tr>
<th>Completed By:</th>
<th>Caleb La Clair Ext. No. 5422</th>
</tr>
</thead>
</table>

## C. Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Recommendation to BOA:</th>
<th>YES ☐ NO ☐</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Date:</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Decision Letter Sent By:</th>
<th>Date:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Date:</th>
<th></th>
</tr>
</thead>
</table>
Date Request Received from Central Services: 5/31/2019

Report Completed By: Caleb LaClair

Landowner’s Name: Jason Wilson

Service Address: 1900 W Lotus Ponds Ct
Assessment NO: R3148838400

Date of Survey: July 18, 2019
No site visit necessary

Time Arrived at Site: N/A
Time Left Site: N/A

Exclusion Criteria: (Check all that Apply)

☐ Lands too high to be irrigated without pumping;
☐ Owners have installed an independent irrigation system because the district does not own a sufficient water right;
☐ Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
☐ In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
The property is residential Lot 30, Block 7 of the Lotus Springs Subdivision Phase 5 recorded in 2003. The Developer constructed municipal pressure irrigation mains and services to each lot at that time. A 4” pressure main and service are located in the rear of the lot.

Recommendation: Based on the findings of this field survey report, it is recommended to deny the request for “Exclusion” on the grounds it is a residential lot and irrigation service is still supplied to the property and could be used.

Does this property meet criteria for Irrigation Tax Exclusion? YES ☐ NO ☒
Does this property meet qualifications for No Benefit Rate? YES ☐ NO ☒

Completed By: Caleb LaClair
Ext. No. 5422
**2019 IRRIGATION TAX EXCLUSION AND/OR NO BENEFIT RATE CUSTOMER REQUEST WORKSHEET**

### A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: March 15, 2019</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Exclusion</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: Customer does not think that he should have to pay for something that he does not use. The previous owners did, but he doesn’t want to.</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Ron Ralls</td>
<td></td>
</tr>
<tr>
<td>GARRITY APPLIANCE HOLDINGS LLC</td>
<td></td>
</tr>
<tr>
<td>Service Address: 1207 3rd St S Nampa, ID 83651</td>
<td></td>
</tr>
<tr>
<td>Mailing Address: 1207 3rd St S Nampa, ID 83651</td>
<td></td>
</tr>
<tr>
<td>Assessment NO: R1359500000</td>
<td></td>
</tr>
<tr>
<td>Current Irrigation Code: No benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? Yes and forward</td>
<td></td>
</tr>
<tr>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
<td></td>
</tr>
<tr>
<td>Square Feet: 7,015.72</td>
<td></td>
</tr>
<tr>
<td>Total Dollar Assessment: $ 31.66</td>
<td></td>
</tr>
<tr>
<td>Phone No. 208-899-9976</td>
<td></td>
</tr>
<tr>
<td>Cell No.</td>
<td></td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

### B. Engineering Division:

| Date of Survey: |
| Comments: (See attached Field Survey & Report) |
| Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒ |
| Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐ |
| Completed By: Caleb LaClair Ext. No. 5422 |

### C. Public Works Administration:

| Reviewed & Approved By: |
| Date: |
| Recommendation to BOA: YES ☐ NO ☒ |
| Date: |
| Decision Letter Sent By: |
| Date: |
Date Request Received from Central Services: 3/15/2019
Report Completed By: Caleb LaClair

<table>
<thead>
<tr>
<th>Landowner’s Name:</th>
<th>Service Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>GARRITY APPLIANCE HOLDINGS LLC</td>
<td>1207 3rd St S</td>
</tr>
<tr>
<td></td>
<td>Assessment NO:</td>
</tr>
<tr>
<td></td>
<td>R1359500000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Survey:</th>
<th>Time Arrived at Site: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 18, 2019</td>
<td></td>
</tr>
<tr>
<td>No site visit necessary</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Time Left Site:</th>
<th>N/A</th>
</tr>
</thead>
</table>

Exclusion Criteria: (Check all that Apply)

☐ Lands too high to be irrigated without pumping;
☐ Owners have installed an independent irrigation system because the district does not own a sufficient water right;
☐ Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
☐ In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
The property is Lot 38, Block 48 of the Original Townsite plat. The property was annexed into the municipal system in 1948. The City maintains a 3” and 4” pressure irrigation main near the property. The property appears to be fully covered with impervious surface (no landscaping), with a commercial use.

Recommendation: Based on the findings of this field survey report, it is recommended that approval for a “No Benefit Rate” be granted until such time as the lot is redeveloped and landscaping established.

Does this property meet criteria for Irrigation Tax Exclusion? YES ☐ NO ☒

Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐

Completed By: Caleb LaClair Ext. No. 5422
# 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

### A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: March 15, 2019</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of Request:</strong> Exclusion or Reduction:</td>
<td></td>
</tr>
<tr>
<td><strong>Reason for Request:</strong> No access to water. They use the hose from the Coffee Shop to water the grass. Has never used Irrigation Water</td>
<td></td>
</tr>
<tr>
<td><strong>Landowner’s Name:</strong> Tate Elquist</td>
<td><strong>Service Address:</strong> 1308 12th Ave S</td>
</tr>
<tr>
<td><strong>Mailing Address:</strong> 13067 Lakeshore Drive Nampa, ID 83686</td>
<td><strong>Assessment NO:</strong> R1594600000</td>
</tr>
<tr>
<td><strong>Current Irrigation Code:</strong> Full Benefits</td>
<td><strong>Is Request for Current Tax Season Only?</strong> yes</td>
</tr>
<tr>
<td><strong>Is Current Code at No Benefit Rate?</strong> YES ☒ NO ☐</td>
<td></td>
</tr>
<tr>
<td><strong>Square Feet:</strong> 6,991.25</td>
<td><strong>Total Dollar Assessment:</strong> $40.30</td>
</tr>
<tr>
<td><strong>Phone No.</strong> 208-353-7724 Jennifer</td>
<td><strong>Cell No.</strong></td>
</tr>
<tr>
<td><strong>Completed By:</strong> Dawn Adams</td>
<td><strong>Ext. No.</strong> 5714</td>
</tr>
</tbody>
</table>

### B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Comments:</strong> (See attached Field Survey &amp; Report)</td>
</tr>
<tr>
<td>Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐</td>
</tr>
<tr>
<td><strong>Completed By:</strong> Caleb LaClair</td>
</tr>
</tbody>
</table>

### C. Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Recommendation to BOA:</strong> YES ☐ NO ☐</td>
<td><strong>Date:</strong></td>
</tr>
<tr>
<td><strong>Decision Letter Sent By:</strong></td>
<td><strong>Date:</strong></td>
</tr>
</tbody>
</table>
### 2019 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 3/15/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Landowner’s Name:</strong> Tate Elquist</td>
<td><strong>Service Address:</strong> 1308 12th Ave S</td>
</tr>
<tr>
<td></td>
<td><strong>Assessment NO:</strong> R1594600000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Survey:</th>
<th>Time Arrived at Site: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 18, 2019</td>
<td>Time Left Site: N/A</td>
</tr>
</tbody>
</table>

**Exclusion Criteria:** (Check all that Apply)

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

**Additional Comments:**
The property is Lot 4, Block 64 of the old Warehouse Addition Subdivision. The maintains a 6” pressure irrigation main in the alley located at the rear of the lot. There is no pressure irrigation service installed to this lot. The majority of the lot is paved/gravel with the exception of approximately 430-SF (+/-6% of lot).

**Recommendation:** Based on the findings of this field survey report, it is recommended that approval for a “No Benefit Rate” be granted until such time as the lot is redeveloped and irrigation service installed.

- Does this property meet criteria for Irrigation Tax Exclusion? [ ] YES [ ] NO [X]
- Does this property meet qualifications for No Benefit Rate? [X] YES [ ] NO [ ]

| Completed By: Caleb LaClair | Ext. No. 5422 |
**2019 IRRIGATION TAX EXCLUSION AND/OR NO BENEFIT RATE CUSTOMER REQUEST WORKSHEET**

A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: 03-26-2019</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Exclusion</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: No Irrigation hook ups.</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Magic Auto Sales, LLC</td>
<td></td>
</tr>
<tr>
<td>Service Address: 1715 Garrity Blvd Nampa ID 83687</td>
<td></td>
</tr>
<tr>
<td>Mailing Address: 4372 E Burgundy Drive Nampa, ID 83686</td>
<td></td>
</tr>
<tr>
<td>Assessment NO R0924500000</td>
<td></td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? no</td>
<td></td>
</tr>
<tr>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
<td></td>
</tr>
<tr>
<td>Square Feet: 14,520.40</td>
<td></td>
</tr>
<tr>
<td>Total Dollar Assessment: $54.20</td>
<td></td>
</tr>
<tr>
<td>Phone No. 208-461-2559</td>
<td></td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

FIELD SURVEY & REPORT OF PROPERTY

B. Engineering Division:

| Date of Survey: |
| Comments: (See attached Field Survey & Report) |
| Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒ |
| Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐ |
| Completed By: Caleb LaClair Ext. No. 5422 |

C. Public Works Administration:

| Reviewed & Approved By: |
| Recommendation to BOA: YES ☐ NO ☐ |
| Decision Letter Sent By: |

Exhibit K
## 2019 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 3/26/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Magic Auto Sales, LLC</td>
<td>Service Address: 1715 Garrity Blvd Assessment NO: R0924500000</td>
</tr>
</tbody>
</table>

### Date of Survey:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
<th>July 18, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>No site visit necessary</td>
<td>Time Arrived at Site: N/A</td>
</tr>
<tr>
<td></td>
<td>Time Left Site: N/A</td>
</tr>
</tbody>
</table>

### Exclusion Criteria: (Check all that Apply)

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

### Additional Comments:

The property was annexed into the municipal system in 1966. The City maintains a 3” pressure irrigation main along the east side of the property, with an irrigation service installed. The property appears to be fully covered with impervious surface (no landscaping), with a commercial use.

### Recommendation:

Based on the findings of this field survey report, it is recommended that approval for a “No Benefit Rate” be granted until such time as the lot is redeveloped and landscaping established.

- Does this property meet criteria for Irrigation Tax Exclusion? YES [x] NO [ ]
- Does this property meet qualifications for No Benefit Rate? YES [x] NO [ ]

**Completed By:** Caleb LaClair  
**Ext. No.:** 5422
2019 IRRIGATION TAX EXCLUSION AND/OR NO BENEFIT RATE
CUSTOMER REQUEST WORKSHEET

A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: 05/09/2019</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: They sold 273 Davis St. They used to have access to Irr turn on and off. Since the property was sold, they no longer have access to valves. Wants smaller rates</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Amara Zoubida</td>
<td></td>
</tr>
<tr>
<td>Service Address: 336 Smith Ave Nampa ID 83651</td>
<td></td>
</tr>
<tr>
<td>Mailing Address: 6271 E Lemhi Ct Nampa, ID 83687</td>
<td></td>
</tr>
<tr>
<td>Assessment NO: R1615201000</td>
<td></td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? Yes</td>
<td></td>
</tr>
<tr>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
<td></td>
</tr>
<tr>
<td>Square Feet: 21,853.68</td>
<td></td>
</tr>
<tr>
<td>Total Dollar Assessment: $309.73</td>
<td></td>
</tr>
<tr>
<td>Phone No. Richard (the son of Amara) 208-371-1583</td>
<td></td>
</tr>
<tr>
<td>Cell No.</td>
<td></td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

FIELD SURVEY & REPORT OF PROPERTY

B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments: (See attached Field Survey &amp; Report)</td>
</tr>
<tr>
<td>Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐</td>
</tr>
<tr>
<td>Completed By: Caleb LaClair Ext. No. 5422</td>
</tr>
</tbody>
</table>

C. Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation to BOA: YES ☒ NO ☐</td>
<td>Date:</td>
</tr>
<tr>
<td>Decision Letter Sent By:</td>
<td>Date:</td>
</tr>
</tbody>
</table>
**2019 FIELD SURVEY AND REPORT**

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 3/19/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Amara Zoubida</td>
<td>Service Address: 336 Smith Ave</td>
</tr>
<tr>
<td></td>
<td>Assessment NO: R1615201000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Survey: July 18, 2019</th>
<th>Time Arrived at Site: N/A</th>
<th>Time Left Site: N/A</th>
</tr>
</thead>
</table>

**Exclusion Criteria: (Check all that Apply)**

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

**Additional Comments:**
The property is a portion of Lot 23 of the Westview plat. The City maintains a 4” pressure irrigation main along the northerly and southerly boundaries of the parcel. Research indicates the property was split in 2002, but a separate irrigation service was never installed on the new parcel. However, the City is still able to provide service.

**Recommendation:** If the property owners still wish to irrigate the lot, it is recommended a new and separate irrigation service be installed on the subject property. Otherwise a “No Benefit Rate” could be granted until such time as the lot is developed and a new irrigation service is installed.

- Does this property meet criteria for Irrigation Tax Exclusion? YES ☒ NO ☐
- Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐

| Completed By: Caleb LaClair | Ext. No. 5422 |
### A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: 06-11-19</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Exclusion or Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: The lot is all gravel. An extended parking lot. They are not using the water. He does not know where the pipe is.</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Fleet Reserve Association Branch 382</td>
<td>Service Address: 0 Powell Ave Nampa, 83687</td>
</tr>
<tr>
<td>Mailing Address: Thomas W. Flanik 15686 Cumulus Way Caldwell, ID 83607</td>
<td>Assessment NO R148200000</td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? Yes and forward</td>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
</tr>
<tr>
<td>Square Feet: 10,622.98</td>
<td>Total Dollar Assessment: $159.14</td>
</tr>
<tr>
<td>Phone No. 208-455-8100</td>
<td>Cell No.</td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

### B. Engineering Division:

Date of Survey:

Comments: (See attached Field Survey & Report)

Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒

Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐

Completed By: Caleb LaClair Ext. No. 5422

### C. Public Works Administration:

Reviewed & Approved By: Date:

Recommendation to BOA: YES ☒ NO ☐ Date:

Decision Letter Sent By: Date:
Date Request Received from Central Services: 6/11/2019

Report Completed By: Caleb LaClair

Landowner’s Name: Fleet Reserve Association Branch 382

Service Address: 0 Powell Ave Nampa, 83687

Assessment NO: R1482000000

Date of Survey: July 18, 2019

No site visit necessary

Time Arrived at Site: N/A

Time Left Site: N/A

Exclusion Criteria: (Check all that Apply)

☐ Lands too high to be irrigated without pumping;
☐ Owners have installed an independent irrigation system because the district does not own a sufficient water right;
☐ Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
☐ In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
Property is part of the Amended Plat of the Rosenlof Addition. Research indicates the parcel was created via lot splits that occurred in 2007 and then again in 2016. The City maintains a 4” pressure irrigation main in Powell Avenue. There does not appear to be a separate irrigation service installed on this lot, but the City does have the ability to provide service if ever desired in the future. It appears that a portion of the lot may be irrigated from the adjacent 1107 Powell Ave service.

Recommendation: Based on the findings of this field survey report, it is recommended that approval for a “No Benefit Rate” be granted until such time as the lot is developed and irrigation service installed.

Does this property meet criteria for Irrigation Tax Exclusion? YES ☐ NO ☒

Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐

Completed By: Caleb LaClair Ext. No. 5422
**2019 IRRIGATION TAX EXCLUSION AND/OR NO BENEFIT RATE CUSTOMER REQUEST WORKSHEET**

**A. Central Services:**

<table>
<thead>
<tr>
<th>Date of Request: 03-20-2019</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: no access, common property. Cannot develop. Flood way</td>
<td></td>
</tr>
<tr>
<td>Landowner’s Name: Reynolds Bros Construction, LLC</td>
<td></td>
</tr>
<tr>
<td>Service Address: 0 E Shortline Dr.</td>
<td></td>
</tr>
<tr>
<td>Mailing Address: 415 N Franklin Blvd Nampa ID 83687</td>
<td></td>
</tr>
<tr>
<td>Assessment NO R3189010000</td>
<td></td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? Yes</td>
<td></td>
</tr>
<tr>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
<td></td>
</tr>
<tr>
<td>Square Feet: 9,388.69</td>
<td></td>
</tr>
<tr>
<td>Total Dollar Assessment: $ 142.50</td>
<td></td>
</tr>
<tr>
<td>Phone No. 208-514-8720</td>
<td></td>
</tr>
<tr>
<td>Cell No.</td>
<td></td>
</tr>
<tr>
<td>Completed By: Dawn Adams Ext. No. 5714</td>
<td></td>
</tr>
</tbody>
</table>

**FIELD SURVEY & REPORT OF PROPERTY**

**B. Engineering Division:**

<table>
<thead>
<tr>
<th>Date of Survey:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments: (See attached Field Survey &amp; Report)</td>
</tr>
<tr>
<td>Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒</td>
</tr>
<tr>
<td>Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐</td>
</tr>
<tr>
<td>Completed By: Caleb LaClair Ext. No. 5422</td>
</tr>
</tbody>
</table>

**C. Public Works Administration:**

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation to BOA: YES ☐ NO ☐</td>
<td>Date:</td>
</tr>
<tr>
<td>Decision Letter Sent By:</td>
<td>Date:</td>
</tr>
</tbody>
</table>
## 2018 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 03/20/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Reynolds Bros. Construction</td>
<td>Service Address: 0 E Shortline Dr</td>
</tr>
<tr>
<td></td>
<td>Assessment NO: R3189010000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Survey: July 18, 2019</th>
<th>Time Arrived at Site: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>No site visit necessary</td>
<td>Time Left Site: N/A</td>
</tr>
</tbody>
</table>

**Exclusion Criteria: (Check all that Apply)**

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

**Additional Comments:**
Property is part of the Spur Line Subdivision built in 2006. The parcel appears to be a common lot that is encumbered by the southwest bank of Indian Creek. Pressure irrigation mains were installed by the Developer with the Subdivision, but a service was never installed for this lot. It appears the lot has been left fallow. The lot is located in the FEMA floodway per FIRM 16027C0383F, effective on May 24, 2011.

**Recommendation:** Based on the findings of this field survey report, it is recommended that approval for a “No Benefit Rate” be granted until such time as irrigation service is installed and the lot is actively irrigated.

- Does this property meet criteria for Irrigation Tax Exclusion? YES [ ] NO [x]
- Does this property meet qualifications for No Benefit Rate? YES [x] NO [ ]

| Completed By: Caleb LaClair | Ext. No. 5422 |
# 2019 Irrigation Tax Exclusion and/or No Benefit Rate Customer Request Worksheet

## A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: 03-20-2019</th>
<th>Irrigation District: Nampa Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: This is part of the Flood Way</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Landowner’s Name: Reynolds Bros. Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Address: 1934 E Shortline Dr</td>
</tr>
</tbody>
</table>

| Mailing Address: 415 N Franklin Blvd Nampa |
| Assessment NO R3189010300 |

<table>
<thead>
<tr>
<th>Current Irrigation Code: Full Benefits</th>
</tr>
</thead>
</table>

| Is Request for Current Tax Season Only? yes |
| Is Current Code at No Benefit Rate? YES ☒ NO ☐ |

| Square Feet: 6,991.25 |
| Total Dollar Assessment: $110.17 |

| Phone No. 208-514-8720 |
| Cell No. |

| Completed By: Dawn Adams | Ext. No. 5714 |

## Field Survey & Report of Property

### B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments: (See attached Field Survey &amp; Report)</td>
</tr>
</tbody>
</table>

Does this property meet required criteria for exclusion of irrigation tax? YES ☐ NO ☒

Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐

| Completed By: Caleb LaClair | Ext. No. 5422 |

## C. Public Works Administration:

| Reviewed & Approved By: | Date: |
|--------------------------------------------------|
| Recommendation to BOA: YES ☐ NO ☐ | Date: |

| Decision Letter Sent By: | Date: |
|--------------------------------------------------|
**2018 FIELD SURVEY AND REPORT**

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 03/20/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Reynolds Bros. Construction</td>
<td>Service Address: 1934 E Shortline Dr</td>
</tr>
<tr>
<td>Assessment NO: R3189010300</td>
<td>Assessment NO:</td>
</tr>
</tbody>
</table>

**Date of Survey:**
- **July 18, 2019**
- **No site visit necessary**

<table>
<thead>
<tr>
<th>Time Arrived at Site: N/A</th>
<th>Time Left Site: N/A</th>
</tr>
</thead>
</table>

**Exclusion Criteria: (Check all that Apply)**

- Lands too high to be irrigated without pumping;
- Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

**Additional Comments:**
Property is part of the Spur Line Subdivision built in 2006. Pressure irrigation and service installed by Developer at that time. Lot was never built on and is located in the FEMA floodway per FIRM 16027C0383F, effective on May 24, 2011.

**Recommendation:** Based on the findings of this field survey report, it is recommended that approval for a “No Benefit Rate” be granted until such time as building permits are issued and the lots are built on.

Does this property meet criteria for Irrigation Tax Exclusion?  YES ☒ NO ☐

Does this property meet qualifications for No Benefit Rate?  YES ☒ NO ☐

**Completed By: Caleb LaClair**

**Ext. No. 5422**
**2019 IRRIGATION TAX EXCLUSION AND/OR NO BENEFIT RATE CUSTOMER REQUEST WORKSHEET**

### A. Central Services:

<table>
<thead>
<tr>
<th>Date of Request: 03-20-2019</th>
<th>Irrigation District:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Request: Exclusion or Reduction: Reduction</td>
<td></td>
</tr>
<tr>
<td>Reason for Request: Part of flood way</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Landowner’s Name: Reynolds Bros. Construction LLC</th>
<th>Service Address: 1940 E Shortline Dr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address: 415 N Franklin Blvd</td>
<td>Assessment NO R3189010200</td>
</tr>
<tr>
<td>Current Irrigation Code: Full Benefits</td>
<td></td>
</tr>
<tr>
<td>Is Request for Current Tax Season Only? yes</td>
<td>Is Current Code at No Benefit Rate? YES ☒ NO ☐</td>
</tr>
<tr>
<td>Square Feet: 7,093.09</td>
<td>Total Dollar Assessment: $111.55</td>
</tr>
<tr>
<td>Phone No. 208-514-8720</td>
<td>Cell No.</td>
</tr>
<tr>
<td>Completed By: Dawn Adams</td>
<td>Ext. No. 5714</td>
</tr>
</tbody>
</table>

### FIELD SURVEY & REPORT OF PROPERTY

#### B. Engineering Division:

<table>
<thead>
<tr>
<th>Date of Survey</th>
<th>Comments: (See attached Field Survey &amp; Report)</th>
</tr>
</thead>
</table>

Does this property meet required criteria for exclusion of irrigation tax? YES ☒ NO ☐
Does this property meet qualifications for No Benefit Rate? YES ☒ NO ☐

<table>
<thead>
<tr>
<th>Completed By: Caleb LaClair</th>
<th>Ext. No. 5422</th>
</tr>
</thead>
</table>

### C. Public Works Administration:

<table>
<thead>
<tr>
<th>Reviewed &amp; Approved By:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation to BOA: YES ☐ NO ☐</td>
<td>Date:</td>
</tr>
<tr>
<td>Decision Letter Sent By:</td>
<td>Date:</td>
</tr>
</tbody>
</table>
2018 FIELD SURVEY AND REPORT

<table>
<thead>
<tr>
<th>Date Request Received from Central Services: 03/20/2019</th>
<th>Report Completed By: Caleb LaClair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner’s Name: Reynolds Bros. Construction</td>
<td>Service Address: 1940 E Shortline Dr</td>
</tr>
<tr>
<td>Assessment NO: R3189010200</td>
<td></td>
</tr>
</tbody>
</table>

Date of Survey:  **July 18, 2019**  
No site visit necessary

<table>
<thead>
<tr>
<th>Time Arrived at Site: N/A</th>
<th>Time Left Site: N/A</th>
</tr>
</thead>
</table>

Exclusion Criteria: (Check all that Apply)

- [ ] Lands too high to be irrigated without pumping;
- [ ] Owners have installed an independent irrigation system because the district does not own a sufficient water right;
- [ ] Lands are not agricultural lands and the district has not constructed a distribution system or taken steps to do so; or
- [ ] In the case of lands of five (5) acres or less, the prior owner rendered the ditch or other conveyance to the land incapable of carrying water (without the knowledge or consent of the current owner).

Additional Comments:
Property is part of the Spur Line Subdivision built in 2006. Pressure irrigation and service installed by Developer at that time. Lot was never built on and is located in the FEMA floodway per FIRM 16027C0383F, effective on May 24, 2011.

Recommendation: Based on the findings of this field survey report, it is recommended that approval for a “No Benefit Rate” be granted until such time as building permits are issued and the lots are built on.

- [ ] Yes  [x] No  [ ]

Does this property meet criteria for Irrigation Tax Exclusion?  YES  [ ] NO  [x]

- [ ] Yes  [ ] NO  [x]

Does this property meet qualifications for No Benefit Rate?  YES  [ ] NO  [x]

Completed By: Caleb LaClair  Ext. No.  5422
6/17/2019, 10:14:53 AM

Irrigation Service Line
REV Irrigation Service Line
REV Irrigation Curb Stop

REV Irrigation Line

Pressure Irrigation (Inactive, Private, etc.)
Pressure Irrigation (Active)
REV Irrigation Node

Nampa GIS, Canyon County Assessor, CCSO

City of Nampa
Proposed Changes to Equivalent Dwelling Unit (EDU) and Strength Class Guide for Wastewater and Water User Classifications (Restaurants and Breweries)

- The Equivalent Dwelling Unit (EDU) and Strength Class Guide for Wastewater and Water User Classifications is used by staff in determining utility connection fees for new and expanding business within the City of Nampa.

- Engineering and Wastewater staff have recommended changes to the guide for the following business types:
  - Brewery (non-industrial customer)
    - This is a new addition to the guide with a strength class of SE6.
    - With the number of new breweries coming to Nampa, staff identified the need to add this customer category to the guide to provide clarity for both staff and businesses wanting to locate in Nampa (see Exhibit A).
  - Restaurants
    - This is a modification to the restaurant class, removing the distinction between drive-in and sit down, and changing the gallons per day per seat from 30 to 20.
    - Staff performed an analysis of the existing restaurants in the City after several new restaurants questioned the City’s guide for this customer category (see Exhibit B).

REQUEST: Board of Appraisers authorize staff to move forward with recommended changes to City Council for approval of the Equivalent Dwelling Unit (EDU) and Strength Class Guide for Wastewater and Water User Classifications (see Exhibit C).
1/10/2019

Mr. Andy Zimmerman
Wastewater Superintendent
City of Nampa
340 W Railroad St
Nampa, ID 83687

Dear Mr. Zimmerman:

Breweries are a growing industry in the Treasure Valley and throughout the United States. Currently, the City of Nampa does not have a general sewer strength class that includes breweries. There are sewer classes for bakeries but there are no sewer classes for breweries, which exhibit similar effects on the Nampa Wastewater Plant and sewer system. As the Pretreatment team, we believe that the City should have a standard sewer strength class for breweries that includes the opportunity of decreasing their sewer class with the caveat that they could possibly increase classes based on effluent discharge data.

The sewer classifications rely on analysis of Biological Oxygen Demand (BOD) strengths that are found in the average final discharges of the industry field. According to multiple peer reviewed journals, such as the article Characterization of Brewery Wastewater Composition, the average BOD strength of the average brewery is between 1609-3980 mg/L. Two other peer reviewed articles, Treatment Technology for Brewery Wastewater in Water-scarce Country: A review and Waste Water Treatment in Brewery Industry, Review, both found that the average BOD waste strength of a brewery was 1200-3600 mg/L. This waste strength would put breweries at a minimum of an SE 6 classification, which is anywhere within the range of 1000-1500 mg/L. The studies found that the higher averages of BOD waste strength were over 1500 mg/L, of BOD which would put them in an SE7 sewer class. These upper ranges are where the Pretreatment team can help the business come in with as low of a BOD strength as possible through suggestions for process refinement and solids removal, which contribute heavy BOD. Along with the standard SE6 sewer class for breweries and the possibility to move down to an SE5, a brewery could also find themselves as an SE7 after testing has been done.

The Pretreatment team considers this a necessary action moving forward with imminent proliferation of breweries in the Treasure Valley. This proactive strength class ranking will not only improve relations with the customers of the City of Nampa but will also assist other departments within the City of Nampa to help establish a baseline hook-up fee for equivalent dwelling units in an emerging market before they begin to discharge.

Thank you,
Nathan Costner
Ryan Knutzen
The Engineering Division initiated this review of the local restaurant water consumption to analyze the accuracy of the current means of billing restaurants during their initial connection to City Utilities. The review was conducted on restaurants currently located within Nampa City limits that had usage data available. The following report identifies how the data was acquired, potential inconsistencies in the results, and provides figures to expand on the data collected with corresponding recommendations.

**Data Collection Process:**

During the Summer of 2018, restaurant address information was collected through internet search and verification. Each business was then given verbal information about the analysis being performed and an informal in-person request was made to do a seat count of the restaurant. Upon the completion of a seat count at all the verified restaurant locations in July 2018, the domestic water usage data was requested from the Utilities Billing Department. The most recent meter read date for the data used varied from business to business but was generally the end of August 2018. The entirety of the usage data for each restaurant was used dating back to 2010 if available, anything data prior to 2010 or obviously from another user was removed. The final number of businesses that complete data was available for totaled 151 restaurants; ranging from a small mom and pop Italian restaurant to large Chinese buffets. The raw data was then analyzed, compiled into this report and can be seen depicted in graphs 2 through 7 and tables 1 and 2.

**Analysis Challenges:**

Analyzing the water usage per restaurant turned out to be a challenging endeavor. Restaurants in business complexes share their water meter with their complex neighbors, making it difficult to accurately quantify their individual water usage. These complexes are usually owned by a single person, while businesses cycle through the units. This makes it difficult to narrow down when each business started contributing to the water usage tracked by their meter versus when there were empty units waiting for tenants. This resulted in the usage being averaged for each unit of the complex over time, rather than averaged for the
individual business. Additionally, data was not provided for every requested address due to “no meter data available”.

**Recommendation:**
When evaluating a fees reduction based on this data, it was important to first eliminate the outliers as they can substantially skew the data averages in their favor. For this calculation, the formula for determining outliers in statistical data analysis was used, it was determined that the largest 6 values of restaurant water usage in gallons per day per seat should be eliminated. From there the data was normally distributed and analyzed, as shown in Graph 1. Based on this evaluation, the following three alternatives could be considered to modify the restaurant water usage assumptions for EDU and corresponding fee determination:

1. Reduce the per seat usage to 20 gal/day, which represents approximately the 70th percentile of restaurants analyzed. This would be the simplest option to manage.
2. Establish different usage rates for specific categories of restaurants.
3. Establish a sliding scale of usage rates based on seat count.

With all three alternatives, the options could still be given to applicants to provide real-world comparable data to determine a project specific water usage for fee determination.

**Graphs and Tables:**
**Graph 1: Recommendation Analysis**

**Table 1: Low, Average and High Data for all Restaurant Analyzed**

<table>
<thead>
<tr>
<th>Data</th>
<th>Low</th>
<th>Average</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Usage (Gal/Day)</td>
<td>85.8</td>
<td>1435.3</td>
<td>10,659</td>
</tr>
<tr>
<td>Usage (Gal/Day/Seat)</td>
<td>2.1</td>
<td>17.8</td>
<td>178.2</td>
</tr>
<tr>
<td>Seating</td>
<td>9</td>
<td>84.4</td>
<td>402</td>
</tr>
</tbody>
</table>
Graph 2: Water Usage for Each Restaurant, in Gallons per Day and Gallons per Day per Seat

All Restaurant Usage Data

Graph 3: Water Usage for Each Restaurant, Usage per Day Compared to Number of Seats

All Restaurant Usage Data
Graph 4 & 5: Evaluation of Building Type and Average Usage

**STAND ALONE VS STRIP (%)**

- Stand alone: 61%
- Strip: 39%

Graph 6 & 7: Evaluation of Restaurant Type and Average Usage

**RESTAURANT TYPE PERCENTAGE**

- Fast Food: 36% (54)
- Hawaiian: 1% (1)
- Barbecue: 1% (2)
- Steakhouse: 2% (3)
- Ice Cream: 2% (3)
- Dinner: 5% (7)
- Café: 8% (12)
- Hispanic: 10% (15)
- American: 10% (15)
- Bar: 10% (15)
- Asian: 10% (16)

**Average Usage Compared to Restaurant Type**

- Bar: 6.7
- Hawaiian: 11.1
- Barbecue: 12.7
- Café: 12.8
- Hispanic: 15.2
- Pizza: 15.6
- Dinner: 16.8
- Asian: 17.8
- Fast Food: 20.6
- Steakhouse: 27.5
- Ice Cream: 81.6

Table 2: Minimum and Maximum Usage in Gallons per Day per Seat, by Type of Restaurant

<table>
<thead>
<tr>
<th>Data</th>
<th>Bar</th>
<th>Hawaiian</th>
<th>Barbecue</th>
<th>Café</th>
<th>Hispanic</th>
<th>Pizza</th>
<th>Dinner</th>
<th>Asian</th>
<th>American</th>
<th>Fast Food</th>
<th>Steakhouse</th>
<th>Ice Cream</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>2.2</td>
<td>6.7</td>
<td>8.2</td>
<td>4.1</td>
<td>2.1</td>
<td>9.2</td>
<td>8</td>
<td>3</td>
<td>2.6</td>
<td>4</td>
<td>16.9</td>
<td>30</td>
</tr>
<tr>
<td>High</td>
<td>13</td>
<td>6.7</td>
<td>13.9</td>
<td>30</td>
<td>29.6</td>
<td>26.3</td>
<td>26.1</td>
<td>38.5</td>
<td>38.3</td>
<td>64.9</td>
<td>35.7</td>
<td>178.2</td>
</tr>
<tr>
<td>Business Type</td>
<td>Strength Class</td>
<td>Usage</td>
<td>Units</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>----------------</td>
<td>-------------</td>
<td>-------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bakery (Wholesale)</td>
<td>SE6</td>
<td>100 gpd</td>
<td>per gross 1,000 s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bars (w/out Dining Facilities)</td>
<td>SE4</td>
<td>50 gpd</td>
<td>per gross 1,000 s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beauty Salon</td>
<td>SE2</td>
<td>65 gpd</td>
<td>per chair</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brewery (non-industrial customer)</td>
<td>SE6</td>
<td>-</td>
<td>Individual evaluation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car Wash</td>
<td>SE1</td>
<td>-</td>
<td>Individual evaluation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Church</td>
<td>SE2</td>
<td>1 EDU</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Laundry</td>
<td>SE3</td>
<td>500 gpd</td>
<td>per machine</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daycare Center</td>
<td>SE3</td>
<td>2.5 gpd</td>
<td>per person</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dental/Medical Clinics</td>
<td>SE2</td>
<td>125 gpd</td>
<td>per practitioner</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Service Gas Stations</td>
<td>SE1</td>
<td>250 gpd</td>
<td>per fueling position</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garages</td>
<td>SE1</td>
<td>60 gpd</td>
<td>per bay</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gym/Workout Facilities</td>
<td>SE2</td>
<td>100 gpd</td>
<td>per 1,000 gross s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospitals &amp; Convalescent Centers</td>
<td>SE3</td>
<td>200 gpd</td>
<td>per bed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotels/Motels/Clubs</td>
<td>SE2</td>
<td>50 gpd</td>
<td>room</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial Laundromat</td>
<td>SE6</td>
<td>500 gpd</td>
<td>per machine</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laboratory (Pharmacies)</td>
<td>SE1</td>
<td>40 gpd</td>
<td>per 1,000 gross s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laundromat</td>
<td>SE1</td>
<td>500 gpd</td>
<td>per washing machine</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market/Store (w/ Garbage Grinder)</td>
<td>SE4</td>
<td>50 gpd</td>
<td>per 1,000 gross s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-family Housing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td>SE2</td>
<td>1.3 EDUs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Triplex</td>
<td>SE2</td>
<td>1.6 EDUs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4-plex or Larger</td>
<td>SE2</td>
<td>0.5 EDU per unit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office Building</td>
<td>SE2</td>
<td>50 gpd</td>
<td>per 1,000 gross s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurants</td>
<td>SE4</td>
<td>20 30 gpd</td>
<td>per seat</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail &amp; Department Stores</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Retail (&lt;30,000 sq. ft.)</td>
<td>SE2</td>
<td>1 EDU</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large Retail (&gt;30,000 sq. ft.)</td>
<td>SE2</td>
<td>10 gpd</td>
<td>per 1,000 gross s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schools/Colleges/Universities</td>
<td>SE2</td>
<td>10 gpd</td>
<td>per person</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Residential</td>
<td>SE2</td>
<td>1 EDU</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>College Dormitories</td>
<td>SE2</td>
<td>40 gpd</td>
<td>per room</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Theaters</td>
<td>SE2</td>
<td>5 gpd</td>
<td>per seat</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>SE2</td>
<td>3 gpd</td>
<td>per 1,000 gross s.f.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CONSENT TO BID
IRRIGATION ELECTRICAL IMPROVEMENTS FY19
(as approved in the FY19 & FY20 Operations Budget)

- The Waterworks Division will replace Variable Frequency Drive (VFD) systems, harmonic filters and flow meters at four irrigation pump stations (see Exhibit A).
  1. Amity Avenue Pump Station
  2. Lone Star Pump Station
  3. Vista Ridge Pump Station
  4. Oakhurst Pump Station

- This is part of the City’s Asset Management Program implemented in 2007 to strategically and cost effectively maintain/replace equipment within the current asset management zone.

- Waterworks Division hired Mountain Waterworks to provide design at each site for $21,813 total.

- The estimated construction costs for the project are $140,000.

- The Waterworks Division has the operations funds available for the project in the FY19 budget.

- Engineering Division recommends authorization of the bid process.

REQUEST: Council authorize Engineering Division to proceed with the formal bid process for the Irrigation Electrical Improvements FY19 project.
Irrigation Electrical Improvements (FY19)

Exhibit A

For illustrative purposes only.
CONSENT TO BID
WATER ELECTRICAL IMPROVEMENTS FY19
(as approved in the FY19 & FY20 Operations Budget)

- The Waterworks Division will replace Variable Frequency Drive (VFD) systems and chlorinators at well four and well six. (see Exhibit A)

- This is part of the City’s Asset Management Program implemented in 2007 to strategically and cost effectively maintain/replace equipment within the current asset management zone.

- Waterworks Division hired Mountain Waterworks to provide design at each site for $15,318 total.

- The estimated construction costs for the project are $165,000.

- The Waterworks Division has the operations funds available for the project in the FY19 budget.

- Engineering Division recommends authorization of the bid process.

REQUEST: Council authorize Engineering Division to proceed with the formal bid process for the Water Electrical Improvements FY19 project.
REQUEST FOR PUBLIC UTILITY EASEMENT ENCROACHMENT
Jeffery & Kimberly Schwartz – 3137 Avondale Ave

Jeffery and Kimberly Schwartz (Owners) have requested to allow a patio cover to encroach into an existing public utility easement located on their property at 3137 Avondale (see Exhibits A-1 and A-2). The following facts are associated with this request:

- The Owners contracted to have a patio cover constructed on their property shortly after purchasing the property in 2018. They were under the impression the hired contractor would take care of all necessary permits. However, the contractor neglected to obtain a permit from the City prior to construction. The patio cover and concrete slab were constructed to within 3’ of the existing rear lot fence line.

- Nampa Code Enforcement was notified of the violation by a neighbor in April 2019. The Nampa Engineering Division staff performed research and a site visit on May 1, 2019 and determined the patio cover encroached into a 10’ wide public utility easement located in the rear of the lot that contains a City maintained 8” pressure irrigation main. Pictures from the site visit are attached as Exhibit B. Staff performed a utility locate for the irrigation main and determined it to be located approximately 2’ from the rear fence line.

- Nampa Engineering Division staff has been working with the Owners since that time to determine an acceptable course of action. The Owners have written a letter expressing their reasoning for constructing the patio cover and claiming a hardship if they are required to completely remove the cover; see Exhibit C. The Owners have agreed to modify the existing patio cover to move the posts and awning back to 5 to 6 feet from the fence line to minimize conflict in case of the City’s need to enter the property and maintain the irrigation pipe.

- Given the location of the pressure irrigation main and the agreement to modify the existing cover, the Engineering Division does not oppose the request to allow an encroachment into the easement and recommends entering into a formal Encroachment Agreement.

REQUEST: Council approve the public utility easement encroachment requested by Jeffery and Kimberly Schwartz for the patio cover located on their property at 3137 Avondale Ave and allow the Mayor to sign the attached Encroachment Agreement (Exhibit A) under the following conditions:

1. The existing patio cover be modified as agreed to reduce the easement encroachment to 5’.
2. A valid permit shall be obtained through the Nampa Building Department prior to the start of any work.
ENCROACHMENT AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of ____________, 2019, by and between the CITY OF NAMPA, a municipal corporation, hereinafter referred to as the “City”, and Jeffery & Kimberly Schwartz, hereinafter collectively referred to as “Second Party”.

WITNESSETH:

WHEREAS, the City has a public easement on and/or an easement through the following described real property located at 3137 S Avondale Ave, Nampa, Idaho, Canyon County, which is owned by Second Party, described as:

Lot 12, Block 1 of the Clear Springs Subdivision; see attached Exhibit “A-1”

WHEREAS, Second Party desires an encroachment agreement for a patio cover to encroach no more than 5 feet into the existing westerly public utility easement as depicted in Exhibit A-2, hereinafter referred to as the “improvement,” on Second Party’s above described property, which improvement would encroach upon the City’s easement.

NOW, THEREFORE, in consideration for the City allowing the Second Party to retain the improvement which will encroach upon the City’s easement, the City and the Second Party covenant and agree as follows:

1. The Second Party recognizes that the improvement on the City’s right of way is an encroachment.

2. Upon notification from the City that the encroached area must be utilized by the City for maintenance or construction of utilities, sidewalk or roadway, the Second Party agrees that Second Party will, within 30-days of such notification, remove the encroachment from the City’s easement at Second Party’s expense. In the event the Second Party fails, within such 30-day period to remove the encroachment, the City may cause said encroachment to be removed and the expense of such removal will be borne by the Second Party, who agrees to pay the same. Restoration of the improvement following such maintenance or construction, if practical, shall be the responsibility of Second Party.

3. Notwithstanding anything herein contained to the contrary, the City shall have the right to immediately cancel and terminate this Agreement at any time and without prior notice to Second Party; the City can require the Second Party to permanently remove the improvements, installations or manner of encroachment from the easement at Second Party’s own expense, and if Second Party shall fail to do so within 30 days from City’s notification to Second Party, the City may cause all improvements, installations or manner of encroachment to be removed from the right of way and the expense of said removal will be borne by the Second Party, who agrees to pay the same.

4. Second Party shall construct, maintain and repair the improvement at Second Party’s own cost and expense.
EXHIBIT A

5. In consideration for allowing Second Party to encroach upon its right of way at no charge, Second Party does hereby indemnify and hold the City and its personnel, employees and agents harmless from any and all liability, loss, claim, demand or action, costs or attorneys fees, by any person and/or entity, or any assigns of any claims, arising from the encroachment upon and use of this easement by Second Party or any persons going onto the easement, whether invitees of Second Party or otherwise.

Second Party expressly executes this Agreement with the intent of relieving the City of any and all liability created by or arising from Second Party’s encroachment upon and use of the easement and hereby discharges the City and its assigns and legal representatives from all claims, demands, causes of action, liability, loss, costs or attorneys fees, and/or any other claim with respect to which this Agreement is executed, that may arise through Second Party, or anyone claiming under Second Party, against the City or its legal representatives, successors and assigns.

Second Party shall indemnify and hold harmless City from any and all claims, damages or liability, direct or indirect, arising out of the encroachment or the improvement within the City’s right of way including, without limitation, i) use of the encroachment or the improvement by Second Party, its customers, employees, agents, assigns, contractors or those persons present at the encroachment for any purpose associated with the Second Party, and ii) damage or loss suffered by Second Party, its encroachment or the improvement, arising from the lawful work of City, its permit-holders, franchisees, agents or contractors, within the right of way.

6. In the event an action is brought to enforce any of the terms or provisions of this Agreement, or enforce forfeiture thereof for default thereof by either of the parties hereto, the successful party to such action or collection shall be entitled to recover from the losing party a reasonable attorney's fee, together with such other costs as may be authorized by law. In case suit shall be brought for an unlawful detainer, Second Party shall pay to City all costs, expenses and attorney's fees which shall be incurred by City in obtaining possession of the easement.

7. This Agreement shall be construed under the laws of the State of Idaho. This Agreement shall inure to and bind the respective heirs, legal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF, the parties hereto execute this Encroachment Agreement the day and year first above written.

CITY OF NAMPA - APPROVED BY:  

AUTHORIZED SIGNATOR(S):

Deborah Kling, Mayor  

Printed name:  Jeffery Schwartz  

Title: Owner

Deborah Rosin, City Clerk  

Printed name:  Kimberly Schwartz  

Title: Owner

Date

Encroachment Agreement  
Page 2 of 4
EXHIBIT A

STATE OF IDAHO )
County of Canyon )

On this _____ day of ____________, 20_________ before me, the undersigned, a Notary Public in and for said State, personally appeared the Mayor of the City of Nampa, Idaho, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the City of Nampa, Idaho, and was so authorized to do so.

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

(SEAL)
Notary Public for Idaho
Commission Expires: ________________

STATE OF IDAHO )
County of _________)

On this _____ day of ________________, 20_________, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffery Schwartz, known to me to be the person whose name is subscribed to the within 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 first above written.

(SEAL)
Notary Public for Idaho
Commission Expires: ________________
EXHIBIT A

STATE OF IDAHO )
: ss
County of __________ )

On this _____ day of ____________________, 20__________, before me, the undersigned, a Notary Public in and for said State, personally appeared Kimberly Schwartz, known to me to be the person whose name is subscribed to the within 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 first above written.

(SEAL) Notary Public for Idaho
Commission Expires: ________________
Approximate PI main location; +/-2' from fence

10' Public Utility Easement

Patio cover

Exhibit A-2
To whom it may concern,

My name is Kim Schwartz and I purchased a house with my husband Jeff Schwartz at 3137 S Avondale Ave. Nampa Idaho on Jan 25th 2019.

I wanted to start off by saying we are sorry to cause the trouble we have... Our attentions were to make the house more livable

The sun on the west side makes the whole house way hotter than it should be, it makes the kitchen and the Livingroom and back deck unlivable in the afternoon.

We purchased this property for the sole purpose to be closer to my elderly parents to help them with daily living.

When we purchased the property we did some upgrades to the property which includes a vinyl awning 10X20.

When we purchased the property it had an existing cement pad in the back yard where the awning was installed, we did stay in the boundaries of that cement pad, thinking that was the right thing to do.

I do bring my parents over so they can watch the cattle without the sun beaming on them as they cannot tolerate the hot sun.

My dad thinks he is the country (he has dementia)

We were just trying to make the house more livable and comfortable for everybody.

This is one of the reasons for the awning...that’s what they enjoy doing when they are here.

Also in the winter I plan on moving my parents in with me at some point due to my dad’s health, another reason we built the awning.
Without any cover if it rain or snows, I am in fear that one of my parents will slip and fall and injure themselves.

If it wasn’t for the awning the evening sun would beam through the back sliding glass door and would cost so much more for the electricity bill in the summer months.

As it has already caused damage to the linoleum floor that sits against the back sliding glass door.

We had no idea that there was an easement as we stayed in the boundaries of the cement pad that was here when we purchased the home, we did make sure that we used a reputable awning company that matched the front vinyl on the house.

In closing I would hope that you can take into consideration all the facts that we honestly were not told of any easements or setbacks from anybody including real-estate or sellers etc... We thought as long as we installed the awning on the concrete slab we were in compliance if we would have known we would have taken the correct steps to prevent this situation.

We will do the recommended move the post back 5 ½ to 6 Ft from the property line. I will also add a 7” I beam – 2’ from house and detach the patio cover from house (drawing included).

When I purchased the house we did not realize the easement and property line were so close to the back of the house.

Regards Jeff & Kim Schwartz.
Correction to Fee Change Request Form Exhibit A for Resolution No. 31-2019
(Domestic Water Rates and Fees)

- Calculation errors were discovered in the fee change request form Exhibit A, related to Resolution No. 31-2019 (see Attachment 1), for increases to domestic water rates and fees

- This fee change request form has been corrected (see Attachment 2) showing a slight increase in the “Residential Volume Charge - Block 1 (0-700 ccf)”

- Corrections did not affect the overall 9% approved rate increase

- The rate increases will be effective on October 1, 2019

REQUEST: Authorization to amend Exhibit A, as outlined in Attachment 2, for Resolution No. 31-2019, originally approved by City Council on July 1, 2019.
RESOLUTION NO. 31-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, IMPLEMENTING CHANGES IN THE RATES AND FEES CHARGED BY THE CITY OF NAMPA FOR DOMESTIC WATER.

WHEREAS, the City Council finds that it is appropriate to collect fees for domestic water services provided by the City and that without such fees these services would be funded by property tax revenues; and

WHEREAS, the City of Nampa Board of Appraisers, as constituted under Nampa City Code 3-1-1 and 8-2-4, has reviewed the proposed increases to water rates and fees and has recommended approval by the City Council of the proposed increases; and

WHEREAS, the City Council has the authority to set fees for services and adjust those fees as needed; and

WHEREAS, the City Council deems it necessary, reasonable, and in the best interest of the City, to adjust certain rates and fees charged by the City of Nampa for domestic water and adjust those fees as needed; and

WHEREAS, the City Council finds that such adjustments, set forth in attached exhibit, are reasonably related to, but do not exceed, the actual cost of the service being rendered; and

WHEREAS, the City Council finds that the public hearing conducted on the matter of such fee adjustments, set forth in attached exhibits, was conducted pursuant to proper notice and the requirements of Idaho law.

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

Section 1. The City of Nampa, Canyon County, Idaho, does hereby implement the domestic water rate and fee changes as described in EXHIBIT A, attached hereto and, by this reference, incorporated herein as if set forth in full, effective October 1, 2019.


APPROVED BY THE MAYOR AND THE CITY OF NAMPA, IDAHO, THIS 1st DAY OF JULY, 2019.

Approved:

[Signature]
Mayor

Attest:

[Signature]
City Clerk
## Fee Change Request Form

**Department:** Public Works - Water - Domestic Rates & Fees  
**Effective Date:** 10/01/2019

<table>
<thead>
<tr>
<th>Trans Code</th>
<th>New Description</th>
<th>Current Rate</th>
<th>Proposed Rate</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>Residential 5/8&quot; Meter Base Charge</td>
<td>$19.66</td>
<td>$21.43</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Residential 3/4&quot; Meter Base Charge</td>
<td>$19.66</td>
<td>$21.43</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Residential 1&quot; Meter Base Charge</td>
<td>$19.66</td>
<td>$21.43</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Residential 1 1/2&quot; Meter Base Charge</td>
<td>$28.56</td>
<td>$31.13</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Residential 2&quot; Meter Base Charge</td>
<td>$42.06</td>
<td>$45.85</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Residential 3&quot; Meter Base Charge</td>
<td>$102.53</td>
<td>$111.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Residential 4&quot; Meter Base Charge</td>
<td>$141.73</td>
<td>$154.49</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 5/8&quot; Meter Base Charge</td>
<td>$23.63</td>
<td>$25.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 3/4&quot; Meter Base Charge</td>
<td>$23.63</td>
<td>$25.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 1&quot; Meter Base Charge</td>
<td>$23.63</td>
<td>$25.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 1 1/2&quot; Meter Base Charge</td>
<td>$33.95</td>
<td>$37.01</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 2&quot; Meter Base Charge</td>
<td>$48.83</td>
<td>$53.22</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 3&quot; Meter Base Charge</td>
<td>$109.90</td>
<td>$119.79</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 4&quot; Meter Base Charge</td>
<td>$153.38</td>
<td>$167.18</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 6&quot; Meter Base Charge</td>
<td>$268.66</td>
<td>$292.84</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential 8&quot; Meter Base Charge</td>
<td>$405.37</td>
<td>$441.85</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Non-Residential Volume Charge (per ccf)</td>
<td>$1.18</td>
<td>$1.29</td>
<td>9.3%</td>
</tr>
<tr>
<td>No</td>
<td>Residential Volume Charge - Block 1 (0-700 ccf)</td>
<td>$0.06</td>
<td>$0.06</td>
<td>3.4%</td>
</tr>
<tr>
<td>No</td>
<td>Residential Volume Charge - Block 2 (701-1400 ccf)</td>
<td>$1.00</td>
<td>$1.09</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td>Residential Volume Charge - Block 3 (1401 ccf and above)</td>
<td>$1.30</td>
<td>$1.42</td>
<td>9.2%</td>
</tr>
<tr>
<td>No</td>
<td>Outside City Limits Services</td>
<td>2x City Rates</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments on Competitiveness of New Rate**

The proposed rates represent an increase of 9% over current rates; rates are rounded to the nearest cent as per the 2018 cost of service analysis.

**Reasons why Fee Change is Needed and What New Funding will be Used for**

For operations, maintenance, and systematic replacement of water supply and infrastructure in order to continue to provide continuous and reliable utility services.
### City of Nampa Fee Change Request Form

**Department**: Public Works - Water - Domestic Rates & Fees  
**Effective Date**: 10/01/2019

<table>
<thead>
<tr>
<th>Trans Code</th>
<th>New Fees</th>
<th>Description</th>
<th>Current Rate</th>
<th>Proposed Rate</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td></td>
<td>Residential 5/8&quot; Meter Base Charge</td>
<td>$19.66</td>
<td>$21.43</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential 3/4&quot; Meter Base Charge</td>
<td>$19.66</td>
<td>$21.43</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential 1&quot; Meter Base Charge</td>
<td>$19.66</td>
<td>$21.43</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential 1 1/2&quot; Meter Base Charge</td>
<td>$28.56</td>
<td>$31.13</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential 2&quot; Meter Base Charge</td>
<td>$42.06</td>
<td>$45.85</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential 3&quot; Meter Base Charge</td>
<td>$102.53</td>
<td>$111.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential 4&quot; Meter Base Charge</td>
<td>$141.73</td>
<td>$154.49</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 5/8&quot; Meter Base Charge</td>
<td>$23.63</td>
<td>$25.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 3/4&quot; Meter Base Charge</td>
<td>$23.63</td>
<td>$25.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 1&quot; Meter Base Charge</td>
<td>$23.63</td>
<td>$25.76</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 1 1/2&quot; Meter Base Charge</td>
<td>$33.95</td>
<td>$37.01</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 2&quot; Meter Base Charge</td>
<td>$48.83</td>
<td>$53.22</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 3&quot; Meter Base Charge</td>
<td>$109.90</td>
<td>$119.79</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 4&quot; Meter Base Charge</td>
<td>$153.38</td>
<td>$167.18</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 6&quot; Meter Base Charge</td>
<td>$268.66</td>
<td>$292.84</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential 8&quot; Meter Base Charge</td>
<td>$405.37</td>
<td>$441.85</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Non-Residential Volume Charge (per ccf)</td>
<td>$1.18</td>
<td>$1.29</td>
<td>9.3%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential Volume Charge - Block 1 (0-700 ccf)</td>
<td>$0.58</td>
<td>$0.63</td>
<td>6.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential Volume Charge - Block 2 (701-1400 ccf)</td>
<td>$1.00</td>
<td>$1.09</td>
<td>9.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>Residential Volume Charge - Block 3 (1401 ccf and above)</td>
<td>$1.30</td>
<td>$1.42</td>
<td>9.2%</td>
</tr>
</tbody>
</table>

**Comments on Competitiveness of New Rate**

The proposed rates represent an increase of 9% over current rates; rates are rounded to the nearest cent as per the 2018 cost of service analysis.

**Reasons why Fee Change is Needed and What New Funding will be Used for**

For operations, maintenance, and systematic replacement of water supply and infrastructure in order to continue to provide continuous and reliable utility services.
Whereas, the American Cancer Society estimates there will be 220,800 new cases of prostate cancer diagnosed in the USA in 2015, and 27,540 men will die from prostate cancer; it is estimated that 1 in 7 men will develop prostate cancer in their lifetime and 1 in 38 will die from prostate cancer; and

Whereas, prostate cancer is the most frequently diagnosed cancer in men aside from skin cancer, and is the second leading cause of cancer death in men aside from lung cancer; and

Whereas, the survival rate approaches 100% when prostate cancer is diagnosed and treated early, but drops to 28% when it spreads to other parts of the body; and

Whereas, early prostate cancer usually has no symptoms and advanced prostate cancer commonly spreads to the bones, which can cause pain in the hips, spine, or other areas; and

Whereas, recent studies suggest that a diet high in processed meat or dairy foods may be a risk factor, and obesity appears to increase the risk of aggressive prostate cancer; and

Whereas, obesity and smoking are associated with an increased risk of dying from prostate cancer; and

Whereas, according to the Prostate Cancer Foundation, African American men are more likely to develop prostate cancer compared with Caucasian men, and are nearly 2.3 times as likely to die from the disease; although scientists do not yet understand why prostate cancer incidence and death rates are higher among African American men, it is widely believed that a combination of genetic differences, lifestyle, nutritional habits and medical care may all play a role in the statistics; and

Whereas, National Prostate Health Month is observed every September in the United States by health experts, health advocates, and individuals concerned with men’s prostate cancer; and

Whereas, designating a month for the issue serves the purpose of increasing public awareness of the importance of prostate health; educating about risk factors and symptoms of prostate related diseases; and advocating for further research on prostate cancer based on their personal values and preferences; and

Whereas, the City of Nampa joins states across our nation to increase the awareness about the importance for men to make an informed decision with their health care provider about early detection and testing for prostate cancer based on their personal values and preferences; and

Now Therefore, I, Debbie Kling Mayor of the City of Nampa, Idaho, do hereby proclaim the month of September, 2019, in the City of Nampa as

“Prostate Cancer Awareness Month”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 3rd day of September in the year of our Lord two thousand nineteen.

__________________________
Debbie Kling
Mayor, City of Nampa
FISCAL IMPACT OF GROWTH

CITY OF NAMPA, IDAHO

DECEMBER 2018
SECTION I.
Introduction

The City of Nampa is currently involved in the development of a long-term strategic plan, while also updating its Comprehensive Plan and Land Use Map to the year 2040. The purpose of these plans is to identify goals, objectives and strategies that will ensure the City will continue to be a place where families can live, work and play while maintaining its independent spirit and unique identity.

Preliminary policy areas being outlined in the Comprehensive Plan update reflect a desire to:

- Facilitate economic development while preserving natural resources and protecting the environment;
- Improve the physical appearance and image of the City;
- Provide for an adequate supply and mix of housing;
- Support neighborhood revitalization and sustainable new neighborhood design;
- Develop a balanced transportation system;
- Provide a high level of community services;
- Provide needed infrastructure for projected growth;
- Preserve and protect the public health, safety and welfare of City residents;
- Retain the existing high-quality environment for future generations;
- Provide an array of parks and recreation programs; and
- Encourage development that is compatible with or enhances natural resource values.

A key part of any comprehensive planning process is an analysis of the degree to which the Comprehensive Plan is fiscally sustainable - will the various land uses and densities produce enough revenue to offset the marginal costs of serving each new unit of growth? To provide this information, the City of Nampa retained Galena Consulting to develop an analytical model that would identify the fiscal sustainability of the City’s current and future Comprehensive Plans.

The fiscal impact model developed for the City of Nampa estimates current marginal costs and marginal revenues for all City General Fund Departments, and applies them to a developed parcel of land on a per unit or per square foot bases to determine the net fiscal impact to the City.

The fiscal impact model is dynamic – assumptions can be adjusted to reflect a range of possible land use development scenarios. City staff will be trained to apply to model to various land use proposals such as annexations, urban renewal areas, and the updated Comprehensive Plan.
SECTION II.
Methodology and Technical Description

This section provides a general overview of the methodology used to develop the fiscal model. The technical description then goes into more detail about the particular assumptions that were used to analyze the City of Nampa’s current Comprehensive Plan as well as two alternate scenarios. This technical description provides an overview of how the model can be utilized in the future to determine the fiscal impact of a variety of potential development types.

General Background

The fiscal impact model estimates current marginal costs and marginal revenues – costs and revenues that would change as a result of a proposed development - for the City’s General Fund. Other funds, such as utility funds, have a cost recovery philosophy that ensures that they will break even, and are therefore not addressed in this report. After estimating marginal costs and revenues, the model applies them to projected new development on a per unit or per square foot basis, and compares them to estimated net new revenues. Exhibit II-1 below provides a basic outline of the methodology used in this model.

Exhibit II-1. Fiscal Model Methodology

| Projected new residential units or non-residential square feet | × | Current marginal costs and revenues (per residential unit or non-residential square foot) | = | New City costs and revenue |

Developments that generate ongoing surpluses produce City revenues that exceed the costs of the services they require. These excess revenues could be used to offset deficits from other developments, to augment the City’s fund balance, or to improve service standards.

Developments that produce ongoing deficits require service costs in excess of the revenues they generate. These deficits could be offset by surpluses from other developments, they could be mitigated out of fund balance, they could be mitigated by the developer, or they could require the City to decrease service levels.

To the extent that actual revenues and expenditures vary from the estimates provided within these interviews, the results of the model will vary from reality. The model is designed to illustrate the
potential fiscal impact of new development, but it is not anticipated that the impacts estimated in the model will precisely mirror those that actually occur.

Assumptions

The calculations in the fiscal model are based on two sets of assumptions:

- Assumptions about the size, type, value and absorption rate of the proposed development to be analyzed by the model; and
- Assumptions about the service delivery patterns of City functions, including the expenditures that are variable in regards to growth and the types of development that cause increases in those expenditures.

The data assumptions used in the fiscal impact model are determined by interviews with City staff including:

- Land use categories identified in the current Comprehensive Plan
- Amount of new development (residential units, non-residential square footage, agricultural acreage) anticipated over the next 20 years per land use
- Absorption rate of development
- Value of each type of development per unit
- Annual General Fund operating budget by department and program
- Revenue generated per unit of development
- Expenses generated per unit of development based on variability of expense type

The model then determines how much revenue will be generated by each unit of anticipated development by land use type, and compares that value to how much expense is anticipated to be incurred by the City by land use type. The result is the net fiscal impact per unit by land use type. Some types of residential and commercial development do not produce enough revenue per unit to cover the City’s cost to serve each unit because they have lower assessed valuations and therefore produce less revenue than other land uses). These “deficit-producing land uses” may contribute to other strategic priorities, however.

These net fiscal impacts by unit are multiplied by the number of anticipated units per land use in the 20-year time-frame, for a cumulative net fiscal impact, or revenue surplus/deficit.
Finally, the model conducts a sensitivity analysis of the fiscal impact results to account for likely variability in the data assumptions in the model. In the center of this exhibit will be the Baseline Net Fiscal Impact (the cumulative net fiscal impact found in Table 13). The cells around this center value identify the likely result of the analysis with 10% variability in the base data assumptions. These include Low Performance/High Cost Variability (lower than anticipated valuation/revenue but higher than anticipated cost to serve); High Performance/Low Cost Variability (higher than anticipated valuation/revenue but less cost to serve), etc. A diagonal between the upper left corner and the lower right corner of the exhibit will represent the potential “swing” between the worst case and best-case scenario.

If any of the values in the sensitivity analysis are negative (deficits), it alerts the City to the likelihood that the densities and types of land uses assumed in the model are unlikely to expand the City’s tax base to a level where improved levels of service will be possible without property tax and other rate increases.

If all of the values in the sensitivity analysis are positive (surpluses), it gives the City confidence that the densities and types of land uses assumed in the model are likely to grow the tax base and provide for net revenues that can enhance the City’s levels of service or meet other priorities without tax or other fee increases.

The result of the fiscal impact analysis is only one variable in a policy discussion about land use and growth. The value of the model is in the identification of a balance of land uses whereby the land uses that will produce a net fiscal surplus will offset any net fiscal deficits produced by other land uses that meet the City’s strategic objectives in other ways, including affordable housing, increased employment, reduced congestion, environmental protection, efficient and high-quality service delivery, improved community appearance, and the preservation of natural resources.
BASE MODEL ANALYSIS (Current Comprehensive Plan)

The “Base Model” discussed in this report looks at a range of potential land use development scenarios based on 20 years of development as imagined by the City’s current Comprehensive Plan and Land Use Map. Based on the 2040 Communities in Motion forecast prepared by the Community Planning Association of Southern Idaho (“COMPASS”), which was adopted by the City Council in 2014, it is assumed that full build-out of the current Comprehensive Plan would take approximately 100 years. Therefore, we have assumed development equal to 40% of full build-out for the next 20 years. We have also assumed equal absorption of each land use type.

These assumptions can all be adjusted to analyze different timing and development types. Generally, the median price of a typical new home would be used to estimate the value on which property tax revenue would be generated per residential unit. Because of the wide variety of residential types presented in this study, the assessed value for each housing type was calculated based on actual assessed valuations for each land use type from Idaho Tax Commission records. The same as done when calculating the assessed values of non-residential developments per square foot or agricultural acreage.

Exhibit II-2 identifies the types, number of units, value and phasing of each of type of land use in the City’s current Comprehensive Plan anticipated to be built in the next twenty years:
Exhibit II-2.
Development Land Use Assumptions – Base Model

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Value and Phasing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>405 new units at the current Citywide average of $203,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Community Mixed Use Residential</td>
<td>6,566 new units at the current Citywide average of $146,100 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>5,611 new units at the current Citywide average of $203,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>14,705 new units at the current Citywide average of $166,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>2,413 new units at the current Citywide average of $129,700 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>1,141 new units at the current Citywide average of $236,800 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Airport</td>
<td>771,617 commercial square feet at the current Citywide average of $1.92 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Business Park</td>
<td>6,635,093 commercial square feet at the current Citywide average of $1.96 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Downtown</td>
<td>43,245 commercial square feet at the current Citywide average of $26.95 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Employment Center</td>
<td>346,285 commercial square feet at the current Citywide average of $15.45 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>General Commercial</td>
<td>2,624,795 commercial square feet at the current Citywide average of $11.82 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>3,359,842 commercial square feet at the current Citywide average of $2.02 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Highway Commercial</td>
<td>488,257 commercial square feet at the current Citywide average of $23.35 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>7,779,604 commercial square feet at the current Citywide average of $7.47 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>42,394 commercial square feet at the current Citywide average of $3.87 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Community Mixed Use</td>
<td>6,195,915 commercial square feet at the current Citywide average of $13.12 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>143,900 commercial square feet at the current Citywide average of $1.93 per area footprint with construction equally spread over 20 years</td>
</tr>
</tbody>
</table>
Revenue Calculations – Base Model

Fiscal impacts of proposed developments are calculated by developing per unit and per square foot revenue and expenditure amounts and applying these to a projected development schedule. The process used to project per unit and per square foot revenue amount per land use varies between property tax revenue, sales tax revenue, and all other revenue.

Property Tax Revenue. Using the per unit and square foot market values given in Exhibit II-2, a per unit property tax revenue amount was calculated by multiplying the market valuation by the City’s General Fund FY19 mill levy of 0.008512504. However, the market value for all residential units was first adjusted for the 50% homeowner’s exemption (up to $200,000 in assessed value and then capped at $100,000).

Using a low-density residential unit as an example, Exhibit II-3 demonstrates how this calculation resulted in $880.19 property tax revenues per unit.

Exhibit II-3.
Property Tax Calculation Example – Base Model

<table>
<thead>
<tr>
<th>Low-Density Residential Unit</th>
<th>$203,400</th>
</tr>
</thead>
<tbody>
<tr>
<td>minus Property Tax Exemption</td>
<td>$100,000</td>
</tr>
<tr>
<td>equals Assessed Value per Unit</td>
<td>$103,400</td>
</tr>
<tr>
<td>times General Fund Mill Levy</td>
<td>0.008512504</td>
</tr>
<tr>
<td>equals Property Tax Revenue Per Unit</td>
<td>$880.19</td>
</tr>
</tbody>
</table>

We calculated property tax revenues for all other residential and nonresidential land uses in a similar fashion.

Sales Tax Revenue. We calculated sales tax revenues for all land uses based on $156 per residential unit and $0.0088 per square foot of nonresidential land uses. This was determined by calculating the prorata share of current sales tax revenue for both residential and non-residential property values. Total residential property tax revenue was then divided by total units to arrive at the per unit revenue. The same process was used for non-residential square feet.
Other Revenues. All other revenues were calculated as follows:

A variability factor was allocated to all other budgeted FY2019 revenues, including franchise fees, licenses, development permits, etc., based on interviews with City staff and our past experience. Variable revenues are those that would need to increase in order to support new development (i.e., the revenue budget for building permits would increase by a factor more closely related to growth). In contrast, fixed revenues are those that would not increase in order to support new development (i.e., interest revenue would not significantly increase because of new development).

Revenues are then identified as sensitive to residential growth and those sensitive to non-residential growth. Since approximately 80% of the City of Nampa consists of residential land uses, this metric was used to allocate residential versus non-residential sensitivity of other revenues.

After developing total variable residential and non-residential revenues, these totals were divided by the current total residential units and non-residential square feet in the City. These calculations generated current marginal revenues per residential unit or non-residential square foot.

Highlighted data indicates model inputs developed through discussions with department staff or our past experience. The model can easily be modified by adjusting these inputs. Exhibit II-4 below illustrates this calculation.

**Exhibit II-4.
Other Revenue Calculations – Base Model**

<table>
<thead>
<tr>
<th>General Fund Revenues</th>
<th>FY 2019</th>
<th>Percent Variable*</th>
<th>Variable</th>
<th>Fixed Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax</td>
<td>$ 42,818,316</td>
<td>Calculated independently</td>
<td>$ 361,376</td>
<td>$ 361,376</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>$ 7,457,986</td>
<td>Calculated independently</td>
<td>$ 58,500</td>
<td>$ 58,500</td>
</tr>
<tr>
<td>Franchise Fees</td>
<td>$ 722,751</td>
<td>50%</td>
<td>$ 361,376</td>
<td>$ 361,376</td>
</tr>
<tr>
<td>Licenses</td>
<td>$ 117,000</td>
<td>50%</td>
<td>$ 58,500</td>
<td>$ 58,500</td>
</tr>
<tr>
<td>Permits, Plan Review Etc.</td>
<td>$ 388,000</td>
<td>75%</td>
<td>$ 291,000</td>
<td>$ 97,000</td>
</tr>
<tr>
<td>Rental &amp; Lease</td>
<td>$ 475,584</td>
<td>75%</td>
<td>$ 118,896</td>
<td>$ 356,688</td>
</tr>
<tr>
<td>Interest</td>
<td>$ 247,200</td>
<td>5%</td>
<td>$ 12,360</td>
<td>$ 234,840</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>$ 6,970,055</td>
<td>10%</td>
<td>$ 697,006</td>
<td>$ 6,273,050</td>
</tr>
<tr>
<td>Rural Fire District</td>
<td>$ 2,239,919</td>
<td>75%</td>
<td>$ 1,679,939</td>
<td>$ 559,980</td>
</tr>
<tr>
<td>Charges for Services</td>
<td>$ 1,473,712</td>
<td>50%</td>
<td>$ 736,856</td>
<td>$ 736,856</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>$ 432,715</td>
<td>5%</td>
<td>$ 21,636</td>
<td>$ 411,079</td>
</tr>
<tr>
<td>Parking Ticket Revenue</td>
<td>$ 87,000</td>
<td>75%</td>
<td>$ 65,250</td>
<td>$ 21,750</td>
</tr>
<tr>
<td>Contributions</td>
<td>$ 186,305</td>
<td>5%</td>
<td>$ 9,315</td>
<td>$ 176,990</td>
</tr>
<tr>
<td>Court</td>
<td>$ 300,000</td>
<td>5%</td>
<td>$ 75,000</td>
<td>$ 225,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$ 63,916,543</td>
<td>Calculated independently</td>
<td>$ 6,273,050</td>
<td>$ 57,643,493</td>
</tr>
</tbody>
</table>

| Total Variable Revenues | $ 4,127,133 |
| Total Fixed Revenues   | $ 9,513,108 |

In Percent: Residential Revenue Allocation* 80% Commercial Revenue Allocation 20%

<table>
<thead>
<tr>
<th>In Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,301,707</td>
</tr>
<tr>
<td>$825,427</td>
</tr>
</tbody>
</table>

Residential Commercial

Per-Unit Revenue $91.96 $0.004
As indicated by this exhibit, each new residential unit proposed in the Base Model is projected to generate approximately $91.96 per unit in other revenue, in addition to their specific property and sales tax generation. Commercial development would generate approximately $0.004 in other revenue per square foot, in addition to any property and sales tax revenue.

**Departmental Expenditure Assumptions – Base Model**

Similar to the process to determine other revenue generated per unit, three steps were involved in calculating the cost for the City of Nampa to serve any new unit of development.

Estimating Fixed and Variable Expenditures. For every department, budgeted FY2019 expenditures were split between fixed and variable costs based on interviews with City staff and our past experience. Fixed costs are those that would not increase in order to support new development (i.e., the budget for the City Council would not significantly increase because of new development). Variable costs are those that would need to increase in order to support new development (i.e., the budget for the Police Department would increase by a factor more closely related to the increase in population and new square footage).

Estimating Residential/Non-Residential Expenditures. Total variable costs for each City function were allocated to those sensitive to residential growth and those sensitive to non-residential growth. These estimates were obtained through interviews with City staff and our past experience. Various theories were used to estimate these allocations, including calls for service, percent of assessed valuation, or “pure plays” (functions that are primarily devoted to one land-use type, such as parks in regards to residential development, or economic development in regards to non-residential development).

Per Unit/Square Foot Allocation. After developing total variable residential and non-residential expenditures for each City function, these totals were divided by the current total residential units and non-residential square feet in the City. These calculations generated current marginal costs per residential unit or non-residential square foot for each department.

Using the Police and Fire Departments as an example, the process for determining per unit/square foot variable expenditures by land use type is demonstrated in Exhibit II-5, below. Similar exhibits for all City departments are included in the full fiscal analysis model provided to the City. Highlighted data indicates model inputs developed through discussions with department staff or our past experience. The model can easily be modified by adjusting these inputs.
Exhibit II-5.
Police and Fire Department Allocations – Base Model

As this exhibit indicates, it is anticipated to cost the City of Nampa $427.62 to provide public safety services to each new residential unit, and $0.09 to provide public safety services to each new non-residential square foot.

Exhibit II-6 below summarizes total calculated per unit/square foot expenditures for all General Fund departments.

Exhibit II-6.
Summary of Expenditure Calculations – Base Model
As shown in Exhibit II-6, it is anticipated to cost the City of Nampa $880.51 per residential unit and $0.11 per non-residential square foot to provide current General Fund City services to each new unit of development.

Net Fiscal Impacts by Land Use Type

Using the various data points presented above, the model calculates the net fiscal impacts on the General Fund for each land use type. Marginal revenues are multiplied by the number of new residential units and non-residential square feet to produce total project revenues. Marginal expenditures are multiplied by those same projections to generate total expenditures. The model then compares the revenues generated by each unit of development by land use type to the amount of expenses projected to be generated by those same land uses. The result, shown below in Exhibit II-8, is the net fiscal impact per unit by land use type.

Exhibit II-8.
Net Fiscal Impact Per Unit by Land Use Type – Base Model

<table>
<thead>
<tr>
<th>Types of Land Use</th>
<th>Other Revenue</th>
<th>Property Tax</th>
<th>Sales Tax</th>
<th>Total Revenue/Unit</th>
<th>Total Expense/Unit</th>
<th>Fiscal Impact/Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>$91.96</td>
<td>$880.19</td>
<td>$155.79</td>
<td>$1,127.94</td>
<td>$880.51</td>
<td>$247.43</td>
</tr>
<tr>
<td>Community Mixed Use Residential</td>
<td>$91.96</td>
<td>$621.84</td>
<td>$155.79</td>
<td>$869.58</td>
<td>$880.51</td>
<td>($10.93)</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>$91.96</td>
<td>$880.19</td>
<td>$155.79</td>
<td>$1,127.94</td>
<td>$880.51</td>
<td>$247.43</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>$91.96</td>
<td>$708.24</td>
<td>$155.79</td>
<td>$955.98</td>
<td>$880.51</td>
<td>$75.48</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>$91.96</td>
<td>$552.04</td>
<td>$155.79</td>
<td>$799.78</td>
<td>$880.51</td>
<td>($80.73)</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>$91.96</td>
<td>$1,164.51</td>
<td>$155.79</td>
<td>$1,412.25</td>
<td>$880.51</td>
<td>$531.75</td>
</tr>
<tr>
<td>Airport</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.11</td>
<td>($0.08)</td>
</tr>
<tr>
<td>Business Park</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.11</td>
<td>($0.08)</td>
</tr>
<tr>
<td>Downtown</td>
<td>$0.00</td>
<td>$0.23</td>
<td>$0.01</td>
<td>$0.24</td>
<td>$0.11</td>
<td>$0.13</td>
</tr>
<tr>
<td>Employment Center</td>
<td>$0.00</td>
<td>$0.13</td>
<td>$0.01</td>
<td>$0.14</td>
<td>$0.11</td>
<td>$0.03</td>
</tr>
<tr>
<td>General Commercial</td>
<td>$0.00</td>
<td>$0.10</td>
<td>$0.01</td>
<td>$0.11</td>
<td>$0.11</td>
<td>$0.00</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.11</td>
<td>($0.08)</td>
</tr>
<tr>
<td>Highway Commercial</td>
<td>$0.00</td>
<td>$0.20</td>
<td>$0.01</td>
<td>$0.21</td>
<td>$0.11</td>
<td>$0.10</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>$0.00</td>
<td>$0.06</td>
<td>$0.01</td>
<td>$0.08</td>
<td>$0.11</td>
<td>($0.03)</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>$0.00</td>
<td>$0.03</td>
<td>$0.01</td>
<td>$0.05</td>
<td>$0.11</td>
<td>($0.07)</td>
</tr>
<tr>
<td>Community Mixed Use</td>
<td>$0.00</td>
<td>$0.11</td>
<td>$0.01</td>
<td>$0.12</td>
<td>$0.11</td>
<td>$0.01</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.11</td>
<td>($0.08)</td>
</tr>
</tbody>
</table>

As indicated in Exhibit II-8, some types of residential and commercial development do not produce enough revenue per unit to cover the City’s cost to serve each unit because they have lower assessed valuations and therefore produce less revenue than other land uses (High Density Residential and Heavy Industrial for example). These “deficit-producing land uses” may contribute to other strategic priorities, however, such as affordable housing and employment generation.

These net fiscal impacts by unit per land use type are multiplied by the number of anticipated units per land use in the 20-year time-frame, for a cumulative net fiscal impact, or revenue surplus/deficit.
Cumulative Net Fiscal Impacts

In every year of the analysis, these figures are then compared to estimate net annual and cumulative development impacts. The cumulative net fiscal impact of all residential development envisioned within the next 20 years of the current Comprehensive Plan is presented in Exhibit II-9 below.

Exhibit II-9.
Cumulative Net Fiscal Impact – All Residential Development Base Model

<table>
<thead>
<tr>
<th></th>
<th>20 Year Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax Revenue</td>
<td></td>
</tr>
<tr>
<td>Agricultural</td>
<td>$3,745,785</td>
</tr>
<tr>
<td>Community Mixed Use Residential</td>
<td>$42,870,231</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>$51,860,370</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>$109,354,469</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>$13,988,081</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>$13,947,428</td>
</tr>
<tr>
<td>Sales Tax Revenue</td>
<td></td>
</tr>
<tr>
<td>Agricultural</td>
<td>$662,972</td>
</tr>
<tr>
<td>Community Mixed Use Residential</td>
<td>$10,740,101</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>$9,178,841</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>$24,053,927</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>$3,947,489</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>$1,865,868</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>$29,778,987</td>
</tr>
<tr>
<td>Residential</td>
<td>$315,994,548</td>
</tr>
<tr>
<td>Residential Expenditures</td>
<td></td>
</tr>
<tr>
<td>Table 9 - General Government</td>
<td>$14,339,505</td>
</tr>
<tr>
<td>Table 7 - Public Safety</td>
<td>$138,479,672</td>
</tr>
<tr>
<td>Table 10 - Planning and Economic Development</td>
<td>$3,489,957</td>
</tr>
<tr>
<td>Table 8 - Parks, Recreation, Library, etc.</td>
<td>$40,609,390</td>
</tr>
<tr>
<td>Table 6 - Public Works</td>
<td>$88,221,018</td>
</tr>
<tr>
<td>Total Residential Expenditures</td>
<td>$285,139,542</td>
</tr>
<tr>
<td>Residential Net Surplus (Deficit)</td>
<td>$30,855,006</td>
</tr>
</tbody>
</table>

This exhibit indicates that, even though Community Mixed Use Residential and High Density Residential land uses actually produce a deficit on a per unit basis because of their lower property values (See Exhibit II-8), these deficits are offset by a larger number of Low Density, Medium Density and Residential Mixed Use surplus-producing units. Although 80% of General Fund expenditures are allocated to residential uses, the 20-year cumulative net fiscal impact of residential development in the Base Model is a surplus of over $30 million.
The cumulative net fiscal impact of all non-residential development envisioned within the next 20 years of the current Comprehensive Plan is presented in Exhibit II-10 below.

**Exhibit II-10.**
Cumulative Net Fiscal Impact – All Non-Residential Development Base Model

<table>
<thead>
<tr>
<th>Property Tax Revenue</th>
<th>20 Year Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport</td>
<td>$132,419</td>
</tr>
<tr>
<td>Business Park</td>
<td>$1,162,384</td>
</tr>
<tr>
<td>Downtown</td>
<td>$104,170</td>
</tr>
<tr>
<td>Employment Center</td>
<td>$478,200</td>
</tr>
<tr>
<td>General Commercial</td>
<td>$2,773,061</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>$606,620</td>
</tr>
<tr>
<td>Highway Commercial</td>
<td>$1,019,019</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>$5,194,272</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>$14,664</td>
</tr>
<tr>
<td>Community Mixed Use</td>
<td>$7,265,841</td>
</tr>
<tr>
<td>Residential Mixed Use - Commercial Portion</td>
<td>$24,824</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sales Tax Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport</td>
</tr>
<tr>
<td>Business Park</td>
</tr>
<tr>
<td>Downtown</td>
</tr>
<tr>
<td>Employment Center</td>
</tr>
<tr>
<td>General Commercial</td>
</tr>
<tr>
<td>Heavy Industrial</td>
</tr>
<tr>
<td>Highway Commercial</td>
</tr>
<tr>
<td>Light Industrial</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
</tr>
<tr>
<td>Community Mixed Use</td>
</tr>
<tr>
<td>Residential Mixed Use - Commercial Portion</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
</tr>
</tbody>
</table>

Total Commercial Revenues $22,576,344

<table>
<thead>
<tr>
<th>Commercial Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 9 - General Government</td>
</tr>
<tr>
<td>Table 7 - Public Safety</td>
</tr>
<tr>
<td>Table 10 - Planning and Economic Development</td>
</tr>
<tr>
<td>Table 8 - Parks, Recreation, Library, etc.</td>
</tr>
<tr>
<td>Table 6 - Public Works</td>
</tr>
</tbody>
</table>

Total Commercial Expenditures $33,133,369

<table>
<thead>
<tr>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Surplus (Deficit)</td>
</tr>
</tbody>
</table>

In contrast to Exhibit II-9, Exhibit II-10 indicates that as a whole, commercial development is anticipated to produce a cumulative deficit of over $10 million. Even though only 20% of all General Fund expenditures are allocated in the model to non-residential uses, the low assessed valuation on most non-residential land uses per square foot does not produce enough property tax revenue to offset costs to serve.
As indicated by Exhibits II-9 and II-10, the cumulative surplus by 2038 from all residential development would be approximately $30,855,006. The cumulative deficit of all non-residential development would be approximately ($10,557,025), resulting in a net cumulative surplus of approximately $20,297,981. At present value of 7%, the net cumulative surplus is approximately $8,515,783.

This net cumulative surplus has been calculated based on assumptions about revenue generation and marginal costs. To account for the variability in these assumptions, we have conducted a sensitivity analysis on the model’s calculations to identify how anticipated impacts could change if assumptions about revenues, expenditures, or property values were to change.

Exhibit II-11 presents the results of this sensitivity analysis on the Base Model’s net cumulative surplus.

Exhibit II-11.
Sensitivity Analysis of Base Model – Cumulative Surplus/Deficit by 2038

<table>
<thead>
<tr>
<th></th>
<th>Low Performance</th>
<th>Baseline Performance</th>
<th>High Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Cost Variability</td>
<td>($19,041,340)</td>
<td>($4,836,989)</td>
<td>$9,367,362</td>
</tr>
<tr>
<td>Baseline Cost Variability</td>
<td>($5,688,567)</td>
<td>$8,515,783</td>
<td>$22,720,134</td>
</tr>
<tr>
<td>Low Cost Variability</td>
<td>$7,664,205</td>
<td>$21,868,556</td>
<td>$36,072,906</td>
</tr>
</tbody>
</table>

In the center of this exhibit is the Baseline Net Fiscal Impact (the cumulative net fiscal impact at present value). The cells around this center value identify the likely result of the analysis with 10% variability in the base data assumptions. These include Low Performance/High Cost Variability (lower than anticipated valuation/revenue but higher than anticipated cost to serve); High Performance/Low Cost Variability (higher than anticipated valuation/revenue but less cost to serve), etc. A diagonal between the upper left corner and the lower right corner of the exhibit will represent the potential “swing” between the worst case and best-case scenario.

If any of the values in the sensitivity analysis are negative (deficits), it alerts the City to the likelihood that the densities and types of land uses assumed in the model are unlikely to expand the City’s tax base to a level where improved levels of service will be possible without property tax and other rate increases. If all of the values in the sensitivity analysis are positive (surpluses), it gives the City confidence that the densities and types of land uses assumed in the model are is likely to grow the tax
base and provide for net revenues that can enhance the City’s levels of service or meet other priorities without tax or other fee increases.

The Base Model’s sensitivity analysis in Exhibit II-11 shows the cumulative anticipated surplus over 20 years is $8.52 million, with a possible range of a $19 million deficit to a $36 million surplus depending on actual assessed values/revenues and costs to provide services.

This indicates that if the a) costs to provide services per unit exceed 10% of what we have estimated, and/or b) projected revenues are below what we have estimated, the current Comprehensive Plan’s projected development will not be fiscally sustainable. Fiscally sustainable development is that which has a balance of land uses so that development producing a per-unit surplus can subsidize development which produces a per-unit deficit but contributes to other strategic priorities.

The result of the fiscal impact analysis is only one variable in a policy discussion about land use and growth. The value of the model is in the identification of a balance of land uses whereby the land uses that will produce a net fiscal surplus will offset any net fiscal deficits produced by other land uses that meet the City’s strategic objectives in other ways, including affordable housing, increased employment, reduced congestion, environmental protection, efficient and high-quality service delivery, improved community appearance, and the preservation of natural resources.

Therefore, we evaluated two alternative development scenarios to determine how different types and amounts of land uses might produce more sustainable fiscal results. These alternate scenarios are summarized in Section III.
SECTION III.
Alternate Development Scenarios

The second scenario, **Low Density Model**, analyzes the cumulative net fiscal impact of the land use designations in the current Comprehensive Plan by 2038 with less density, and therefore fewer deficit-producing units than in the Current Comprehensive Plan model. Exhibit III-1 identifies the revised assumptions for land use units, value and phasing.

**Exhibit III-1.**
**Development Land Use Assumptions – Low Density Model**

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Value and Phasing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>405 new units at the current Citywide average of $203,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>3,612 new units at the current Citywide average of $203,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>10,380 new units at the current Citywide average of $166,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>2,100 new units at the current Citywide average of $129,700 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>1,141 new units at the current Citywide average of $236,800 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Airport</td>
<td>150,135 commercial square feet at the current Citywide average of $1.92 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Business Park</td>
<td>1,599,531 commercial square feet at the current Citywide average of $1.96 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Downtown</td>
<td>43,245 commercial square feet at the current Citywide average of $26.95 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Employment Center</td>
<td>181,809 commercial square feet at the current Citywide average of $15.45 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>General Commercial</td>
<td>1,313,136 commercial square feet at the current Citywide average of $11.82 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>911,369 commercial square feet at the current Citywide average of $2.02 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Highway Commercial</td>
<td>375,071 commercial square feet at the current Citywide average of $23.35 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>5,701,015 commercial square feet at the current Citywide average of $7.47 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>11,082 commercial square feet at the current Citywide average of $3.87 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Community Mixed Use</td>
<td>7,694,031 commercial square feet at the current Citywide average of $13.12 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>143,900 commercial square feet at the current Citywide average of $1.93 per area footprint with construction equally spread over 20 years</td>
</tr>
</tbody>
</table>
Instead of approximately 30,000 new residential units, this scenario assumes only approximately 17,000 new residential units, the bulk of which are in lower to medium density development areas. There are no Commercial Mixed-Use Residential units in the Low-Density Model, compared to 6,566 in the Base Model. As a result of this lower density and fewer residential units, the population growth in the Low-Density Model is approximately half of the Base Model. This results in less commercial and industrial growth, as a smaller population generates less demand for services and fewer available employees.

Exhibit III-2.
Sensitivity Analysis of Low Density Model – Cumulative Surplus/Deficit by 2038

<table>
<thead>
<tr>
<th></th>
<th>Low Performance</th>
<th>Baseline Performance</th>
<th>High Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Cost Variability</td>
<td>($7,749,305)</td>
<td>$834,421</td>
<td>$9,418,147</td>
</tr>
<tr>
<td>Baseline Cost Variability</td>
<td>($21,774)</td>
<td>$8,561,952</td>
<td>$17,145,678</td>
</tr>
<tr>
<td>Low Cost Variability</td>
<td>$7,705,757</td>
<td>$16,289,483</td>
<td>$24,873,209</td>
</tr>
</tbody>
</table>

As this exhibit indicates, the anticipated 20-year cumulative surplus of the Low-Density Model is $8.56 million. Offsetting factors explain why this surplus is so close to the surplus anticipated in the Comprehensive Plan Model, even though this model has fewer projected units of development.

First, smaller-sized higher density residential units create a net deficit per unit because the assessed values of higher density residential units are lower (i.e., $146,100 for a high-density unit versus $203,400 for a low-density unit). In the Low-Density Model, there are no higher density Commercial Mixed-Use Residential Units, eliminating a large deficit created by that category in the Base Model. Significantly less development in Heavy and Light Industrial land uses, which also produce net deficits per square foot due to their lower assessed property value, further reduces the net deficits in those categories.

Second, these deficit reductions are offset by a reduction in the amount of surplus-producing low and medium density residential land uses, as well as fewer square feet of surplus-producing General Commercial and Employment Center development due to slower population growth.
Finally, there is no reduction in the cost to serve each individual unit or square foot because this model continues to focus on less dense, more spread out development which costs more to serve (more fire stations and more lane miles; therefore, more firefighters and street maintenance).

When these three factors come together, the net cumulative surplus of the Low-Density Model is basically the same as in the Base Model. However, the Low-Density Model’s “worst case” is an $7.8 million deficit, and “best case” a $24.8 million surplus over 20 years.

This tells us that the Low-Density focus of the current Comprehensive Plan has less fiscal “risk” than the current Comprehensive Plan, at least for the next 20 years. It does not accomplish some of the goals and objectives set forth in the current Comprehensive Plan including more affordable housing, increased employment, reduced congestion, environmental protection, efficient and high-quality service delivery and the preservation of natural resources.

In order to analyze how the City of Nampa could move more robustly toward achieving its policy objectives and planning goals, without taking the financial risk of the Base Model, we developed a second alternate scenario, the Transit-Oriented Development Model, or TOD Model.

The third scenario, **Transit Oriented Development (TOD Model)**, analyzes the cumulative net fiscal impact of the City's current Comprehensive Plan by 2038 with more units per acre (higher density) focused around transit corridors. Instead of approximately 30,000 new residential units, this scenario assumes approximately 60,000 new residential units, supporting approximately 150,000 residents by 2038.

In this scenario, there are increases in the number of housing units projected in Low, Medium and High Density Residential, as well as in Residential Mixed-Use zones. Housing units have been included in new zones such as Downtown Residential, Employment Center Residential, and Neighborhood Commercial Residential. Because this housing would support more residents than the current Comprehensive Plan, significant increases in the number of square feet of Airport, Commercial, Industrial and the non-residential portion of the Residential Mixed-Use zone would result.

Exhibit III-3 identifies the revised assumptions for land use units, value and phasing in the Transit-Oriented Development Model.
### Exhibit III-3.

Development Land Use Assumptions – Transit Oriented Development Model

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Value and Phasing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>405 new units at the current Citywide average of $203,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Community Mixed Use Residential</td>
<td>4,624 new units at the current Citywide average of $146,100 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>9,932 new units at the current Citywide average of $203,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>38,925 new units at the current Citywide average of $166,400 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>3,620 new units at the current Citywide average of $129,700 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>2,194 new units at the current Citywide average of $236,800 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Downtown Residential</td>
<td>11 new units at the current Citywide average of $170,867 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Employment Center Residential</td>
<td>303 new units at the current Citywide average of $170,867 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>18 new units at the current Citywide average of $146,100 with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Airport</td>
<td>1,451,742 commercial square feet at the current Citywide average of $1.92 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Business Park</td>
<td>5,786,749 commercial square feet at the current Citywide average of $1.96 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Downtown</td>
<td>43,245 commercial square feet at the current Citywide average of $26.95 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Employment Center</td>
<td>261,805 commercial square feet at the current Citywide average of $15.45 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>General Commercial</td>
<td>3,796,752 commercial square feet at the current Citywide average of $11.82 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>4,925,993 commercial square feet at the current Citywide average of $2.02 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Highway Commercial</td>
<td>1,257,573 commercial square feet at the current Citywide average of $23.35 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>7,009,176 commercial square feet at the current Citywide average of $7.47 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>19,062 commercial square feet at the current Citywide average of $3.87 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Community Mixed Use</td>
<td>6,884,863 commercial square feet at the current Citywide average of $13.12 per area footprint with construction equally spread over 20 years</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>754,599 commercial square feet at the current Citywide average of $1.93 per area footprint with construction equally spread over 20 years</td>
</tr>
</tbody>
</table>
Exhibit III-4 shows the net fiscal impacts per unit by land use type of the Transit-Oriented Development Model.

Exhibit III-4
Net Fiscal Impact Per Unit by Land Use Type – Transit-Oriented Development Model

<table>
<thead>
<tr>
<th>Types of Land Use</th>
<th>Other Revenue</th>
<th>Property Tax</th>
<th>Sales Tax</th>
<th>Total Revenue/Unit</th>
<th>Total Expense/Unit</th>
<th>Fiscal Impact/Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>$91.96</td>
<td>$880.19</td>
<td>$155.79</td>
<td>$1,127.94</td>
<td>$750.55</td>
<td>$377.39</td>
</tr>
<tr>
<td>Community Mixed Use Residential</td>
<td>$91.96</td>
<td>$621.84</td>
<td>$155.79</td>
<td>$869.58</td>
<td>$750.55</td>
<td>$119.03</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>$91.96</td>
<td>$880.19</td>
<td>$155.79</td>
<td>$1,127.94</td>
<td>$750.55</td>
<td>$377.39</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>$91.96</td>
<td>$708.24</td>
<td>$155.79</td>
<td>$955.98</td>
<td>$750.55</td>
<td>$205.43</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>$91.96</td>
<td>$552.04</td>
<td>$155.79</td>
<td>$799.78</td>
<td>$750.55</td>
<td>$49.23</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>$91.96</td>
<td>$1,164.51</td>
<td>$155.79</td>
<td>$1,412.25</td>
<td>$750.55</td>
<td>$661.70</td>
</tr>
<tr>
<td>Downtown Residential</td>
<td>$91.96</td>
<td>$727.25</td>
<td>$155.79</td>
<td>$975.00</td>
<td>$750.55</td>
<td>$224.44</td>
</tr>
<tr>
<td>Employment Center Residential</td>
<td>$91.96</td>
<td>$727.25</td>
<td>$155.79</td>
<td>$975.00</td>
<td>$750.55</td>
<td>$224.44</td>
</tr>
<tr>
<td>Neighborhood Commercial Residential</td>
<td>$91.96</td>
<td>$621.84</td>
<td>$155.79</td>
<td>$869.58</td>
<td>$750.55</td>
<td>$119.03</td>
</tr>
<tr>
<td>Airport</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.09</td>
<td>$(0.06)</td>
</tr>
<tr>
<td>Business Park</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.09</td>
<td>$(0.06)</td>
</tr>
<tr>
<td>Downtown</td>
<td>$0.00</td>
<td>$0.23</td>
<td>$0.01</td>
<td>$0.24</td>
<td>$0.09</td>
<td>$0.15</td>
</tr>
<tr>
<td>Employment Center</td>
<td>$0.00</td>
<td>$0.13</td>
<td>$0.01</td>
<td>$0.14</td>
<td>$0.09</td>
<td>$0.05</td>
</tr>
<tr>
<td>General Commercial</td>
<td>$0.00</td>
<td>$0.10</td>
<td>$0.01</td>
<td>$0.11</td>
<td>$0.09</td>
<td>$0.02</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.09</td>
<td>$(0.06)</td>
</tr>
<tr>
<td>Highway Commercial</td>
<td>$0.00</td>
<td>$0.20</td>
<td>$0.01</td>
<td>$0.21</td>
<td>$0.09</td>
<td>$0.12</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>$0.00</td>
<td>$0.06</td>
<td>$0.01</td>
<td>$0.08</td>
<td>$0.09</td>
<td>$(0.01)</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>$0.00</td>
<td>$0.03</td>
<td>$0.01</td>
<td>$0.05</td>
<td>$0.09</td>
<td>$(0.04)</td>
</tr>
<tr>
<td>Community Mixed Use</td>
<td>$0.00</td>
<td>$0.11</td>
<td>$0.01</td>
<td>$0.12</td>
<td>$0.09</td>
<td>$0.03</td>
</tr>
<tr>
<td>Residential Mixed Use</td>
<td>$0.00</td>
<td>$0.02</td>
<td>$0.01</td>
<td>$0.03</td>
<td>$0.09</td>
<td>$(0.06)</td>
</tr>
</tbody>
</table>

In the Transit-Oriented Development Model all residential uses would produce a net fiscal surplus, the highest of which would come from Low Density Residential and Residential Mixed Use which have the highest property values and therefore more revenue. Downtown, Employment Center, General Commercial, Highway Commercial and Community Mixed Use Commercial uses would also produce a net fiscal surplus. Airport, Business Park, Industrial, Neighborhood Commercial and the non-residential portion of Residential Mixed Use would produce a net fiscal deficit because of their lower property values.

Why are there so many more land uses producing a net fiscal surplus in this scenario than in the Base and Low-Density Models? By increasing the number of units per acre and locating more housing units in infill areas and along transit corridors, it costs less for the City to serve its customers – primarily in police operations, fire operations and streets maintenance. In the Transit-Oriented Development Model we decreased the amount of variability in the expenses in these three categories to reflect the operating efficiencies anticipated by denser growth. For example, instead of the majority of residential growth (and consequently commercial growth) occurring in areas of developed farmland in the area of impact which would require new fire stations and 9-12 additional firefighters per station, housing units in infill areas can be served by crews from existing fire stations. While this would not eliminate the need to hire
additional firefighters, it reduces the amount of the increase in expenditures for labor and operations, as existing stations might hire an additional 2-6 firefighters to staff additional smaller squad vehicles to manage additional call volume.

As a result, even though there are still some land uses producing net fiscal deficits, Exhibit III-5 below indicated that this higher density and transit-oriented land use scenario should produce a cumulative surplus over 20 years of almost $60 million. Even more notable, the Transit-Oriented Model projects significant net fiscal surpluses ranging from $12 million to $108 million, regardless of fluctuations in property values or expenditures.

Exhibit III-5.
Sensitivity Analysis of Transit-Oriented Model – Cumulative Surplus/Deficit by 2038

<table>
<thead>
<tr>
<th></th>
<th>Low Performance</th>
<th>Baseline Performance</th>
<th>High Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Cost Variability</td>
<td>$11,934,802</td>
<td>$38,858,052</td>
<td>$65,781,301</td>
</tr>
<tr>
<td>Baseline Cost Variability</td>
<td>$32,877,933</td>
<td><strong>$59,801,183</strong></td>
<td>$86,724,433</td>
</tr>
<tr>
<td>Low Cost Variability</td>
<td>$53,821,065</td>
<td>$80,744,314</td>
<td>$107,667,564</td>
</tr>
</tbody>
</table>

In this model, density in infill areas and around transit corridors would allow the City to reduce expenditures through service delivery efficiencies enough to offset lower property tax revenue generated by smaller, lower property value units. And even though some commercial units would still produce a net fiscal deficit, increases in the number of square feet of industrial and commercial development indicate the increased ability to meet the City’s policy objectives of creating more livable wage jobs within the City. Furthermore, dense development along transit corridors creates an increased supply and diversity of housing options, reduces congestion which improves environmental quality, and protects farmland and other natural resources.
SECTION IV. Summary

In the Introduction of this report, we stated a key part of any comprehensive planning process is an analysis of the degree to which the Comprehensive Plan is fiscally sustainable. Fiscally sustainable development is that which has a balance of land uses so that development producing a per-unit surplus can subsidize development which produces a per-unit deficit but contributes to other strategic priorities. The fiscal impact model we have developed for the City of Nampa can help the City assess whether various land uses and densities are likely to produce enough revenue to offset the marginal costs of serving each new unit of growth.

The current Comprehensive Plan/Base Model’s net cumulative anticipated surplus over 20 years is $8.52 million, with a possible range of a $19 million deficit to a $36 million surplus depending on actual assessed values/revenues and costs to provide services. If the costs to provide services per unit exceed what we have estimated, and/or projected revenues are below what we have estimated, the current Comprehensive Plan’s projected development will not be fiscally sustainable.

By focusing more on low and mid-density residential development, the Low-Density Model of the current Comprehensive Plan has less fiscal “risk” than the current Comprehensive Plan. The net cumulative surplus of the Low-Density Model is basically the same as in the Base Model. However, the Low-Density Model’s “worst case” is an $7.8 million deficit, and “best case” a $24.8 million surplus. However, while reducing fiscal risk, the Low-Density Model does not accomplish some of the goals and objectives set forth in the current Comprehensive Plan including more affordable housing, increased employment, reduced congestion, environmental protection, efficient and high-quality service delivery and the preservation of natural resources.

By encouraging more density in infill areas and around transit corridors, the City is able to reduce expenditures through service delivery efficiencies enough to offset lower property tax revenue generated by smaller, lower property value units. In a Transit-Oriented Development model of the current Comprehensive plan, the net cumulative surplus over 20 years is estimated at almost $60 million. Even more notable, the “worst case” scenario in the Transit-Oriented Development model exceeds the “base case” surplus of the Base and Low-Density models, projecting significant net fiscal surpluses ranging from $12 million to $108 million.
Increases in the number of square feet of industrial and commercial development in the Transit-Oriented Development model should result in the creation of more livable wage jobs within the City. Furthermore, dense development along transit corridors would create an increased supply and diversity of housing options, reducing congestion, improving environmental quality, and protecting farmland and other natural resources.

As we have demonstrated, traditional land use development patterns may put a fiscal burden on the City, making it difficult for the City to realize its strategic goals and objectives while it grows. Developing an updated Comprehensive Plan with a healthy balance of land uses, increased densities and focused development around existing transit corridors can put the City in a strong position to ensure growth contributes to the vitality and quality of life in the City of Nampa.

The City can depend on the fiscal impact model to provide dynamic analysis of long-term planning scenarios as well as current development proposals such as annexations, planned unit developments, mixed use development, industrial developments, etc. In addition, the model can be used to further assess the cost and benefit of economic development strategies.
Bicycle and Pedestrian Master Plan Open House

- The Fiscal Year 2020 City of Nampa Bicycle and Pedestrian Master Plan (Plan) update is currently underway. The first Bicycle and Pedestrian Steering Committee (Committee) meeting was held on April 24, 2019, with the City’s consultant, Alta Planning & Design, local school districts, irrigation districts, Safe Routes to School representatives, City staff, COMPASS, Idaho Transportation Department, and local businesses participation.

- During the design period, a link to an online mapping tool was distributed citywide to gather public input. Over five hundred (500) comments were received using the online tool. The data was used to create a story map, showing the existing and proposed bike and pedestrian facilities. A snapshot of the online mapping tool is shown below:

- A public open house was held on August 8, 2019, at the Nampa Public Library to review the online public comments and gather additional public input.

- Over 70 people attended the open house. Committee members, the open house, and online mapping tool gathered a tremendous amount of stakeholder and public input.

- A high quality, non-motorized transportation network is the hallmark of a desirable community; making it a pleasant place to live, work and play. The Plan is a critical tool in realizing Nampa’s walking and biking potential.
• City staff would like to personally thank Committee members for being very instrumental in the entire process of updating the Plan

• The Plan will be presented for Council review and adoption in the fall of 2019

**Fiscal Year 2019 Capital Improvement Projects**

• In fiscal year 2018, Engineering Division staff presented a workforce plan for the engineering/capital projects that identified organizational strategies that would save the City professional services costs over the next five-years. A combination of in-house and outsourced services was proposed to deliver the following goals:
  
  o Improve level of service and lower consulting costs by adding in-house construction inspection, civil engineering design, planning and public involvement capacity. Hire additional staff to complete approximately 20-30% of civil engineering design/public involvement and 60% of construction engineering inspection services in-house within five years
  
  o Deliver 100% of capital projects in the designated funding year

• The Fiscal Year 2019 Project Delivery/Capital Improvement Projects plan (see Exhibit A) provides an update on the workforce plan efforts and a list of capital projects scheduled for this fiscal year

• Key elements of the Fiscal Year 2019 Capital Improvement Projects plan are summarized as follows:

  **Hire additional staff to reduce outsourced consulting cost:** Engineering Division will hire one engineer in training (EIT), one contract administrator, and one part-time public involvement professional. According to the 5-year work force plan, a total of nine in-house staff will be added. Generally, an in-house employee can save the City up to 40% of what a consultant would cost.

  **Current staffing summary:** The Engineering Division is currently understaffed due to recent in-house promotions. The division has hired Caleb LaClair, Assistant City Engineer, to oversee development, and Tiffany McCree, Public Involvement Coordinator, part-time. Staff have attempted to hire two staff engineers; unfortunately, due to difficulty finding qualified engineering candidates, no hires have been made. An offer has been made for the contract administrator position.

  **Utilize increased, in-house staff to design, inspect and conduct public involvement services for some projects:** By fiscal year 2023, Engineering Division’s goal is to provide approximately 20-30% of civil engineering design/public involvement and 60% of construction engineering inspection services in-house. For the first year of the plan, the goal is for in-house staff to complete approximately 11% of the civil engineering design/public involvement and 43% of inspection services. The percentage of work in-house will increase annually as the number of staff grows and experience/efficiency increases.
List of Street, Wastewater, and Water (domestic and pressurized irrigation) Divisions Fiscal Year 2019 Projects and Schedule: Engineering will strive to deliver 100% of the 61 design and construction projects within the fiscal year 2019 funding year. Total capital funding is $19,744,111.00

- Engineering Division staff strived to meet its goal of 100% delivery of capital projects in the designated funding year; however, this year staff was unable to

- Finding qualified staff has proven to be difficult, thus reducing project delivery for this fiscal year

- Staff remain focused on delivering the capital improvement projects in a timely manner and will continue working to deliver the unfinished projects as quickly as possible with several being completed this fall

- In-house staff resources for design and inspection, as well documenting staff savings this fiscal year (due to not being able to find qualified applicants), has provided an estimated $585,792.00 in project savings, exceeding the fiscal year goal of $400,000.00
Fiscal Year 2019
Project Delivery Dashboard
Fourth Quarter
September 3, 2019 Council Meeting
2019 Capital Improvement Projects

• 25 major projects
• $19M in value
FY19 Project Dashboard
(This Year)

Goal: 100% Constructed in Fiscal Year
“What gets measured gets done”
FY18 Project Dashboard
(Last Year Comparison)

<table>
<thead>
<tr>
<th></th>
<th>First Quarter</th>
<th>Second Quarter</th>
<th>Third Quarter</th>
<th>Fourth Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent Designed</td>
<td>51%</td>
<td>84%</td>
<td>97%</td>
<td>100</td>
</tr>
<tr>
<td>Percent Awarded</td>
<td>43%</td>
<td>72%</td>
<td>88%</td>
<td>100</td>
</tr>
<tr>
<td>Percent Constructed</td>
<td>29%</td>
<td>38%</td>
<td>100</td>
<td>95</td>
</tr>
</tbody>
</table>
Project Savings To Date

Total project savings of $585,792

- Greenhurst Road Rebuild $125,000
- Failed Pipe at Isaiah & Midway $50,000
- Aerial Sewer Replacements $40,200
- CDBG Ped Ramps $20,000
- Grant Applications $20,000
- Irrigation Water Quality $25,000
- Pump Maintenance $12,000
- Staffing Savings $293,592

Project Savings To Date

Total project savings of $585,792
Project Management Team

Daniel Badger, P.E.
City Engineer

Clemente Salinas, P.E.
Asst City Eng/Projects

Samuel McClellan, P.E.

Mark David,
Project Manager

Krystal Budke,
EIT

Nicole Fletcher,
EIT
Questions?

Greenhurst Road Rebuild – Phase I
Inter-county Cost Allocations – Nampa Review

The Valley Regional Transit Board of Directors established the allocation for transit services contributions for Canyon County’s Local and Inter-county services in 2003. It was based on a combination of population and the number of stops in each jurisdiction and how often they are served. The location of stops is an important driving factor in cost allocations because stops are where people access service and the number of times a stop is served has a direct relationship to how that service is distributed.

Since the original contributions were established in 2003, VRT has adjusted those amounts to reflect changes in operating costs, but has not re-evaluated the distribution of contributions. In addition, the existing methodology doesn’t account for the distribution of administrative overhead or capital expenses required to support the operations.

VRT initiated an evaluation of the distribution of contributions in September 2018, following the adoption of ValleyConnect 2.0 by the VRT Board of Directors. VRT is implementing the new methodology in the FY2021 budget process.

Existing Contribution Distribution Analysis

Table 1 below is a comparison of the current contributions for Inter-county services 40, 42, 43 and 45. Route 45 is solely funded by Boise State University and the College of Western Idaho. The total contribution does not reflect the 50% match provided to Valley Regional Transit by FTA.

Table 1: 2020 Requested Contributions for Inter-county routes 40, 42, 43 and 45

<table>
<thead>
<tr>
<th>Member Agency</th>
<th>Local Contributions</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Boise</td>
<td>$14,212</td>
<td>4%</td>
</tr>
<tr>
<td>City of Meridian</td>
<td>$99,349</td>
<td>30%</td>
</tr>
<tr>
<td>City of Caldwell</td>
<td>$25,025</td>
<td>7%</td>
</tr>
<tr>
<td>City of Nampa</td>
<td>$122,221</td>
<td>37%</td>
</tr>
<tr>
<td>Other Contributing Agencies*</td>
<td>$73,698</td>
<td>22%</td>
</tr>
<tr>
<td>Total Local Contributions</td>
<td>$334,505</td>
<td>100%</td>
</tr>
</tbody>
</table>

*Includes Boise State University, College of Western Idaho, Ada County and Canyon County

There are 27 bus stops in Nampa served by inter-county routes. These stops are primarily along Nampa Caldwell Blvd, Birch Dr, or near the Idaho Center Blvd or the College of Western Idaho. Table 2 shows both how many times any of the intercountry routes 40, 42 or 43 serve a bus stop and the percent of total stops served by jurisdiction.

The location of bus stops and the number of times they are served, however, gives an incomplete picture of who is benefiting and how. Ridership data can be used to approximate where riders live. It was originally agreed that the majority of costs for inter-county services would be borne by the jurisdictions where the trips originated, or the residential end. As shown in Table 3 eighty percent (80%)
of AM boardings (trip origins) occur outside the City of Boise. Because of this, Table 2 also shows the percent of stops in each jurisdiction each weekday excluding Boise.

Table 2: Number of Times Routes 40, 42 or 43 Stop in Each Jurisdiction Each Weekday

<table>
<thead>
<tr>
<th>Member Agency</th>
<th>Total Stops</th>
<th>% of Total Stops</th>
<th>Stops Outside Boise</th>
<th>% of Stops Outside Boise</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Boise</td>
<td>230</td>
<td>40%</td>
<td>128</td>
<td>36%</td>
</tr>
<tr>
<td>City of Meridian</td>
<td>128</td>
<td>22%</td>
<td>128</td>
<td>36%</td>
</tr>
<tr>
<td>City of Nampa</td>
<td>192</td>
<td>33%</td>
<td>192</td>
<td>55%</td>
</tr>
<tr>
<td>City of Caldwell</td>
<td>32</td>
<td>5%</td>
<td>32</td>
<td>9%</td>
</tr>
<tr>
<td>Total</td>
<td>582</td>
<td>100%</td>
<td>352</td>
<td>100%</td>
</tr>
</tbody>
</table>

By comparing Tables 1 and 2, you can see the percent of local contributions is typically within the range between the Percent of Total Stops and the Total Stops by Origin.

Inter-County Ridership

Comparing ridership by jurisdiction provides a way to evaluate the distribution of benefits. Table 3 below estimates an annual number of boardings based on the average daily boardings since July 2019 (because these samples were taken in the summer the annual estimates may be low but they illustrate the point and do represent the appropriate order of magnitude). These numbers are based on the newly installed Automatic Passenger Counters (APCs) which are able to show report on ridership by stop. The APC’s are also able to report on ridership by time of day. By dividing ridership by AM and PM Table 3 shows where riders likely begin and end their trips. Before noon, eighty percent of the boarding occur outside the City of Boise, while afternoon, seventy-seven percent of the trips occur in the City of Boise suggesting that riders are traveling from Caldwell, Nampa and Meridian to Boise.

Table 3: Average Weekday Boardings at Stops within Jurisdictions for Routes 40, 42, 43

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Estimated Annual Boardings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM*</td>
</tr>
<tr>
<td>Boise</td>
<td>5,100</td>
</tr>
<tr>
<td>Caldwell</td>
<td>4,800</td>
</tr>
<tr>
<td>Meridian</td>
<td>8,400</td>
</tr>
<tr>
<td>Nampa</td>
<td>7,400</td>
</tr>
<tr>
<td>Total</td>
<td>25,700</td>
</tr>
</tbody>
</table>

*AM is from 5:30 am – 11:59 am
**PM is from 12:00 pm – 8:05 pm

The major destinations for riders on these routes include downtown Boise, Boise State University, St. Luke’s main campus, Ada County Courthouse, Idaho Power, etc. These trips are all in excess of 16 miles from the last transit stop in Nampa at the College of Western Idaho. Table 4 below shows the comparable per/cost trips for various modes.
Table 4: Comparable Costs Per Trip by Various Modes

<table>
<thead>
<tr>
<th>Trip Type</th>
<th>Inter-County (~16 mi)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Auto&lt;sup&gt;1&lt;/sup&gt;</td>
<td>$8.70</td>
</tr>
<tr>
<td>Lyft&lt;sup&gt;2&lt;/sup&gt;</td>
<td>$25.30</td>
</tr>
<tr>
<td>Taxi&lt;sup&gt;3&lt;/sup&gt;</td>
<td>$40.50</td>
</tr>
</tbody>
</table>
| Transit (Average Current Inter-County Costs for trips originating and returning to Nampa – 14,800)<sup>4</sup> | $16.52 (full costs)  
 $8.25 (Nampa share) |

<sup>1</sup> Based on 2017 AAA Costs per Mile for Medium Sedan averaging 15,000 miles/year. Federal reimbursement rates of $0.58/mile would value this trip at $9.28

<sup>2</sup> Based on sample Lyft trips

<sup>3</sup> Based on Taxi Finder [https://www.taxifarefinder.com](https://www.taxifarefinder.com)

<sup>4</sup> As transit productivity increases costs decrease.

Ridership and number of people

By evaluating pass usage Valley Regional Transit has been able to create an estimate for the number of people “actively” (at least once every 3 months) accessing transit services at certain stops. Using this methodology, we are able to estimate the number of people actively accessing the intercountry services from stops in Nampa to be between 100 and 200 individuals.

Draft Allocation Methodology

The draft allocation methodology presented to the VRT board in 2019 would distribute contributions among funding partners according to three categories;

1. General Assessment: Which would cover all overhead that cannot be directly associated with transit service levels or special projects. These costs would be shared based on the percent of the regional population represented by the funding partner.

2. Special Allocations: Would cover specific capital, service or planning activities requested by specific funding partners. These costs would be distributed according to the funding partners requesting or benefiting from the projects.

3. Service and Capital Allocations: Would cover the on-going operating and capital costs that are directly associated with service levels. These allocations would be distributed based on the share of services provided within each jurisdiction.

This cost allocation approach will facilitate greater coordination between jurisdictions and Valley Regional Transit. Figure 1 below illustrates how VRT is recommending future budget requests be coordinated with jurisdiction priorities.
Figure 1: Draft Local Allocation Diagram

Quarter 1: Cost Allocation
Service Performance

ValleyConnect 2.0

Local Priorities

3. Distribute Costs Across Partners

<table>
<thead>
<tr>
<th>Partner</th>
<th>% Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highway Districts</td>
<td>XX%</td>
</tr>
<tr>
<td>Counties</td>
<td>XX%</td>
</tr>
<tr>
<td>Cities</td>
<td>XX%</td>
</tr>
<tr>
<td>Development Corporations</td>
<td>XX%</td>
</tr>
<tr>
<td>Universities</td>
<td>XX%</td>
</tr>
<tr>
<td>Other Funding Partners</td>
<td>XX%</td>
</tr>
</tbody>
</table>

Quarter 2: Annual Funding Requests

Quarter 3: Annual Revenue Projections

Quarter 4: Finalize and Approve Annual Budget
PROGRAM NARRATIVE

Describe the proposed program activities including the type of programs to be funded and a brief analysis of the need for the programs

The Nampa Police Department (NPD) and Canyon County Sheriff’s Office (CCSO) are requesting funding to purchase equipment for law enforcement programs. This request is consistent with the approved program areas and purpose of the Byrne JAG Program. Both law enforcement departments put officer safety, traffic enforcement, and effective evidence collection at a high importance. The agencies have identified specific areas within their jurisdiction that will effectively address permissible uses of JAG funds and provide our agencies with a means to improve and expand on our current effort to work in a cooperative effort with community leaders, citizens and employees to reduce crime. With funds received from the 2019 BJAG, we will be able to provide officer safety to individuals and teams, enforce traffic laws and serve our victims of crime by providing more effective investigation measures in the prosecution of crimes.

The Nampa Police Department (NPD) is requesting to use $40,626 in funding to purchase several different items/tools that will assist in patrol duties and evidence collection.

Currently we have two WRAP safe restraint systems that are being utilized in patrol. The WRAP is a four-piece temporary restraining device that is placed on combative subjects to keep them from hurting themselves or others. It consists of a helmet, a harness for the upper body, and a mesh material piece for the bottom of the legs. It keeps the subject restrained in a sitting position with their legs straight out in front of them. The WRAP result in calming a situation quickly and making it much safer for both officers and suspects. We are requesting funding to purchase three WRAP systems at approximately $1,425 each for a total of $4,275. This will allow
for each patrol team to have one available for use. This increases officer safety by not having to wait for another officer to retrieve one from the station.

Nampa Police is requesting funding to purchase two Halligan tools and three Ram dynamic entry tools to assist with making entry into a car or a building that is secured. Halligan tools were initially designed for fire departments to make entry into locked homes. They have since been used by law enforcement to make entry into homes, buildings, vehicles, etc., that are locked and secured. The Halligan allows law enforcement to enter those secured areas without doing harm to themselves by pulling, prying, or kicking various doors to make entry. Besides being efficient, they also make entry very quick. This provides officers safety, so they are not stuck at a door trying to get in while a potential suspect is inside preparing to do them harm.

Currently we have none of these tools deployed in patrol. The Halligan tool cost is approximately $215 each for a total of $430. The Ram dynamic entry tool offers the same basic use as the Halligan tool. Swift entry can be made with one swing of this tool. The Ram cost approximately $310 each for a total of $930.

Nampa Police currently maintains 9 K-9 units for patrol functions, school functions and drug operations. The dogs are assigned to specific officers who are required to maintain a secure location at their personal residences for the K9. This requires a large enough outdoor kennel for the dog to have plenty of room to move about and have a place to sleep and be housed when not on duty. Some of these kennels have been passed around as dogs and officer retire from the program. Two of these kennels are approximately 10 years old and need replacements as the frames are rusting and the panels are worn out. Nampa Police is requesting funding for two kennels with a cost of approximately $500 each for a total of $1,000.

We would like to purchase the equipment and software license needed to set up a portable barcoding system to be used at all major crime scene incidents. The system would be an addition to the current BEAST barcoding system used by the Evidence Department but would
allow them to take the system out to crime scenes and assist investigators with the collection, packaging, sealing and labeling of evidence on scene. It would also allow them to print complete property invoices to be left at the scene with search warrants and present to the courts when returning search warrants. The current process requires handwriting on all packages and invoices which is very repetitive and labor intensive. Nampa Police requests funding for the systems: Barcode label printer $700; laptop $1,000; additional license $1,000; annual software support $200; roll of 500 labels $43; plus, shipping and handling approx. $77; for a total cost of $3,020.

Nampa Police would like to request funding to purchase two Camera Kits for the Crime Scene Investigator (CSI) program. We currently only have two working cameras and they are shared between 6 officers. They are several years old and need cleaning and repair, but we are unable to take them out of circulation because we do not have any back-ups. These types of cameras are necessary for documenting crime scenes and evidence in a high enough quality that they can go on for forensic examination and analysis. This cannot be accomplished with point-and-shoot cameras. The cost breakdown for this kit is as follows: 2 Camera w/ 18-55mm lens $450 each; 2 Tripods w/horizontal mount $100 each; 2 flash attachments $85 each; 2 shutter release $5 each; 2 cases $150 each; 2 class 10 SD cards $20 each; and 2 card readers $15 each, (Total of $825 per camera kit), plus, shipping and handling approx. $50. Total cost of $1700.

We are also requesting funding for one portable Alternate Light Source (ALS). ALS are typically used in crime scene investigation to identify many forms of evidence. Physiological fluids (semen, urine, and saliva) can be identified through their natural fluorescent properties utilizing UV light. We currently have one that is shared between the evidence lab and the CSI program. The majority of the time it is used in the lab which makes it unavailable for the CSI’s when they process crime scenes. The addition of this portable ALS will enable the CSI’s to have
one on hand to aid them in locating evidence in sexual assaults and other persons crimes. The approximate cost for one light and shipping is $450.

Nampa Police is requesting funding for a portable Trace Evidence vacuum. This item could be used to locate trace evidence to include, hairs, fibers, glass, paint, plant material, soil and numerous other types of microscopic evidence. The vacuum could be used in vehicles, on persons, and in crime scenes. It would be applicable to homicides, sex crimes, drug crimes, kidnappings, domestic violence cases and numerous other types of cases. We do not currently have any type of equipment capable of collecting this type of evidence. The cost is: vacuum $265; crevice tool $20; carpet tool $15; 100 replacement filters $75, approximate shipping $25. Total $400.

Nampa Police Department provides Narcan/naloxone to our officers to aid people who are experiencing an opiate related overdose. Multiple lives have already been saved from applications since we started issuing these kits in December 2016. They are issued to our patrol officers, narcotics officers, school resource officers, and evidence personnel. They are issued to new officers and when one is used another kit is provided to replace used stock. Our current kits will expire in November 2019. In March 2019, we were provided 50 kits through the Idaho Office of Drug Control Policy. That was the maximum they were able to provide. The Nampa Police Department needs an additional 50 kits to completely replace the expiring lot. Kits are currently assigned to 100 personnel including: 72 patrol officers, 11 School Resource Officers, 8 Traffic enforcement officers, 7 narcotics officers, and 2 in the evidence/drug processing area. The cost per kit is $75. Total cost for 50 kits is $3,750.00.

The Nampa Police Department is seeking to equip first responders (patrol officers and school resource officers) with ballistic helmets. This equipment will increase the safety of officers responding to active shooters in schools, workplace or other public places, as well as protecting officers in riot or crowd control situations. The helmet provides skull and head
protection with a ballistic rating of NIJ II, NIJ III, and NIJ IIIA, as well as low velocity impact shock absorption. The integrated face shield provides protection against impact, splash and fragments. Officers who are better protected can remain engaged in combat and more effectively assist victims in active shooter situations. The helmets range in size (small, medium, large and extra-large). General cost is $375 per helmet including face shield with XL sizes costing $395. The Nampa Police Department estimates being able to provide 65 officers with this equipment for a price of $24,671.00, which includes shipping.

The Canyon County Sheriff’s Office (CCSO) is requesting their allotted funding in the amount of $16,167, along with the $10,000 that Nampa PD has relinquished, to purchase new X-2 electro-muscular disruption-devices (EMD). These devices will meet the purpose of the grant program by increasing effectiveness and efficiency of the Sheriff’s Office. Deputies are regularly called into harm’s way and make split second decisions that could prove fatal for either the deputy or the offender. Modern policing has been afforded devices such as EMDs that give deputies an option to deadly force. Currently the Sheriff’s Office has approximately thirty model X-26 EMD’s issued. This model is obsolete and no longer supported by the manufacturer. The X-2 is available at an approximate cost of one thousand seven hundred forty-four dollars and forty-five cents (1744.45) per device. The cost per device is based on the handle (1220.00), a battery (66.45), a holster (80.00) and a four-year warranty (378.00). The Sheriff’s Office would like to purchase fifteen X-2’s for total cost of twenty-six thousand one hundred sixty-seven dollars (26167.00). It is the Sheriff’s office intent to budget for the remainder of the EMDs in their FY21 budget.

Identify anticipated coordination efforts involving JAG and related justice funds

Both jurisdictions – Nampa Police Department and the Canyon County Sheriff’s Office – work closely together through MOUs and Mutual Aid Agreements. Also, NPD and CCSO
maintain mutual aid agreements with surrounding agencies including Ada County Sheriff’s Office, Boise City Police Department, Owyhee County Sheriff’s Office, Wilder Police Department, Idaho State Police, ATF and the Federal Bureau of Investigation.

In addition, the NPD maintains community partnerships through MOUs with the Nampa School District, Nampa Family Justice Center, Canyon County Paramedics, Nampa Fire Department, Nampa Housing Authority and Northwest Nazarene University. The NPD also has one police substation co-located with the Nampa Boys and Girls Club and maintains an active partnership to support this program. Working relationships with these agencies will be on-going and build upon the common goal to serve our citizens and protect our community. With the requested purchases through this grant, items purchased will be used to enhance the abilities of our officers to better assist those we serve.

For disparate jurisdictions, specify funding distribution and the purposes for which the funds will be used

The Nampa Police Department is requesting to use its allocation of $40,626 to purchase needed equipment and tools to be used primarily in the patrol and evidence divisions.

The Canyon County Sheriff’s Office is requesting $26,167 to purchase X-2 EMDs.

A Plan for Collecting Data

Both departments represented in this grant application have personnel assigned to track data and complete reporting requirements. We understand that the performance and accountability measures have been revised and emphasize a commitment to capturing evidence-based practices. We also understand that the Bureau of Justice Assistance does not require applicants to submit performance measures data with the application but that successful applicants will be required to submit specific data as part of quarterly Performance Measurement Tool (PMT) reports and semiannual GMS reports. All three departments represented in this application have experience gathering data and tracking BJA performance measures.
DISCLOSURE OF HIGH RISK STATUS

The City of Nampa is not currently designated high risk by another federal grant making agency.
REVIEW NARRATIVE

The City of Nampa has not yet made the Fiscal Year 2019 Byrne JAG proposal available for review and comment by the Nampa City Council, Nampa’s Governing Body. This will be completed at a regularly scheduled meeting of the City Council during the month of September 2019. The City Council packet will be distributed ahead of time to Nampa City Council members and will also be posted on the City of Nampa website and made available to local media.

The City of Nampa understands that if the application is accepted the funds will be held until review of Nampa’s Governing Body is complete.
JOINT APPLICATION FOR DISPARATE MUNICIPALITIES
MEMORANDUM OF UNDERSTANDING

Nampa Police Department and Canyon County Sheriff’s Office have agreed for the City of Nampa to be the applicant and fiscal agent for the FY2019 Byrne JAG. See the attached Memorandum of Understanding for the agreed upon funding distribution and signatures. The joint application includes specifics about the purposes for which the funds will be used.
Edward Byrne JAG Program  
FY2019 Local Solicitation  
City of Nampa, City of Caldwell and Canyon County (ID)

**DISCLOSURE OF PENDING APPLICATIONS**

_Applicants must disclose whether they have pending applications for federally funded assistance that includes requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative._

The **City of Nampa/Nampa Police Department**, the applicant and fiscal agent for this application, does not have pending applications submitted within the last 12 months for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project(s) being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.

**Canyon County Sheriff’s Office** does not have pending applications submitted within the last 12 months for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project(s) being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.
Nampa Police Department (NPD) requests to use the Byrne JAG funds for:

1. Ballistic helmets w/shields 65 @ $379.55 each = $24,671
2. Trace evidence vacuum 1 @ $400 = $400
3. CSI Camera kits 2 @ $850 each = $1700
   - Each kit:
     - Camera w/ 18-55mm lens $450/ea
     - Tripod w/horizontal mount $100/ea
     - Flash attachment $85/ea
     - Shutter release $5/ea
     - Case $150/ea
     - Class 10 SD cards $20/ea
     - Card readers $15/ea
     - Shipping approx. $25
4. Portable Alternate Light Source plus shipping 1 @ $450 each = $450
5. Portable barcoding system 1 @ $3,020 = $3,020
   - Included in cost:
     - Barcode printer $700
     - Laptop $1,000
     - License $1,000
     - Software support $200
     - 500 labels $43
     - Approx. shipping/handling $77
6. Narcan/naloxone 50 kits @ $75 each = $3,750
7. K-9 Outdoor kennels 2 @ $500 each = $1,000
8. Ram dynamic entry tool 3 @ $310 each = $930
9. WRAP safe restraint system 3 @ $1,425 each = $4,275
10. Halligan tool 2 @ $215 each = $430

**Total for the Nampa Police Department:** $40,626

**Description:** All of the equipment and tools presented for funding are needed assets within each department. Each item has a useful life of longer than 5 years. The proposed figures were obtained by direct vendor quotes, internet searches, or from prior purchases.

Canyon County Sheriff’s Office (CCSO) is requesting Byrne JAG funds to purchase:

1. X-2 EMD 15 @ $1744.45 each = $26,167
   - Consisting of:
     - X-2 Handle $1,220.00 each
     - X-2 Battery $66.45 each
     - X-2 Holster $80.00 each
     - Warranty (4 yrs) $378.00 each

**Total for the Canyon County Sheriff’s Office:** $26,167
Description: The proposed figures for the EMD are a direct quote from the vendor and have a useful life of more than 5 years.

TOTAL FOR THE NPD & CCSO: $66,793
THE STATE OF IDAHO
COUNTY OF CANYON

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF NAMPA AND CANYON COUNTY

2019 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
CFDA #16.738

This Agreement is made and entered into this 23 day of August, 2019, by and between the COUNTY of Canyon, acting by and through its governing body, the County Commissioners, hereinafter referred to as COUNTY and the CITY of Nampa, acting by and through its governing body, the City Council, hereinafter referred to as NAMPA. All jurisdictions are located in Canyon County, State of Idaho.

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the City of NAMPA agrees to act as the grant applicant and fiscal agent for a total of $66,793 to be allocated from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, FY2019 Local Solicitation, to be used for purposes consistent with the JAG FY2019 Local Solicitation; and

WHEREAS, the COUNTY and City of NAMPA believe it to be in their best interests to allocate the JAG funds as follows,

NOW THEREFORE, the COUNTY and NAMPA agree as follows:

Section 1.

NAMPA agrees to pay the COUNTY a total of $26,167 of JAG funds.
NAMPA agrees to retain $40,626 of JAG funds.

Section 2.

Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 3.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.
Section 4.
By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF NAMPA:

JOE HUFF, Chief, Nampa Police Department

Debbie Kling, Mayor, City of Nampa

ATTEST:

CITY CLERK, City of Nampa

Date: 8.22.19

COUNTY OF CANYON:

KIERAN DONAHUE, Sheriff, Canyon County

PAM WHITE, Chair, County Commissioners

ATTEST:

COUNTY CLERK, Canyon County

Date: ____________________
DATED this 23 day of August, 2019.

BOARD OF COUNTY COMMISSIONERS

☑ Motion Carried Unanimously
☐ Motion Carried/Split Vote Below
☐ Motion Defeated/Split Vote Below

Unavailable for signature
Commissioner Leslie Van Beek

☑
Commissioner Tom Dale

☑
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: 
Deputy Clerk
The Nampa Police Department has identified the need to remodel the Large Evidence Storage area the Hugh Nichols Public Safety Building. The project is to be funded by the Police Department. The expenditure was approved as part of the 2019 budget for an amount of $120,000. The project will be funded using 25% from General Government Funds and 75% through Impact Fees. The project bids received were over the budgeted amount, and the Nampa Police Department determined they are able to fund the project with 75% or $119,654 through Impact Fees and 25% or $39,884 from the Police General Fund ($30,000 rollover from FY19 and $9,884 from FY20 Police General Government).

- Documents have been reviewed and approved by Legal.
- The cost of the project will be $159,538.
- 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.
- Facilities Development procured bids for the project using an Informal Bid Process. A pre-bid walk through was conducted at the project site on June 4, 2019 at 10:00 a.m. The bid opening was held on June 18, 2019 at 2:00 p.m.
- A total of three (3) bids were received on June 18, 2019.
- The apparent low bid was received from HCD, 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.

REQUEST: Council award bid and authorize Mayor Kling to sign the contract with HCD, Inc. for the HNPSB Evidence Storage Remodel Project not to exceed the contract amount of $159,538.
AGREEMENT made as of the Third day of September in the year Two Thousand Nineteen (In words, indicate day, month and year.)

BETWEEN the Owner:
(Name, legal status, address and other information)

City of Nampa
411 3rd Street South
Nampa, Idaho 83651
Telephone Number: 208.468.4416

and the Contractor:
(Name, legal status, address and other information)

HCD, Inc.
1012 4th Street North
Nampa, ID 83687
Telephone Number: (208) 442-9900

for the following Project:
(Name, location and detailed description)

Evidence Storage Remodel for City of Nampa
820 2nd Street South
Nampa, ID 83651
Remodel of existing car and evidence storage area at the Hugh Nichols Public Safety Building.

The Architect:
(Name, legal status, address and other information)

JGT Architecture
1212 12th Avenue South
Nampa, ID 83651
Telephone Number: 208-463-9295
Fax Number: 208-463-9299

The Owner and Contractor agree as follows.
TABLE OF ARTICLES

1 THE CONTRACT DOCUMENTS
2 THE WORK OF THIS CONTRACT
3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
4 CONTRACT SUM
5 PAYMENTS
6 DISPUTE RESOLUTION
7 TERMINATION OR SUSPENSION
8 MISCELLANEOUS PROVISIONS
9 ENUMERATION OF CONTRACT DOCUMENTS

EXHIBIT A INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS
The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary, and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement, and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT
The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
§ 3.1 The date of commencement of the Work shall be:

(Check one of the following boxes.)

[ ] The date of this Agreement.

[ X ] A date set forth in a notice to proceed issued by the Owner.

[ ] Established as follows:

(Insert a date or a means to determine the date of commencement of the Work.)

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of this Agreement.

§ 3.2 The Contract Time shall be measured from the date of commencement of the Work.

§ 3.3 Substantial Completion
§ 3.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work:
(Check one of the following boxes and complete the necessary information.)

[ X ] Not later than Forty-Five (45) calendar days from the date of commencement of the Work.

[ ] By the following date:

§ 3.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Contractor shall achieve Substantial Completion of such portions by the following dates:

<table>
<thead>
<tr>
<th>Portion of Work</th>
<th>Substantial Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

§ 3.3.3 If the Contractor fails to achieve Substantial Completion as provided in this Section 3.3, liquidated damages, if any, shall be assessed as set forth in Section 4.5.

ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be One Hundred Fifty-nine Thousand Five Hundred Thirty-eight Dollars and Zero Cents ($159,538.00), subject to additions and deductions as provided in the Contract Documents.

§ 4.2 Alternates

§ 4.2.1 Alternates, if any, included in the Contract Sum:

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

§ 4.2.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Agreement. Upon acceptance, the Owner shall issue a Modification to this Agreement. (Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
<th>Conditions for Acceptance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

§ 4.3 Allowances, if any, included in the Contract Sum: (Identify each allowance.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowance No. 1 - Permits and Fees</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Allowance No. 2 - General Contingency</td>
<td>$10,000.00</td>
</tr>
</tbody>
</table>

§ 4.4 Unit prices, if any: (Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Units and Limitations</th>
<th>Price per Unit ($0.00)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

§ 4.5 Liquidated damages, if any: (Insert terms and conditions for liquidated damages, if any.)

$250 dollars for each day if delay per supplemental conditions section 9.8.6

§ 4.6 Other: (Insert provisions for bonuses or other incentives, if any, that might result in a change to the Contract Sum.)
ARTICLE 5 PAYMENTS

§ 5.1 Progress Payments

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the Twenty-Fifth day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the Tenth day of the following month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than Thirty (30) days after the Architect receives the Application for Payment.

(Federal, state or local laws may require payment within a certain period of time.)

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Architect may require. This schedule of values shall be used as a basis for reviewing the Contractor’s Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 In accordance with AIA Document A201™—2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

§ 5.1.6.1 The amount of each progress payment shall first include:

.1 That portion of the Contract Sum properly allocable to completed Work;

.2 That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and

.3 That portion of Construction Change Directives that the Architect determines, in the Architect’s professional judgment, to be reasonably justified.

§ 5.1.6.2 The amount of each progress payment shall then be reduced by:

.1 The aggregate of any amounts previously paid by the Owner;

.2 The amount, if any, for Work that remains uncorrected and for which the Architect has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201—2017;

.3 Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;

.4 For Work performed or defects discovered since the last payment application, any amount for which the Architect may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201—2017; and

.5 Retainage withheld pursuant to Section 5.1.7.

§ 5.1.7 Retainage

§ 5.1.7.1 For each progress payment made prior to Substantial Completion of the Work, the Owner may withhold the following amount, as retainage, from the payment otherwise due:

(Insert a percentage or amount to be withheld as retainage from each Application for Payment. The amount of retainage may be limited by governing law.)

5%

Init. I


User Notes:
§ 5.1.7.1 The following items are not subject to retainage:
(Insert any items not subject to the withholding of retainage, such as general conditions, insurance, etc.)

§ 5.1.7.2 Reduction or limitation of retainage, if any, shall be as follows:
(If the retainage established in Section 5.1.7.1 is to be modified prior to Substantial Completion of the entire Work, including modifications for Substantial Completion of portions of the Work as provided in Section 3.3.2, insert provisions for such modifications.)

§ 5.1.7.3 Except as set forth in this Section 5.1.7.3, upon Substantial Completion of the Work, the Contractor may submit an Application for Payment that includes the retainage withheld from prior Applications for Payment pursuant to this Section 5.1.7. The Application for Payment submitted at Substantial Completion shall not include retainage as follows:
(Insert any other conditions for release of retainage upon Substantial Completion.)

§ 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201–2017.

§ 5.1.9 Except with the Owner’s prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 Final Payment
§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when
.1 the Contractor has fully performed the Contract except for the Contractor’s responsibility to correct Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and
.2 a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner’s final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect’s final Certificate for Payment, or as follows:

§ 5.3 Interest
Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located.
(Insert rate of interest agreed upon, if any.)

12.00 % per annum

ARTICLE 6 DISPUTE RESOLUTION
§ 6.1 Initial Decision Maker
The Architect will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker.
(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)
§ 6.2 Binding Dispute Resolution
For any Claim subject to, but not resolved by, mediation pursuant to Article 15 of AIA Document A201–2017, the method of binding dispute resolution shall be as follows:
(Check the appropriate box.)

[ ] Arbitration pursuant to Section 15.4 of AIA Document A201–2017
[X ] Litigation in a court of competent jurisdiction
[ ] Other (Specify)

If the Owner and Contractor do not select a method of binding dispute resolution, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.

ARTICLE 7 TERMINATION OR SUSPENSION
§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2017.

§ 7.1.1 If the Contract is terminated for the Owner’s convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows:
(Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner’s convenience.)

§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201–2017.

ARTICLE 8 MISCELLANEOUS PROVISIONS
§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2017 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 The Owner’s representative:
(Name, address, email address, and other information)

Brian Foster
310 13th Avenue South
Nampa, ID 83651
Telephone Number: (208) 468-4416

Email Address: fosterb@cityofnampa.us

§ 8.3 The Contractor’s representative:
(Name, address, email address, and other information)

Dennis Harmon
1012 4th Street North
Nampa, ID 83687
Telephone Number: (208) 442-9900
§ 8.4 Neither the Owner’s nor the Contractor’s representative shall be changed without ten days’ prior notice to the other party.

§ 8.5 Insurance and Bonds
§ 8.5.1 The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A, Insurance and Bonds, and elsewhere in the Contract Documents.

§ 8.5.2 The Contractor shall provide bonds as set forth in AIA Document A101™–2017 Exhibit A, and elsewhere in the Contract Documents.

§ 8.6 Notice in electronic format, pursuant to Article 1 of AIA Document A201–2017, may be given in accordance with AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, if completed, or as otherwise set forth below:
(If other than in accordance with AIA Document E203–2013, insert requirements for delivering notice in electronic format such as name, title, and email address of the recipient and whether and how the system will be required to generate a read receipt for the transmission.)

§ 8.7 Other provisions:

ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS
§ 9.1 This Agreement is comprised of the following documents:
.1 AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor
.2 AIA Document A101™–2017, Exhibit A, Insurance and Bonds
.3 AIA Document A201™–2017, General Conditions of the Contract for Construction with the exception of Section 11.2.1, 11.2.2, 11.2.3, and of sections 15.2 and 15.3
.4 AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, dated as indicated below:
(Insert the date of the E203-2013 incorporated into this Agreement.)

.5 Drawings

<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per the attached drawing index</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

.6 Specifications

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Date</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per the attached table of contents</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

.7 Addenda, if any:

<table>
<thead>
<tr>
<th>Number</th>
<th>Date</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addendum No. 1</td>
<td>June 14, 2019</td>
<td>1 page</td>
</tr>
</tbody>
</table>

Portions of Addenda relating to bidding or proposal requirements are not part of the Contract Documents unless the bidding or proposal requirements are also enumerated in this Article 9.
.8 Other Exhibits:
*(Check all boxes that apply and include appropriate information identifying the exhibit where required.)*

[ ] AIA Document E204™-2017, Sustainable Projects Exhibit, dated as indicated below:
(Insert the date of the E204-2017 incorporated into this Agreement.)

[ ] The Sustainability Plan:

<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
<th>Pages</th>
</tr>
</thead>
</table>

[ ] Supplementary and other Conditions of the Contract:

<table>
<thead>
<tr>
<th>Document</th>
<th>Title</th>
<th>Date</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Nampa Contract Conditions</td>
<td>Supplementary Conditions</td>
<td>May 29, 2019</td>
<td>22 pages</td>
</tr>
</tbody>
</table>

.9 Other documents, if any, listed below:
*(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201™-2017 provides that the advertisement or invitation to bid, Instructions to Bidders, sample forms, the Contractor's bid or proposal, portions of Addenda relating to bidding or proposal requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such documents should be listed here only if intended to be part of the Contract Documents.)*

This Agreement entered into as of the day and year first written above.

**OWNER (Signature)**
Debbie Kling, Mayor
(Printed name and title)

**CONTRACTOR (Signature)**
Dennis Harmon, President
(Printed name and title)
Additions and Deletions Report for
AIA® Document A101™ – 2017

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 19:39:58 ET on 08/26/2019.

PAGE 1

AGREEMENT made as of the Third day of September in the year Two Thousand Nineteen

...

City of Nampa
411 3rd Street South
Nampa, Idaho 83651
Telephone Number: 208.468.4416

...

HCD, Inc.
1012 4th Street North
Nampa, ID 83687
Telephone Number: (208) 442-9900

...

Evidence Storage Remodel for City of Nampa
820 2nd Street South
Nampa, ID 83651
Remodel of existing car and evidence storage area at the Hugh Nichols Public Safety Building.

...

IGT Architecture
1212 12th Avenue South
Nampa, ID 83651
Telephone Number: 208-463-9295
Fax Number: 208-463-9299

PAGE 2

[ X ] A date set forth in a notice to proceed issued by the Owner.

PAGE 3

[ X ] Not later than Forty-Five (45) calendar days from the date of commencement of the Work.
§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor’s performance of the Contract. The Contract Sum shall be One Hundred Fifty-nine Thousand Five Hundred Thirty-eight Dollars and Zero Cents ($159,538.00), subject to additions and deductions as provided in the Contract Documents.

$250 dollars for each day if delay per supplemental conditions section 9.8.6

PAGE 4

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the Twenty-Fifth day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the Tenth day of the following month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than Thirty (30) days after the Architect receives the Application for Payment.

PAGE 5

12.00 % per annum

PAGE 6

[X] Litigation in a court of competent jurisdiction

Brian Foster
310 13th Avenue South
Nampa, ID 83651
Telephone Number: (208) 468-4416

Email Address: fosterb@cityofnampa.us

Dennis Harmon
1012 4th Street North
Nampa, ID 83687
Telephone Number: (208) 442-9900
AIA Document A201™-2017, General Conditions of the Contract for Construction with the exception of Section 11.2.1, 11.2.2, 11.2.3, and of of sections 15.2 and 15.3

Per the attached drawing index

Per the attached table of contents

Addendum No. 1       June 14, 2019       1 page

PAGE 8

City of Nampa Contract Conditions       Supplementary Conditions       May 29, 2019       22 pages

Debbie Kling, Mayor       Dennis Harmon, President
I, J. Gregory Toolson, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 19:39:58 ET on 08/26/2019 under Order No. 4353844024 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A101™ - 2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, as published by the AIA in its software, other than those additions and deletions shown in the associated Additions and Deletions Report.

(Signed)

(Title)

(Dated)
Bid Tabulation Sheet
Evidence Storage Remodel for City of Nampa
Bid Opening - June 18, 2019 2:00 p.m.

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Addendum No. 1</th>
<th>Bid Bond</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wright Brothers, The Building Company, Eagle LLC</td>
<td>X</td>
<td>X</td>
<td>$242,081.00</td>
</tr>
<tr>
<td>HCD, Inc.</td>
<td>X</td>
<td>X</td>
<td>$159,538.00</td>
</tr>
<tr>
<td>EKC, Inc.</td>
<td>X</td>
<td>X</td>
<td>$200,788.00</td>
</tr>
</tbody>
</table>
BID FORM

TO: City of Nampa
410 3rd Street South
Nampa, ID 83651

PROJECT: Eviince Storage Remodel for City of Nampa

PROJECT NO.: 1914

DATE:

SUBMITTED BY:

Name: HCD inc.

Address: 1012 4th Street North, Nampa, Idaho 83687

OFFER
Having examined the Place of the Work and all matters referred to in the Instructions to Bidders and the Contract Documents for the above mentioned project, we the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:

1. Base Bid: All labor, materials, services, permit fees, and equipment necessary for completion of the work for the Evidence Storage Remodel shown on the drawings and specifications.

   One Hundred Fifty Nine Thousand, Five Hundred Thirty Eight Dollars $ 159,538.00

   in lawful money of the United States of America.

2. Base Bid includes the amount specified in Allowances section 012100

   Amounts shall be shown in both words and figures; in event of discrepancy, the amount in words shall govern.

   We have included herewith the required security Bid Bond as required by the Instructions to Bidders.

   All applicable federal taxes and State of Idaho taxes are included in the Bid Sum.

ACCEPTANCE
This offer shall be open to acceptance and is irrevocable for thirty (30) days from the Bid closing date.

If this Bid is accepted by the Owner within the time period stated above, we will:

   Execute the Agreement within ten (10) days of receipt of Notice of Acceptance of this Bid.

   Furnish the required bonds within ten (10) days of receipt of Notice of Acceptance of this Bid in the form described in Supplementary Conditions.

CITY OF NAMPA—EVIDENCE STORAGE REMODEL
Commence work within seven (7) days after execution of the Agreement.

If this Bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bonds, the surety deposit shall be forfeited as damages to the Owner by reason of our failure, limited in amount to the lesser or the face value of the security deposit or the difference between this Bid and the Bid upon which the Contract is signed.

In the event our Bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

**CONTRACT TIME**
If this Bid is accepted, we will:

Complete the Work in the time limits required by Supplementary Conditions, Article 8: TIME, Paragraph 8.1 Definitions, Subparagraph 8.1.1, subparagraph .1.

**CHANGES TO THE WORK**
Changes in the Work will be net cost plus a percentage fee in accordance with Supplementary Conditions.

On work deleted from the Contract, our credit to the Owner shall be the Architect approved net cost plus the overhead and profit percentage noted above.

**ADDENDA**
The following Addenda have been received. The modifications to the Bid Documents noted therein have been considered and all costs thereto are included in the Bid Sum.

<table>
<thead>
<tr>
<th>Addendum No.</th>
<th>Dated</th>
<th>June 14th, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addendum No.</td>
<td>Dated</td>
<td></td>
</tr>
<tr>
<td>Addendum No.</td>
<td>Dated</td>
<td></td>
</tr>
</tbody>
</table>

**BID FORM SIGNATURE(S)**

The Corporate Seal of

Harmon Construction Development Inc.

(Please print full name of your Proprietorship, Partnership, or Corporation)

Was herefo affixed in the presence of:

Dennis Harmon
Authorized Signing Officer

President
Title

Licenses No. PWC-C-15585-C-3

(If the Bid is a joint venture or partnership, add additional forms of execution for each member of the joint venture in the appropriate form or forms as above.)

CITY OF NAMPA – EVIDENCE STORAGE REMODEL
5.4 Naming of contractors Section 67-2310, Idaho Code, requires general (prime) contractors to include in their bid the name of the subcontractors who shall, in the event the contractor secures the contract, subcontract the plumbing, heating and air conditioning and electrical work under the general (prime) contract. Failure to name subcontractors as required by this section shall render any bid submitted by a general (prime) contractor unresponsive and void. Subcontractors named in accordance with the provisions of this section must possess an appropriate license or certificate of competency issued by the State of Idaho covering the contractor work classification in which the subcontractor is named.

The Owner interprets this law to mean three separate areas of work, 1) plumbing work, 2) heating and air conditioning work, and 3) electrical work. The Owner also interprets this to mean the entity that will perform the work at the site, regardless of contractual relationship whether a subcontractor, a sub-subcontractor, or the prime contractor submitting the bid.

Bidders shall be licensed in the State of Idaho, in accordance with the provisions of an act known as “Public Works Contractor Licensing Law” Idaho Code 54-1901 et seq. The term “Public Works Contractor” includes the contractor, sub-contractor, or specialty contractor regardless of the dollar value involved.

**HVAC SUBCONTRACTOR:** Econoair

**ADDRESS:**
80 N Cimarron Ct, Nampa, ID 83651

**BY:**
Joe Proffit

**TITLE:**
President

**DATE:** 6/18/2019  
**PHONE:** 541-519-4400

**PUBLIC WORKS LICENSE NO:**

---

**ELECTRICAL SUBCONTRACTOR:** Apex Electric

**ADDRESS:**
P.O. Box 475 Greenleaf, ID 83626

**BY:**
Greg W. Idsinga

**TITLE:**
President

**DATE:** 6/16/2019  
**PHONE:** 208-250-9437

**CITY OF NAMPA—EVIDENCE STORAGE REMODEL**
PUBLIC WORKS LICENSE NO: PWC-C-17604-D-4

PLUMBING SUBCONTRACTOR: ____________________________

ADDRESS: __________________________________________

BY: ________________________________________________

TITLE: ______________________________________________

DATE: ______________ PHONE: _________________________

PUBLIC WORKS LICENSE NO: ____________________________

END OF BID FORM
KNOW ALL MEN BY THESE PRESENTS,

That we HCD, Inc. 1012 4th Street N., Nampa ID 83687

as Principal, and Indemnity Company of California, a corporation

authorized to transact a general surety business in the State of Idaho

as Surety, are held and firmly bound unto City of Nampa, 411 3rd St. S., Nampa ID 83651

83709 (hereinafter called the Obligee)

in the full and just sum of Five Percent of the Total Bid Amount

Dollars, ($ 5% ) for the payment whereof in lawful money of the United States, we bind ourselves, our

heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said PRINCIPAL has submitted the accompanying bid for

Evidence Storage Remodel for City of Nampa

NOW, THEREFORE, if the said contract be timely awarded to the Principal and the Principal shall, within such
time as may be specified, enter into the contract in writing, then this obligation shall be void; otherwise to remain in full
force and effect.

Signed and Sealed this 17th day of June, 2019

HCD, Inc.

Principal

Indemnity Company of California

Surety

By: Tracy Miyake

Attorney-in-Fact

ID-1235 (General Bid Bond) (REV. 7/13)
POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 18725, IRVINE, CA 92623 (949) 263-3500

KNOW ALL BY THESE PRESENTS that each and every person, as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

***Steven J. Roach, Eric Battey, Tracy Miyake, Tracy Taylor, jointly or severally***

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 4th day of October, 2018.

By
Daniel Young, Senior Vice-President

By
Mark Lansdon, Vice-President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On October 4, 2018 before me, Lucille Raymond, Notary Public

personally appeared Daniel Young and Mark Lansdon

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lucille Raymond, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 17th day of June, 2019.

By
Cassie J. Burrows, Assistant Secretary

ATS-1002 (10/18)
Resolution to Implement Changes to Equivalent Dwelling Unit and Strength Class Guide for Wastewater and Water User Classifications (Restaurants and Breweries)
(As Recommended by Board of Appraisers)

• The Equivalent Dwelling Unit (EDU) and Strength Class Guide for Wastewater and Water User Classifications is used by staff in determining utility connection fees for new and expanding business within the City of Nampa

• At the August 22, 2019, Board of Appraisers (BOA) meeting*, Engineering and Wastewater staff recommended changes to the EDU guide for the following business types:
  o Brewery (non-industrial customer)
    ▪ This is a new addition to the guide with a strength class of SE6
    ▪ With the number of new breweries coming to Nampa, staff identified the need to add this customer category to the guide to provide clarity for both staff and businesses wanting to locate in Nampa (see Exhibit 1)
  o Restaurants
    ▪ This is a modification to the restaurant class, removing the distinction between drive-in and sit down, and changing the gallons per day per seat from 30 to 20
    ▪ Staff performed an analysis of the existing restaurants in the City after several new restaurants questioned the City’s guide for this customer category (see Exhibit 2)
    ▪ A 50 seat restaurant under the current rate structure would pay $26,943.24 in connection fees for water and sewer. Under the proposed rate structure they would pay $18,026.22

• A motion was made, and seconded, by the BOA to adopt proposed changes (see Exhibit 3). The motion passed

REQUEST: Adopt resolution (see Attachment 1) implementing changes to Services Rates and Fees Outlined in the Equivalent Dwelling Unit and Strength Class Guide for Wastewater and Water User Classifications, effective September 3, 2019.

*August 22, 2019, Board of Appraisers Meeting Minutes under 09.03.19 City Council Consent Agenda
ENG-EDU & Strength Class Guide for Wastewater & Water User Classifications RES (effective 09.03.19) - NB 09.03.19
1/10/2019

Mr. Andy Zimmerman
Wastewater Superintendent
City of Nampa
340 W Railroad St
Nampa, ID 83687

Dear Mr. Zimmerman:

Breweries are a growing industry in the Treasure Valley and throughout the United States. Currently, the City of Nampa does not have a general sewer strength class that includes breweries. There are sewer classes for bakeries but there are no sewer classes for breweries, which exhibit similar effects on the Nampa Wastewater Plant and sewer system. As the Pretreatment team, we believe that the City should have a standard sewer strength class for breweries that includes the opportunity of decreasing their sewer class with the caveat that they could possibly increase classes based on effluent discharge data.

The sewer classifications rely on analysis of Biological Oxygen Demand (BOD) strengths that are found in the average final discharges of the industry field. According to multiple peer reviewed journals, such as the article *Characterization of Brewery Wastewater Composition*, the average BOD strength of the average brewery is between 1609-3980 mg/L. Two other peer reviewed articles, *Treatment Technology for Brewery Wastewater in Water-scarce Country: A review* and *Waste Water Treatment in Brewery Industry, Review*, both found that the average BOD waste strength of a brewery was 1200-3600 mg/L. This waste strength would put breweries at a minimum of an SE 6 classification, which is anywhere within the range of 1000-1500 mg/L. The studies found that the higher averages of BOD waste strength were over 1500 mg/L, of BOD which would put them in an SE7 sewer class. These upper ranges are where the Pretreatment team can help the business come in with as low of a BOD strength as possible through suggestions for process refinement and solids removal, which contribute heavy BOD. Along with the standard SE6 sewer class for breweries and the possibility to move down to an SE5, a brewery could also find themselves as an SE7 after testing has been done.

The Pretreatment team considers this a necessary action moving forward with imminent proliferation of breweries in the Treasure Valley. This proactive strength class ranking will not only improve relations with the customers of the City of Nampa but will also assist other departments within the City of Nampa to help establish a baseline hook-up fee for equivalent dwelling units in an emerging market before they begin to discharge.

Thank you

Nathan Costner
1/10/19

Ryan Knutzen
1/10/19
DATE: July 30, 2019
TO: Daniel Badger and Caleb LaClair
FROM: Nicole Fletcher
SUBJECT: Restaurant Water Usage Data Analysis

The Engineering Division initiated this review of the local restaurant water consumption to analyze the accuracy of the current means of billing restaurants during their initial connection to City Utilities. The review was conducted on restaurants currently located within Nampa City limits that had usage data available. The following report identifies how the data was acquired, potential inconsistencies in the results, and provides figures to expand on the data collected with corresponding recommendations.

Data Collection Process:
During the Summer of 2018, restaurant address information was collected through internet search and verification. Each business was then given verbal information about the analysis being performed and an informal in-person request was made to do a seat count of the restaurant. Upon the completion of a seat count at all the verified restaurant locations in July 2018, the domestic water usage data was requested from the Utilities Billing Department. The most recent meter read date for the data used varied from business to business but was generally the end of August 2018. The entirety of the usage data for each restaurant was used dating back to 2010 if available, anything data prior to 2010 or obviously from another user was removed. The final number of businesses that complete data was available for totaled 151 restaurants; ranging from a small mom and pop Italian restaurant to large Chinese buffets. The raw data was then analyzed, compiled into this report and can be seen depicted in graphs 2 through 7 and tables 1 and 2.

Analysis Challenges:
Analyzing the water usage per restaurant turned out to be a challenging endeavor. Restaurants in business complexes share their water meter with their complex neighbors, making it difficult to accurately quantify their individual water usage. These complexes are usually owned by a single person, while businesses cycle through the units. This makes it difficult to narrow down when each business started contributing to the water usage tracked by their meter versus when there were empty units waiting for tenants. This resulted in the usage being averaged for each unit of the complex over time, rather than averaged for the
individual business. Additionally, data was not provided for every requested address due to “no meter data available”.

**Recommendation:**
When evaluating a fees reduction based on this data, it was important to first eliminate the outliers as they can substantially skew the data averages in their favor. For this calculation, the formula for determining outliers in statistical data analysis was used, it was determined that the largest 6 values of restaurant water usage in gallons per day per seat should be eliminated. From there the data was normally distributed and analyzed, as shown in Graph 1. Based on this evaluation, the following three alternatives could be considered to modify the restaurant water usage assumptions for EDU and corresponding fee determination:
1. Reduce the per seat usage to 20 gal/day, which represents approximately the 70th percentile of restaurants analyzed. This would be the simplest option to manage.
2. Establish different usage rates for specific categories of restaurants.
3. Establish a sliding scale of usage rates based on seat count.

With all three alternatives, the options could still be given to applicants to provide real-world comparable data to determine a project specific water usage for fee determination.

**Graphs and Tables:**
**Graph 1: Recommendation Analysis**

**Normal Distribution**

![Graph showing a normal distribution with marked mean, 75th percentile, and 85th percentile values.]

**Table 1: Low, Average and High Data for all Restaurant Analyzed**

<table>
<thead>
<tr>
<th>Data</th>
<th>Low</th>
<th>Average</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Usage (Gal/Day)</td>
<td>85.8</td>
<td>1435.3</td>
<td>10,659</td>
</tr>
<tr>
<td>Usage (Gal/Day/Seat)</td>
<td>2.1</td>
<td>17.8</td>
<td>178.2</td>
</tr>
<tr>
<td>Seating</td>
<td>9</td>
<td>84.4</td>
<td>402</td>
</tr>
</tbody>
</table>
Graph 2: Water Usage for Each Restaurant, in Gallons per Day and Gallons per Day per Seat

**All Restaurant Usage Data**

Usage (Gal/Day)  Usage (Gal/Day/Seat)

Graph 3: Water Usage for Each Restaurant, Usage per Day Compared to Number of Seats

**All Restaurant Usage Data**

Usage (Gal/Day) vs Number of Seats
Graph 4 & 5: Evaluation of Building Type and Average Usage

**STAND ALONE VS STRIP (%)**

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Usage (Gal/Day/Seat)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stand alone</td>
<td>61%</td>
</tr>
<tr>
<td>Strip</td>
<td>39%</td>
</tr>
</tbody>
</table>

**Average Usage Compared to Building Type**

- All: 17.8
- Stand alone: 20.3
- Strip: 13.8

Graph 6 & 7: Evaluation of Restaurant Type and Average Usage

**RESTAURANT TYPE PERCENTAGE (# OF EACH RESTAURANT)**

- Fast Food: 36% (54)
- Hawaiian: 1% (1)
- Barbecue: 1% (2)
- Steakhouse: 2% (3)
- Ice Cream: 2% (3)
- Dinner: 5% (7)
- Café: 8% (12)
- Hispanic: 10% (15)
- American: 10% (15)
- Bar: 10% (15)

**Average Usage Compared to Restaurant Type**

- Hawaiian Barbecue: 6.7
- Bar: 6.7
- Café: 11.1
- Hispanic: 12.7
- Pizza: 12.8
- Dinner: 15.2
- Asian American: 15.6
- Fast Food: 16.8
- Steakhouse: 17.8
- Ice Cream: 20.6

81.6

Table 2: Minimum and Maximum Usage in Gallons per Day per Seat, by Type of Restaurant

<table>
<thead>
<tr>
<th>Data</th>
<th>Bar</th>
<th>Hawaiian</th>
<th>Barbecue</th>
<th>Café</th>
<th>Hispanic</th>
<th>Pizza</th>
<th>Dinner</th>
<th>Asian</th>
<th>American</th>
<th>Fast Food</th>
<th>Steakhouse</th>
<th>Ice Cream</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>2.2</td>
<td>6.7</td>
<td>8.2</td>
<td>4.1</td>
<td>2.1</td>
<td>9.2</td>
<td>8</td>
<td>3</td>
<td>2.6</td>
<td>4</td>
<td>16.9</td>
<td>30</td>
</tr>
<tr>
<td>High</td>
<td>13</td>
<td>6.7</td>
<td>13.9</td>
<td>30</td>
<td>29.6</td>
<td>26.3</td>
<td>26.1</td>
<td>38.5</td>
<td>38.3</td>
<td>64.9</td>
<td>35.7</td>
<td>178.2</td>
</tr>
</tbody>
</table>
## City of Nampa EDU (Equivalent Dwelling Unit) and Strength Class Guide for Wastewater and Water User Classifications

<table>
<thead>
<tr>
<th>Business Type</th>
<th>Strength Class</th>
<th>Usage</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bakery (Wholesale)</td>
<td>SE6</td>
<td>100 gpd</td>
<td>per gross 1,000 s.f.</td>
</tr>
<tr>
<td>Bars (w/out Dining Facilities)</td>
<td>SE4</td>
<td>50 gpd</td>
<td>per gross 1,000 s.f.</td>
</tr>
<tr>
<td>Beauty Salon</td>
<td>SE2</td>
<td>65 gpd</td>
<td>per chair</td>
</tr>
<tr>
<td>Brewery (non-industrial customer)</td>
<td>SE6</td>
<td>-</td>
<td>Individual evaluation</td>
</tr>
<tr>
<td>Car Wash</td>
<td>SE1</td>
<td>-</td>
<td>Individual evaluation</td>
</tr>
<tr>
<td>Church</td>
<td>SE2</td>
<td>1 EDU</td>
<td></td>
</tr>
<tr>
<td>Commercial Laundry</td>
<td>SE3</td>
<td>500 gpd</td>
<td>per machine</td>
</tr>
<tr>
<td>Daycare Center</td>
<td>SE3</td>
<td>2.5 gpd</td>
<td>per person</td>
</tr>
<tr>
<td>Dental/Medical Clinics</td>
<td>SE2</td>
<td>125 gpd</td>
<td>per practitioner</td>
</tr>
<tr>
<td>Full Service Gas Stations</td>
<td>SE1</td>
<td>250 gpd</td>
<td>per fueling position</td>
</tr>
<tr>
<td>Garages</td>
<td>SE1</td>
<td>60 gpd</td>
<td>per bay</td>
</tr>
<tr>
<td>Gym/Workout Facilities</td>
<td>SE2</td>
<td>100 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Hospitals &amp; Convalescent Centers</td>
<td>SE3</td>
<td>200 gpd</td>
<td>per bed</td>
</tr>
<tr>
<td>Hotels/Motels/Clubs</td>
<td>SE2</td>
<td>50 gpd</td>
<td>room</td>
</tr>
<tr>
<td>Industrial Laundromat</td>
<td>SE6</td>
<td>500 gpd</td>
<td>per machine</td>
</tr>
<tr>
<td>Laboratory (Pharmacies)</td>
<td>SE1</td>
<td>40 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Laundromat</td>
<td>SE1</td>
<td>500 gpd</td>
<td>per washing machine</td>
</tr>
<tr>
<td>Market/Store (w/ Garbage Grinder)</td>
<td>SE4</td>
<td>50 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Multi-family Housing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td>SE2</td>
<td>1.3 EDUs</td>
<td></td>
</tr>
<tr>
<td>Triplex</td>
<td>SE2</td>
<td>1.6 EDUs</td>
<td></td>
</tr>
<tr>
<td>4-plex or Larger</td>
<td>SE2</td>
<td>0.5 EDUs</td>
<td></td>
</tr>
<tr>
<td>Office Building</td>
<td>SE2</td>
<td>50 gpd</td>
<td>EDU per unit</td>
</tr>
<tr>
<td>Restaurants</td>
<td>SE4</td>
<td>20-30 gpd</td>
<td>per seat</td>
</tr>
<tr>
<td>Retail &amp; Department Stores</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Retail (&lt;30,000 sq. ft.)</td>
<td>SE2</td>
<td>1 EDU</td>
<td></td>
</tr>
<tr>
<td>Large Retail (&gt;30,000 sq. ft.)</td>
<td>SE2</td>
<td>10 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Schools/Colleges/Universities</td>
<td>SE2</td>
<td>10 gpd</td>
<td>per person</td>
</tr>
<tr>
<td>Single Family Residential</td>
<td>SE2</td>
<td>1 EDU</td>
<td></td>
</tr>
<tr>
<td>College Dormitories</td>
<td>SE2</td>
<td>40 gpd</td>
<td>per room</td>
</tr>
<tr>
<td>Theaters</td>
<td>SE2</td>
<td>5 gpd</td>
<td>per seat</td>
</tr>
<tr>
<td>Warehouse</td>
<td>SE2</td>
<td>3 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
</tbody>
</table>
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, IMPLEMENTING CHANGES IN THE SERVICE RATES AND FEES CHARGED BY THE CITY OF NAMPA OUTLINED IN THE CITY OF NAMPA EDU (EQUIVALENT DWELLING UNIT) AND STRENGTH CLASS GUIDE USED TO DETERMINE USER CLASSIFICATION FOR WASTEWATER AND WATER SERVICES.

WHEREAS, the City of Nampa is a duly-formed municipal corporation of the State of Idaho and operates a wastewater treatment facility, and domestic water system, providing wastewater and water services to system users; and

WHEREAS, the City Council has the authority to set fees for services and adjust those fees as needed; and

WHEREAS, the City Council deems it necessary, reasonable, and in the best interest of the City, to make changes to certain service rates and fees charged by the City of Nampa for wastewater and water services and adjust those service fees as needed; and

WHEREAS, the City Council finds that such adjustments, set forth in the attached exhibit, are reasonably related to, but do not exceed, the actual cost of the service being rendered; and

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

Section 1. The City of Nampa, Canyon County, Idaho, does hereby implement the changes in the service rates and fees as described in EXHIBIT A, attached hereto and, by this reference, incorporated herein as if set forth in full, effective September 3, 2019.


APPROVED BY THE MAYOR AND THE CITY OF NAMPA, IDAHO, THIS ____________ DAY OF ________________, 2019.

Approved:

__________________________________
Mayor

Attest:

_____________________________
City Clerk
<table>
<thead>
<tr>
<th>Business Type</th>
<th>Strength Class</th>
<th>Usage</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bakery (Wholesale)</td>
<td>SE6</td>
<td>100 gpd</td>
<td>per gross 1,000 s.f.</td>
</tr>
<tr>
<td>Bars (w/out Dining Facilities)</td>
<td>SE4</td>
<td>50 gpd</td>
<td>per gross 1,000 s.f.</td>
</tr>
<tr>
<td>Beauty Salon</td>
<td>SE2</td>
<td>65 gpd</td>
<td>per chair</td>
</tr>
<tr>
<td>Brewery (non-industrial customer)</td>
<td>SE6</td>
<td>-</td>
<td>Individual evaluation</td>
</tr>
<tr>
<td>Car Wash</td>
<td>SE1</td>
<td>-</td>
<td>Individual evaluation</td>
</tr>
<tr>
<td>Church</td>
<td>SE2</td>
<td>1</td>
<td>EDU</td>
</tr>
<tr>
<td>Commercial Laundry</td>
<td>SE3</td>
<td>500 gpd</td>
<td>per machine</td>
</tr>
<tr>
<td>Daycare Center</td>
<td>SE3</td>
<td>2.5 gpd</td>
<td>per person</td>
</tr>
<tr>
<td>Dental/Medical Clinics</td>
<td>SE2</td>
<td>125 gpd</td>
<td>per practitioner</td>
</tr>
<tr>
<td>Full Service Gas Stations</td>
<td>SE1</td>
<td>250 gpd</td>
<td>per fueling position</td>
</tr>
<tr>
<td>Garages</td>
<td>SE1</td>
<td>60 gpd</td>
<td>per bay</td>
</tr>
<tr>
<td>Gym/Workout Facilities</td>
<td>SE2</td>
<td>100 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Hospitals &amp; Convalescent Centers</td>
<td>SE3</td>
<td>200 gpd</td>
<td>per bed</td>
</tr>
<tr>
<td>Hotels/Motels/Clubs</td>
<td>SE2</td>
<td>50 gpd</td>
<td>room</td>
</tr>
<tr>
<td>Industrial Laundromat</td>
<td>SE6</td>
<td>500 gpd</td>
<td>per machine</td>
</tr>
<tr>
<td>Laboratory (Pharmacies)</td>
<td>SE1</td>
<td>40 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Laundromat</td>
<td>SE1</td>
<td>500 gpd</td>
<td>per washing machine</td>
</tr>
<tr>
<td>Market/Store (w/ Garbage Grinder)</td>
<td>SE4</td>
<td>50 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Multi-family Housing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td>SE2</td>
<td>1.3</td>
<td>EDUs</td>
</tr>
<tr>
<td>Triplex</td>
<td>SE2</td>
<td>1.6</td>
<td>EDUs</td>
</tr>
<tr>
<td>4-plex or Larger</td>
<td>SE2</td>
<td>0.5</td>
<td>EDU per unit</td>
</tr>
<tr>
<td>Office Building</td>
<td>SE2</td>
<td>50 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Restaurants</td>
<td>SE4</td>
<td>20 gpd</td>
<td>per seat</td>
</tr>
<tr>
<td>Retail &amp; Department Stores</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Retail (&lt;30,000 sq. ft.)</td>
<td>SE2</td>
<td>1</td>
<td>EDU</td>
</tr>
<tr>
<td>Large Retail (&gt;30,000 sq. ft.)</td>
<td>SE2</td>
<td>10 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
<tr>
<td>Schools/Colleges/Universities</td>
<td>SE2</td>
<td>10 gpd</td>
<td>per person</td>
</tr>
<tr>
<td>Single Family Residential</td>
<td>SE2</td>
<td>1</td>
<td>EDU</td>
</tr>
<tr>
<td>College Dormitories</td>
<td>SE2</td>
<td>40 gpd</td>
<td>per room</td>
</tr>
<tr>
<td>Theaters</td>
<td>SE2</td>
<td>5 gpd</td>
<td>per seat</td>
</tr>
<tr>
<td>Warehouse</td>
<td>SE2</td>
<td>3 gpd</td>
<td>per 1,000 gross s.f.</td>
</tr>
</tbody>
</table>
CONSENT TO PURCHASE
2020 Etnyre Oil Distributor Truck for Streets Division
(Purchase Pending in Approved Fiscal Year 2020 Budget)

- Street, and Fleet Services Divisions request authorization to offer a Letter of Intent (LOI) to purchase one (1) 2020 Etnyre oil distributor truck
  - A purchase order will be generated October 1, 2019, the effective date of the fiscal year 2020 budget

- The oil distributor truck will be purchased using street capital funds
  - The total unit cost is $222,500.00

- The purchase of this oil distributor was included in the fiscal year 2020 budget, adopted by City Council by Resolution #35-2019

- The Etnyre truck will be purchased via “piggyback” off of the Ada County Highway District (ACHD) contract MD-541-01, executed May 5, 2019

- 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

- The intent of this request is to avoid a 3% cost increase that will be effective Sept. 1, 2019. The vendor has agreed to extend the order deadline to September 4, 2019

- The City will not take delivery of the new truck until after October 1, 2019

REQUEST: Authorize Fleet Services Division to proceed with a Letter of Intent for piggyback purchase 1 (one) 2020 Etnyre oil distributor truck, not to exceed total estimated purchase price of $222,500.00, on October 1, 2019.
PROFESSIONAL SERVICES AGREEMENT
Smith Avenue & Middleton Road Signal
ITD Key No. 20167
(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 at the intersection of Smith Avenue & Middleton Road.

- The Smith Avenue & Middleton Road Signal project will replace the existing two-way stop intersection configuration with a traffic signal. Intersection lighting will be improved as well as lane assignment improvements by adding left turn lanes along Middleton Road and Smith Avenue. (See Exhibit A)

- The project was advanced in COMPASS’ Transportation Improvement Program for design and construction in FY2019.

- The state local agreement for construction of the Smith Avenue & Middleton Road Signal project was executed February 15, 2019.

- 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 $621,561.54.

- The Idaho Transportation Department (ITD) has provided a Local Professional Services Agreement for the City to execute (see Exhibit B).

- HDR Engineering, Inc., LHTAC and the City have agreed upon a scope of work and cost estimate to provide construction engineering and inspection services for the Smith Avenue & Middleton Road Signal which the Local Professional Services Agreement is based upon.

- The City needs to execute the professional services agreement as quickly as possible to allow for the contractor to begin construction this fall to avoid potential conflicts in the spring with other construction anticipated along the Middleton Road corridor. Therefore, we are requesting pre-authorization for the Mayor to sign the agreement.

- ITD’s Local Professional Services Agreement is a standard agreement that the City has entered on many other projects and is currently being reviewed by legal.

- Engineering Division estimates total project costs will be the following:

  Design $ 77,000.00
  LHTAC Construction Administration $ 17,000.00
  ITD Construction Administration $ 2,285.00
  Construction Engineering and Inspection Services $ 76,142.00
  Construction $ 448,655.50
  **Total Project Costs** $ 621,082.50
• The existing construction funding of $570,374.00 with the City paying 7.34% match. Consultant 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.

• Contracts are being finalized between ITD and the low bidder Hawkeye Builders, construction is anticipated to begin in Mid-September.

• Engineering Division has reviewed the Local Professional Services Agreement and recommends approval.

REQUEST: Authorize Mayor and Public Works Director to sign the Local Professional Services Agreement between the City of Nampa and HDR Engineering, Inc. for the Smith Avenue and Middleton Road Signal Project (Key Number 20167) in the amount of $76,142.00 Time and Materials Not to Exceed.
EXHIBIT A
Middleton Rd & Smith Ave Intersection Project

Legend

- Road
- Trail
- Railroads
- Waterways

Date: 1/8/2016
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 HDR ENGINEERING, INC., whose address is 412 E. Parkcenter Blvd., Ste 100, Boise, ID, 83706, 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: INT SMITH AVE & MIDDLETON RD SIGNAL, NAMPA
PROJECT NO: A020(167)
KEY NO: 20167

I. SUBCONSULTANTS

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

MATERIALS TESTING & INSPECTION

II. AGREEMENT ADMINISTRATOR

This Agreement shall be administered by Brian Wright, 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. 1A** 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. 1A.

2. Per Diem will be reimbursed at the current approved rates. These rates are listed at [http://www.itd.idaho.gov/design/cau/policies/policies.htm](http://www.itd.idaho.gov/design/cau/policies/policies.htm).

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 6/26/2020.

B. The Consultant shall remain available to perform additional work for an additional sixty (60) days or until the Agreement is closed out, whichever comes first.

VI. **BASIS OF PAYMENT**

A. Payment Basis: Specific Rates of Compensation (Loaded hourly rates [labor, OH & fee] plus direct expenses). Consultant agrees to accept as full compensation for all services rendered to the satisfaction of the State for completion of the work, the actual cost or Not-To-Exceed amount of the Agreement, whichever is lesser.

B. Compensation Amount

1. Not-To-Exceed Amount: $76,142.00
2. Additional Services Amount: $0.00
3. Total Agreement Amount: $76,142.00

C. The rates identified in Attachment No. 2 were negotiated and agreed upon by both parties to this Agreement. These rates will be fixed for the period of this Agreement.
D. Professional Services Authorization and Invoice Summary (Authorization) No. 1 is issued in the amount of $76,142.00 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.

HDR ENGINEERING, INC.  CITY OF NAMPA
Consultant  Sponsor

By: ___________________________  By: ___________________________
Title: Vice President  Title: ___________________________

IDAHO TRANSPORTATION DEPARTMENT

By: ___________________________
Title: ___________________________
These specifications supplement all Professional and Term agreements for Construction Engineering and Inspection services and shall be attached to said agreements.

I. DEFINITIONS

1. **Administrator**: Person directly responsible for administering a consultant agreement on behalf of the State or a 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 all work tasks, their durations, negotiated milestones and their dates, and all 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 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. **State:** Normally “State” refers to the Idaho Transportation Department. However, in the case of Local Sponsor projects, “State” may be interchangeable with “Sponsor”, “Agreement Administrator” or just “Administrator”.

17. **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.

II. **STANDARD OF PERFORMANCE**

The Consultant agrees that all work performed under this agreement will be performed professionally in accordance with the ITD Construction Manual, Standard Specifications for Highway Construction – Subsections 105.10 and 111, and other appropriate standards. The Consultant shall be responsible for construction engineering and inspection on all tasks assigned (as stated in the Scope of Services) when on duty to ensure they are constructed in substantial conformance to the plans, special provisions and specifications.

The Consultant shall identify and recommend corrections for any omissions, substitutions, defects and deficiencies in the work of the Contractor.

III. **AGREEMENT ADMINISTRATOR**

The Agreement Administrator will administer this 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, and acceptable fulfillment of this 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 work performed by the State or their representatives.

IV. **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 this agreement. The specific individuals or subconsultants listed in the 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.

V. **SUBCONSULTANTS**

The Consultant shall have sole responsibility for the management, direction, and control of each Subconsultant and shall be responsible and liable to the State 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.

VI. DIRECT COST

It is understood that overtime will be incurred after forty (40) hours of work for this agreement during each week. When the need for overtime has been approved by the Agreement Administrator, the overhead rate and fee are not to be applied to the premium time paid.

The out-of-pocket cost and expenses directly related to the project must be pre-approved and agreed to, by the Agreement Administrator, prior to receiving any compensation. Relocation, lodging and Per Diem cost will not be allowed for this type of agreement unless agreed and pre-approved by the Agreement Administrator.

VII. 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 for which the PSA represents. The State 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. 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 of the need for the next PSA. The Administrator must concur with the Consultant prior to the issuance of the next PSA.

3. The Agreement amount is lump sum, unit cost, or cost plus fixed fee amount for the negotiated services and an additional services amount is set up for possible extra work not contemplated in 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 performed under a PSA issued by the State. Should the State request that the Consultant perform additional services, then 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.

VIII. MONTHLY PROGRESS REPORT

The Consultant shall submit to the State a monthly progress report on Form ITD-771, as furnished by the State.

The monthly progress report will be submitted by the tenth of each month following the month being reported or as agreed upon in the scope of services.

The Agreement Administrator will review the progress report and submit approved billings for payment within two weeks of receiving monthly report.

Each progress report shall list billings by PSA number and reference milestones.
IX. 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 by 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 invoiced cost less the fixed fee for the work satisfactorily completed for each billing 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](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 State 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 or Work Task has been completed. No further progress payments will be made until all work under the individual agreement has been satisfactorily accomplished.

If at any time, the State determines that the work is not progressing in a satisfactory manner, the State may refuse to make full progress payments and may withhold from any progress payment(s) such sums that are deemed appropriate for unsatisfactory services.

3. Final payment of all amounts retained shall be due 90 days after all work under the Agreement has been completed by the Consultant and accepted by the State. 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 milestones identified.

5. Payments to Subconsultants
   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, 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.

X. 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 contract, other than a bona fide employee of the firm;

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

   b. The State warrants that the above consulting firm, or firm representative, has not been required, directly or indirectly as an expressed or implied condition in connection with obtaining or carrying out this contract to:

      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 or the State, 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. This includes employees who leave the Consultant’s employment.
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 State.

a. Increase in the work required by the State due to unforeseen circumstances.
b. Revision in the work required by the State 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 State.
d. Reduction in the work required by the State due to unforeseen circumstances.

An increase in compensation shall not result from underestimating the complexity of the work.

Adjustment in compensation for either an increase or reduction in work shall be on a negotiated basis arrived at by mutual agreement between the State and the Consultant. During such negotiations the State 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 State 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 State 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 State and the Consultant after study of the change in scope of the work.

4. **DELAYS AND EXTENSIONS**

a. Extensions of time may be granted for the following reasons:

i. 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.

ii. Additional work ordered in writing by the State.

b. Extensions of time will not be granted for the following reasons:

i. Underestimating complexity of work.

ii. Redoing work rejected by the State.

5. **TERMINATION**

The State may terminate or abandon this Agreement at any time upon giving notice of termination hereof as hereinafter provided, for any of the following reasons:
a. Evidence that progress is being delayed consistently below the progress indicated in a schedule of operations given to the State at meetings and conferences herein provided for.

b. Continued submission of sub-standard work.

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

d. At the convenience of the State.

Prior to giving notice of termination for the reasons set forth in a and b above, the State shall notify the Consultant in writing of any deficiencies or default in the performance of the terms of this Agreement, and said Consultant shall have ten (10) days thereafter in which to correct or remedy any such default or deficiency, and upon their failure to do so within said ten (10) days, or for the reasons set forth in 3 above, such notice of termination in writing shall be given by the State. 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 State. Upon receipt by the State of said documents, payment shall be made to the 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 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 arbitration. Consultant agrees that any arbitration hearing shall be conducted in Boise, Idaho. Consultant and State agree to be bound by the decision of the arbitration. Expenses incurred due to the arbitration will be shared equally by the parties involved.

7. ACCEPTANCE OF WORK

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

b. Acceptance of the work shall not constitute a waiver of any of the State's rights under this agreement or in any way relieve the consultant of any liability under their warranty or otherwise.

c. It is understood by the Consultant that the State is relying upon the professional expertise and ability of the Consultant in performance of this contract. Any examination of the Consultant’s work product by the State will not be considered acceptance or approval of the work product which would relieve the Consultant for any liability or expense.

Acceptance or approval of any portion of Consultant's work product by the State or payment, partial or final, shall not constitutes a waiver of any rights the State may have against the Consultant. The Consultant shall respond to the State’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.
If the Consultant discovers errors or omissions in its work, 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 State due to negligent acts, errors or omissions by the Consultant in its work 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 this project, shall become the property of, and be delivered to, the State without restrictions or limitations of their further use. However, in any case, 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. INDEMNITY

Concerning claims of third parties, the Consultant and the State to the extent the State may do so will indemnify, save harmless and defend each other from the 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 or the State in the prosecution of the work which is the subject of this Agreement.

Concerning claims of the State, the Consultant shall assume the liability and responsibility for negligent acts, errors or omissions caused by the Consultant or their agents or employees to the assignments completed under this Agreement, to the standards accepted at the time of work, and until one (1) year after the project construction has been completed. The State shall have until that time to give the consultant notice of the claim.

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 State 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. The State agrees to indemnify, defend, and hold harmless the Consultant from and against any claim, liability or defense cost related to any such pre-existing contamination except for claims caused by the negligence, or willful misconduct of the Consultant.

The Consultant, its agents, officials, employees, and subconsultant will be authorized representatives for the State and shall be protected against all suits, actions, claims or cost, expenses and attorney fees in accordance with Subsection 107.10 of the Standard Specifications for Highway Construction 2012; and shall be protected against all personal liability in accordance with Subsection 107.13 of the Standard Specifications for Highway Construction 2012.

10. 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 $500,000.00 per occurrence, and worker compensation insurance in accordance with Idaho Law.
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.

11. LEGAL COMPLIANCE

The Consultant at all times shall 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. 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.

12. SUBLETTING

The services to be performed under this Agreement shall not be assigned, sublet, or transferred except by written consent of the State. 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.

13. 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.

14. PATENTS

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

15. NON-DISCRIMINATION 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:

1. Compliance With Regulations. The Consultant shall comply with all regulations of the United States Department of Transportation relative to Civil Rights, with specific reference to Title 49 CFR Part 21, Title VI of the Civil Rights Act of 1964 as amended, and Title 23 CFR Part 230 as stated in the ITD EEO Special Provisions and Title 49 CFR Part 26 as stated in the appropriate ITD DBE Special Provisions.


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);
16. **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.

17. **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:

---

Page 11 of 13

Revised March 2019
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.

18. **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.
19. **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.
SCOPE OF SERVICES FOR

CONSTRUCTION ENGINEERING, INSPECTION & SAMPLING (CEI&S) SERVICES

PROJECT NO.: A020(167)
PROJECT: SMITH AVENUE & MIDDLETON ROAD SIGNAL, NAMPA
KEY NO.: 20167
DATE: APRIL 2019

This scope of work is to provide Construction Engineering, Inspection & Sampling (CEI&S) Services to include contract administration, inspection, and project office documentation under the general direction of the assigned Local Highway Technical Assistance Council (LHTAC) Resident Engineer, for construction of the above captioned project in Nampa, Idaho. HDR (CONSULTANT) will provide the LHTAC with experienced management, construction administration, and inspection personnel. Through this contract, CONSULTANT will inspect and document to ITD standards, the activities associated with the project to the level necessary to administer the contract.

Items to be provided by LHTAC/ITD/City of Nampa:

- Remote access to ITD computer systems and project files including AASHTOWare and ProjectWise.
- City of Nampa available to review shop drawings and to respond to RFIs from the Contractor for issues related to traffic signal equipment and other issues that cannot be resolved by CE&I staff.

The following tasks represent the individual services that are to be provided by CONSULTANT under this agreement:

PRIMARY TASKS:

1. **Construction Administration** – CONSULTANT will provide the qualified personnel necessary to administer the Plans, Special Provisions, and Specifications of the project so that the project is accepted by the LHTAC, the ITD and the Federal Highway Administration (FHWA). The following sub-tasks represent a partial list of those activities necessary to administer the contract.

   1.1 **Submittal Log & Minimum Testing Requirements (MTRs)** – CONSULTANT will develop a list of required submittals for the project prior to start of construction and will also track and maintain a log of shop drawings and submittals, and encourage reviewers to complete their review in a timely manner. Deficiencies will be reported within 24 hours of observation. CONSULTANT will also develop the MTR list for the project prior to start of construction. This information will be used to track the materials testing required on the project and coordination of the testing lab responsible for processing of samples and reporting results.

   Performance Assumptions:
   i. MTRs will be prepared for review and approval of the LHTAC Resident Engineer prior to construction.
1.2 Pre-construction Conference – CONSULTANT will facilitate the Pre-construction Conference including forms and exhibits provided by or coordinated with the LHTAC.

Performance Assumptions:
   i. Coordinate and perform the conference with the Local Sponsor, the LHTAC, Utilities, and other applicable parties.

   ii. Prepare and distribute pre-con meeting minutes.

   iii. Pre-construction conference will be conducted in Nampa, Idaho at a location supplied by the City.

1.3 Labor Compliance – The Contractor’s and Sub-contractor’s certified payroll wage rates will be verified, documented, and tracked for format, classification, pay scale, timely submissions, and concurrence with field reviews.

Performance Assumptions:
   i. Maintain electronic filing system for certified payrolls and EEO compliance reports. Conduct labor interviews and notify contractors on incorrect classification, pay scales, etc.

   ii. Maintain records in compliance with Title VI requirements.

1.4 Civil Rights Compliance – CONSULTANT and Contractor personnel will be monitored for civil rights compliance. The LHTAC Resident Engineer will be notified of instances of non-compliance.

Performance Assumptions:
   i. Inspect Project Board for required Civil Rights and EEO Compliance Postings.

1.5 Filing & Records Verification – All project files will be posted to ProjectWise and maintained on a weekly basis. Electronic copies of important or requested information will be readily available to the LHTAC Resident Engineer on ProjectWise. An on-going process of periodic checks of the files will occur during the project so that all records are being accurately kept and the filing system is up to date.

Performance Assumptions:
   i. Maintain project filing system electronically using ProjectWise and initiate the project in SiteManager.

   ii. Address periodic review comments.

   iii.
iv. Post Site Manager Entries – CONSULTANT will enter Site Manager entries for the project pay estimates from field diaries and pay item documents. Check pay item quantities against material summary reports to check that quantities posted have appropriate certifications and test reports.

1.6 Progress Estimate Preparation – For each scheduled progress estimate, documentation will be prepared for and presented to the LHTAC Resident Engineer that contains the quantities and justification for each bid item payment with a summary sheet showing the amounts to be paid.

Performance Assumptions:
   i. Prepare monthly pay estimate packages.
   
   ii. ITD 2242 Time Accounting form will be provided monthly with pay estimate development.

1.7 Materials Certifications – Certifications, as required by bid item, will be requested for all materials incorporated into the project. No materials will be accepted for payment until the certifications are received and reviewed for acceptance.

1.8 Contract Changes – Requests received from the Contractor for time extensions, contract changes, and extra work will be reviewed and analyzed in coordination with the LHTAC Resident Engineer.

1.9 Pre-paving Meetings – CONSULTANT will facilitate meetings with the Contractor.

Performance Assumptions:
   i. Coordinate and perform the meetings with testing firms, the LHTAC, and Contractor.
   
   ii. Prepare and distribute meeting agendas and minutes.
   
   iii. Pre-paving meetings will be conducted at the project construction site and will be attended by the Lead Inspector only.

1.10 Weekly Progress Meetings – Weekly/Periodic progress meetings will be held on site or at an otherwise approved location.

Performance Assumptions:
   i. Attend and conduct weekly/periodic progress meetings and prepare minutes for distribution and review. The Project Manager will attend half of the progress meetings in person and will attend half of the progress meetings through the use of teleconference.

1.11 Monthly Invoicing – Monthly invoices of CONSULTANT labor will be submitted to the LHTAC Resident Engineer for review and processing each month. Each invoice package will contain approved timesheets for all labor expended and appropriate backup for all direct costs. CONSULTANT will formally notify the Agreement Administrator upon reaching 85% of the expended contract amount.
1.12 Subcontracts – CONSULTANT will review and present subcontracts for approval by the LHTAC.

1.13 Change Orders – CONSULTANT will prepare and analyze Change Orders for review and processing by the LHTAC Resident Engineer.

Performance Assumptions:

i. CONSULTANT will consult with the LHTAC Resident Engineer and in coordination with other assigned LHTAC and ITD personnel, as required by the ITD Contract Administration Manual, and prepare the ITD-2317 as well as all other documents necessary to complete the change order process.

ii. CONSULTANT will assist the LHTAC Resident Engineer in preparing for any litigation or other action that may arise. The claim package will be prepared in accordance with the ITD Standard Specifications and the ITD Contract Administration Manual on all claims of the LHTAC, the ITD and the Contractor relating to the acceptability of the Contractor’s work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of the Contractor’s work. (Not included)

iii. For pending claims concerning extra work or work beyond the original scope, CONSULTANT will maintain accurate force account records showing actual cost of such work. (Not Included)

1.14 Contract Submittal Review – Contract submittals will be reviewed as necessary. It is understood that some interpretations and clarifications will be directed to the LHTAC Resident Engineer.

Performance Assumptions:

i. Traffic Control Plans – Traffic Control Plans will be reviewed for compliance with MUTCD and ITD specifications.

ii. CPM Review – The contractor’s baseline and monthly CPM updates will be reviewed to check that activity dates are correctly recorded for accuracy.

iii. Submittals – CONSULTANT will review submittals for material to be incorporated into the project per the specifications.

iv. Interpretations and Clarifications – It is expected that CONSULTANT will perform routine interpretations and clarifications on the project. Sensitive decisions and interpretations or those that effect Erosion and Environmental permitting will be reviewed by the LHTAC Resident Engineer prior to final disposition.

v. Shop Drawings - CONSULTANT will transmit shop drawings to Engineer of Record for their review and approval. CONSULTANT will notify LHTAC when these are transmitted.

vi. Contractor source approval requests, staging area requests, and waste site approval requests will be reviewed and approved through coordination with the LHTAC Resident Engineer.
vii. Contractor Hot Mix Asphalt designs will be processed and approved through coordination with the LHTAC Resident Engineer and ITD’s Pavement Engineer per the QA Manual requirements.

viii. CONSULTANT will check items found on the ITD Qualified Products List prior to the material being incorporated into the project.

1.15 Public Relations – CONSULTANT will respond to and coordinate public inquiries and/or concerns with the Contractor and the LHTAC Resident Engineer for appropriate action. Records of contacts and responses will be maintained.

2. Survey Control – CONSULTANT will check Contractor surveys for accuracy and compliance with the plans and specifications. This work will be conducted by the CONSULTANT’S inspection staff. If it is determined, by the CONSULTANT and the LHTAC Resident Engineer that the CONSULTANT’S surveyor is needed for verification, additional compensation may be needed.

3. Project Inspection – Inspection will be performed by CONSULTANT with qualified and certified inspection staff. A spreadsheet with qualifications and certifications will be prepared and maintained for compliance with the ITD, WAQTC, and IQP requirements.

3.1 Inspector Diaries – Daily reports on ITD forms will be prepared to record the Contractor’s hours on the site, weather conditions, data relative to questions of change orders, filed orders, or changed conditions, site visitors, daily activities, labor compliance, civil rights compliance, decisions, observations in general, and specific observations in more detail as the case of observing test procedures. Project files and daily diaries will be maintained and copies will be uploaded to ProjectWise on a weekly basis. Certificates of inspections, tests, and approvals required by the Contract Documents will be received and reviewed. It is understood that this project may not require daily inspection. The Consultant will be responsible for determining the necessary level of inspection effort.

3.2 Identify and Recommend Corrections – Omissions, substitutions, defects, and deficiencies in the work of the Contractor will be identified and documented with recommendations reported to the Engineer.

3.3 Pay Quantity Collection – Pay quantities and quantity measurements will be checked for accuracy and prepared for processing for payment to the Contractor.

3.4 Environmental & Erosion Control Monitoring – CONSULTANT will provide a certified inspector to observe compliance with permits and approved erosion and sediment control plans (ESCP). CONSULTANT will participate in joint inspections with the Contractors qualified environmental inspector and prepare inspection records in accordance with the approved ESCP. This scope includes total of 8 inspections.

4. Materials Sampling & Testing – The following items represent the major sub-tasks required for administering this portion of the agreement.
4.1 Quality Assurance and Verification Sampling & Testing – QA testing of Superpave HMA SP-3 will be by cores. CONSULTANT will test the cores to determine compaction of mix. CONSULTANT will provide daily monitoring of the Contractor’s Quality Control activities at the project site.

4.2 Acceptability of “or-equal” Products – CONSULTANT will evaluate and determine the acceptability of substitute or “or-equal” materials and equipment proposed by the Contractor. Recommendations will be made to the LHTAC Resident Engineer for change orders before allowing any substitutes.

5. **Record Drawings & Project Close-Out** – CONSULTANT will track changes and deviations from the plans and prepare the As-Built drawings. At the completion of the project, marked drawings will be submitted to the LHTAC for preparation of the record drawings. At project close-out, all records will be finalized and quantity calculations verified. A final package of records will be submitted to the LHTAC Resident Engineer for review and acceptance.

**Performance Assumptions:**

5.1 Verify that all necessary documents have been received for submission of contractor’s declaration of facts of payment.

5.2 Receive bonds, certificates, or other evidence of insurance not previously submitted and required by the Contract Documents, including certificates of inspection, tests and approvals, shop drawings, samples, and the annotated record documents which are to be assembled by the Contractor in accordance with the Contract Documents to obtain final payment.

5.3 Conduct an inspection after notice from the Contractor that the construction is ready for its intended use, in the company of the LHTAC and the Contractor.

5.4 Participate in a final inspection, to include representatives from the LHTAC, to determine if the completed work by the contractor is acceptable so that CONSULTANT and the LHTAC may recommend in writing, final payment to the Contractor. CONSULTANT will also provide a notice that the work is acceptable to the best of their knowledge, information and belief based on the extent of the services provided under this agreement.

5.5 Review and retain the record plans showing appropriate record information based on project annotated documents received from the Contractor.

5.6 Full and final project documentation in ProjectWise must be completed no later than 30 days after the project work completion date (final completion).

5.7 CONSULTANT will submit a Materials Summary Report in conformance with the current ITD ProjectWise attribute process or an approved equal to the LHTAC Resident Engineer for review and acceptance. This summary must include the contract item number, form of acceptance, Pass/Fail/Other, Test Date, Personnel name entering and checking data, Quantity Represented, and Comments as applicable.
6. **Key Understandings** - It is anticipated that each CONSULTANT personnel assigned to the project will be furnished with a vehicle, digital camera and cellular phone by CONSULTANT and all work will be under the supervision of the LHTAC Resident Engineer or his assigned representative.

7. **Project Schedule** - CONSULTANT proposes to implement its services within the following schedule: The scope of work for this project will run in accordance with the contractor’s construction schedule. The contractor is required to start the work no earlier than August 5, 2019 or later than March 16, 2020, and required to complete the work within 45 working days. The contractor may start and complete the site civil work, then suspend contract time until the traffic signal equipment is delivered. This scope and estimate is based on the assumption all work, except for installation of traffic signals, will be completed during 2019, and the installation of the traffic signals will occur in 2020. It is anticipated that CONSULTANT will be engaged in CE&I services from August 26, 2019 through June 26, 2020, including project close-out.

8. **Professional Service Fee** - CONSULTANT will invoice the LHTAC Resident Engineer for professional services described in this Scope of Work. CONSULTANT will invoice the LHTAC Resident Engineer for professional labor and reimbursable expenses based on the Cost Estimate and will bill only for the efforts expensed to complete the project in accordance with the provisions of the ITD Task Order for this work.

The fee estimate, level-of-effort projections, and schedule assumptions represent CONSULTANT’S professional judgment. They are presented to allow a review of our approach. As we initiate activities, it may become apparent some modifications to this proposal are necessary due to changes in the Contractor’s schedule. CONSULTANT will advise the LHTAC Resident Engineer of such issues and any fee and/or schedule impact prior to implementing revised activities.
HDR - SUMMARY OF COSTS

A. SUMMARY ESTIMATED MAN-DAY COSTS

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Man-Days</th>
<th>Man-Hours</th>
<th>Raw Hrly Rate</th>
<th>Loaded Hrly Rate</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Project Manager</td>
<td>Rich Kinder</td>
<td>22</td>
<td>176</td>
<td>$64.69</td>
<td>$160.88</td>
</tr>
<tr>
<td>2</td>
<td>Principal in Charge</td>
<td>Kate Eldridge</td>
<td>0</td>
<td>1</td>
<td>$86.70</td>
<td>$215.61</td>
</tr>
<tr>
<td>3</td>
<td>Lead On-Site Inspector / Records</td>
<td>Karen Maxwell</td>
<td>62</td>
<td>495</td>
<td>$32.63</td>
<td>$81.15</td>
</tr>
<tr>
<td>4</td>
<td>Clerical</td>
<td>Cheryl Reed</td>
<td>5.75</td>
<td>46</td>
<td>$36.20</td>
<td>$90.03</td>
</tr>
</tbody>
</table>

**TOTAL LOADED LABOR COST** = $72,841.12

B. PAYROLL, FRINGE BENEFIT COSTS & OVERHEAD

Approved Overhead Rate**** 123.74%

C. NET FEE *** 11.00%

D. FCCM 0.34%

E. OUT-OF-POCKET EXPENSE SUMMARY

<table>
<thead>
<tr>
<th>Estimated Amount</th>
<th>Unit Cost</th>
<th>Estimated Expense</th>
</tr>
</thead>
<tbody>
<tr>
<td>HDR Office to Project 50 Mi</td>
<td>$0.580</td>
<td>$348.00</td>
</tr>
<tr>
<td>Pre-con. Weekly (9 ea), 2 add'l 600 Mi</td>
<td>$0.580</td>
<td>$1,537.00</td>
</tr>
<tr>
<td>Pre-Con. Daily (9 wk x 5 day), 7 Add'l (after substantial)</td>
<td>$0.580</td>
<td></td>
</tr>
<tr>
<td>Misc. Printing and Copy</td>
<td>$0.50</td>
<td>$-</td>
</tr>
<tr>
<td>Mailings (Standard) 0 Ea</td>
<td>$1.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Mailings (Large) 10 Ea</td>
<td>$0.05</td>
<td>$30.00</td>
</tr>
<tr>
<td>Copies - 8.5 x 11 BW 600 Ea</td>
<td>$0.16</td>
<td>$16.00</td>
</tr>
<tr>
<td>Copies - 11 x 17 BW 400 Ea</td>
<td>$0.10</td>
<td>$40.00</td>
</tr>
<tr>
<td>Copies - 11 x 17 Color 200 Ea</td>
<td>$0.32</td>
<td>$64.00</td>
</tr>
<tr>
<td>TOTAL ESTIMATED EXPENSE</td>
<td>$2,045.00</td>
<td></td>
</tr>
</tbody>
</table>

F. Subconsultants

<table>
<thead>
<tr>
<th>Subconsultants</th>
<th>Estimated Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>MTI (testing HMA Cores)</td>
<td>$1,256.05</td>
</tr>
</tbody>
</table>

TOTAL = $76,142.17

* Not to Exceed the "FEDERAL PER DIEM RATES FOR IDAHO"
** See attached Subconsultant's Summary
*** Calculated from Fee Matrix
**** As per our Approved Overhead Rate Letter
### Exhibit B

#### 1.0 Construction Administration

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.10</td>
<td>Submittal Log &amp; MTR's</td>
<td>20.00</td>
</tr>
<tr>
<td>1.20</td>
<td>Pre-Construction Conference</td>
<td>6.00</td>
</tr>
<tr>
<td>1.30</td>
<td>Labor Compliance</td>
<td>4.00</td>
</tr>
<tr>
<td>1.40</td>
<td>Civil Rights Compliance</td>
<td>4.00</td>
</tr>
<tr>
<td>1.50</td>
<td>Filing &amp; Records Verification</td>
<td>12.00</td>
</tr>
<tr>
<td>1.60</td>
<td>Progress Estimate Preparation</td>
<td>38.00</td>
</tr>
<tr>
<td>1.70</td>
<td>Materials Certifications</td>
<td>10.00</td>
</tr>
<tr>
<td>1.80</td>
<td>Contract Changes</td>
<td>24.00</td>
</tr>
<tr>
<td>1.90</td>
<td>Pre-paving Meeting</td>
<td>8.00</td>
</tr>
<tr>
<td>1.10</td>
<td>Weekly Progress Meetings</td>
<td>26.00</td>
</tr>
<tr>
<td>1.11</td>
<td>Monthly Invoicing</td>
<td>57.00</td>
</tr>
<tr>
<td>1.12</td>
<td>Subcontracts</td>
<td>10.00</td>
</tr>
<tr>
<td>1.13</td>
<td>Change Orders</td>
<td>10.00</td>
</tr>
<tr>
<td>1.14</td>
<td>Contract Submittal Review</td>
<td>58.00</td>
</tr>
<tr>
<td>1.15</td>
<td>Public Relations</td>
<td>10.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>297.00</strong></td>
</tr>
</tbody>
</table>

#### 2.0 Survey Control

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.10</td>
<td>Survey Control</td>
<td>4.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>4.00</strong></td>
</tr>
</tbody>
</table>

#### 3.0 Project Inspection

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.10</td>
<td>Inspector Diaries</td>
<td>264.00</td>
</tr>
<tr>
<td>3.20</td>
<td>Identify &amp; Recommend Corrections</td>
<td>6.00</td>
</tr>
<tr>
<td>3.30</td>
<td>Pay Quantity Collection</td>
<td>36.00</td>
</tr>
<tr>
<td>3.40</td>
<td>Enviro &amp; Erosion Control Monitoring</td>
<td>9.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>315.00</strong></td>
</tr>
</tbody>
</table>

#### 4.0 Materials Sampling & Testing

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.10</td>
<td>QA and Verification Sampling &amp; Testing</td>
<td>6.00</td>
</tr>
<tr>
<td>4.20</td>
<td>Acceptability of &quot;or-equal&quot; Products</td>
<td>6.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>10.00</strong></td>
</tr>
</tbody>
</table>

#### 5.0 Record Drawings & Project Close-Out

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.10</td>
<td>Verify documents received</td>
<td>20.00</td>
</tr>
<tr>
<td>5.20</td>
<td>Verify bonds, docs &amp; cents are on file.</td>
<td>8.00</td>
</tr>
<tr>
<td>5.30</td>
<td>Substantial complete inspection</td>
<td>12.00</td>
</tr>
<tr>
<td>5.40</td>
<td>Final inspection</td>
<td>12.00</td>
</tr>
<tr>
<td>5.50</td>
<td>Review &amp; approve red line dwgs</td>
<td>10.00</td>
</tr>
<tr>
<td>5.60</td>
<td>Final Documents</td>
<td>26.00</td>
</tr>
<tr>
<td>5.70</td>
<td>MSR</td>
<td>8.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>96.00</strong></td>
</tr>
</tbody>
</table>

### Total Labor Hours

- HDR - Project Personnel: 176.00
- MTI - Project Personnel: 246.00

**NOTES**
- 9 weeks: PM @ 6 hr/wk (1 visit/wk); LI @ 20 hrs/wk (half time) plus Inspection after substantial completion estimated at 5 trips @ 6 hrs/trip
- prepare pay item reports, 4 estimates: PM (review/check calc) @ 1 hr/ea; LI @ 12 hrs/ea
- 9 wk @ 1 hr/wk

Assume on-site inspection 9 weeks.

45 working days
### Consultant Man-Hour Estimate

**Location Description:** Smith Avenue & Middleton Road Signal, Nampa, ID

**MTI Proposal 191775**

#### A. SUMMARY ESTIMATED MAN-DAY COSTS

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Man-Days</th>
<th>Man-Hours</th>
<th>Raw Hourly Rate</th>
<th>Loaded Hourly Rate</th>
<th>Loaded Labor Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Project Manager</td>
<td>0</td>
<td>1</td>
<td>$58.00</td>
<td>$153.55</td>
<td>$153.55</td>
</tr>
<tr>
<td>2</td>
<td>Technician</td>
<td>1</td>
<td>8</td>
<td>$30.00</td>
<td>$79.43</td>
<td>$635.44</td>
</tr>
<tr>
<td>3</td>
<td>Clerical</td>
<td>0</td>
<td>1</td>
<td>$25.00</td>
<td>$66.18</td>
<td>$66.18</td>
</tr>
</tbody>
</table>

**TOTAL LOADED LABOR COST = $855.17**

#### B. PAYROLL, FRINGE BENEFIT COSTS & OVERHEAD

<table>
<thead>
<tr>
<th></th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payroll, Fringe</td>
<td>137.03%</td>
</tr>
<tr>
<td>Benefit Costs</td>
<td></td>
</tr>
<tr>
<td>Overhead</td>
<td></td>
</tr>
</tbody>
</table>

#### C. NET FEE

<table>
<thead>
<tr>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.50%</td>
</tr>
</tbody>
</table>

#### D. FCCM

<table>
<thead>
<tr>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.45%</td>
</tr>
</tbody>
</table>

#### E. OUT-OF-POCKET EXPENSE SUMMARY

<table>
<thead>
<tr>
<th>Task</th>
<th>Est. Amount</th>
<th>Unit Cost</th>
<th>Expense</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>91300 Mileage</td>
<td>44 miles round trip</td>
<td>- @ $0.580 per mile</td>
<td>- $</td>
<td>-</td>
</tr>
<tr>
<td>92018 Asph Unit/Wght, Dia, Hght Core</td>
<td>3 @ $66.96 each</td>
<td>= $</td>
<td>200.88</td>
<td></td>
</tr>
<tr>
<td>33000 Asphalt Coring R67</td>
<td>1 @ $200.00 daily rental</td>
<td>= $</td>
<td>200.00</td>
<td></td>
</tr>
<tr>
<td>92009 Asphalt Content - Ignition Method</td>
<td>- @ $178.57 each</td>
<td>= $</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>92594 Mechanical Analysis D5444</td>
<td>- @ $111.60 each</td>
<td>= $</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL ESTIMATED EXPENSE = $400.88**

**TOTAL = $1,256.05**

#### Assumptions

1. Single trip with one technician to project for coring
2. Traffic control provided
SUBRECIPIENT AGREEMENT AMENDMENT BETWEEN THE CITY OF NAMPA AND VALLEY REGIONAL TRANSIT (VRT) AND CONSENT TO BID IOWA AVENUE PEDESTRIAN ACTIVATED CROSSTMARK & MIDLAND & BLAINE AVENUE HAWK PEDESTRIAN SIGNAL

ITD Key No. 19855
City Project No. PWST190016
(As Approved in the FY 19 Budget)

- Through multiple funding applications the City was awarded Federal Funds to design and construct multimodal transit improvements for two projects. The North Nampa Neighborhood Multimodal project is currently under construction while the Iowa Avenue Pedestrian Activated Crosswalk and the Midland & Blaine Ave. HAWK Pedestrian Signal project is currently under design.

- Funding is through the Federal Transit Authority (FTA) Grant Program and administered by Valley Regional Transit (VRT). A subrecipient agreement was executed for the North Nampa Neighborhood Multimodal project Key Number 19959 which the proposed amendment will modify.

- As previously discussed, VRT has supplied the amendment to the existing subrecipient agreement as funding has been appropriated to include funds for project Key No. 19855 (Iowa Avenue Pedestrian Activated Crosswalk and the Midland & Blaine Ave. HAWK Pedestrian Signal), (See Exhibit A, Vicinity Map).

- Total estimated design and construction cost for Project 19855 is $579,000 with the federal allocation being $463,200 (80%) and the City’s match portion being $115,800 (20%). Two project sites are included as follows:
  - Key No. 19855: Iowa Ave. Pedestrian Activated Crosswalk & Bike Lane - construct a Pedestrian Activated Crosswalk across W. Iowa Avenue, near Owyhee Elementary and construct pavement markings and signage for bike facilities along Iowa Avenue.
  - Key No. 19855: Midland Blvd Pedestrian Hybrid Beacon & Blaine Avenue Bike Boulevard - construct a High-intensity Activated crosSwalK (HAWK) for the Midland Blvd crosswalk at Blaine Avenue and construct pavement markings and signage for bike facilities along Blaine Avenue.

- The City’s match will be paid out of FY19 Streets Budget; as budgeted.

- The Federal Program Funding Subrecipient Agreement Amendment (see Exhibit B, Amendment) must be executed between the City and VRT. Key additions of the Amendment are summarized below:
  - Total funding is increased, Maximum federal funds available under the amendment is increased to $935,000, the City is responsible for an estimated local match of $233,750 and is responsible for all overages.
  - The term of the agreement will be extended to 9/30/2020.

- Council authorized a Task Order with Paragon Consulting, Inc. for design and construction engineering services for the project on November 5, 2018.

- Construction is anticipated to begin in June 2020 with completion in August 2020, pending availability of the electrical equipment for the pedestrian activated crosswalk and the pedestrian
hybrid beacon. This construction window was selected to reduce impacts with adjacent schools as well as potentially receiving lower bids with an extended window for bidders to plan their work for next year.

- Estimated construction costs are $584,367.
- Engineering recommends proceeding with the formal bid process.

**REQUEST**: Authorize Mayor to sign the Subrecipient Agreement Amendment (Exhibit B) and authorize Engineering to proceed with the formal bid process for the Iowa Avenue Pedestrian Activated Crosswalk & Midland & Blaine Avenue Hawk Pedestrian Signal project, Key Number 19855.
CITY OF NAMPA
PEDESTRIAN AND BICYCLE IMPROVEMENTS, BLAINE AND IOWA
KEY NO. 19855

Pedestrian Hybrid Beacon @ Midland Blvd & Blaine Ave

Pedestrian Activated Crosswalk On Iowa Ave Near Owyhee Elementary

Iowa Ave Bike Lanes And Shared Lane Markings

Blaine Ave. Bike Boulevard
SUBRECIPIENT AGREEMENT AMENDMENT

This Agreement Amendment dated this 14th day, August, 2019

BETWEEN: VALLEY REGIONAL TRANSIT (VRT) and CITY OF NAMPA

Background

A. Valley Regional Transit and City of Nampa (the “Parties”) entered into the agreement (the “Agreement”) dated December 31, 2018 for the purpose of City of Nampa receiving federal funding for the design and construction of bike and pedestrian crossing improvements.

B. The Parties desire to amend the Agreement on the terms and conditions set forth in this Agreement Amendment.

C. This Agreement is the first amendment to the Subrecipient Agreement.

IN CONSIDERATION OF the Parties agreeing to amend their obligations in the existing Agreement, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to keep, perform, and fulfill the promises, conditions and agreements below:

Amendments:

1. The Subrecipient Agreement is amended as follows:
   a. FAIN ID Number is no longer pending as grant has been identified as ID-2019-018-00
   b. The term of this agreement will be extended to 9/30/2020.
   c. Total project amount including Federal and Local Match is $1,168,750 including additional Key Number 19855. (Federal amount: $935,000, Local Match: $233,750)

2. No Other Change
   Except as otherwise expressly provided in this Agreement all of the terms and conditions of the Agreement remain unchanged and in full force and effect.

3. Miscellaneous Terms
   Terms not otherwise defined in this Agreement will have the meanings ascribed to them in the Subrecipient Agreement.

4. Governing Law
   Subject to the terms of the Agreement, it is the intention of the Parties that this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Idaho, without regard to the jurisdiction in which any action or special proceeding may be instituted.

IN WITNESS WHEREOF the Parties have duly affixed their signatures under hand and seal on this ______ day of ________, 2019.

_____________________________  Title: ____________________________ Date:_________
Signature
City of Nampa

_____________________________  Title: Executive Director ____________ Date:_________
Kelli Badesheim
Valley Regional Transit
The National Main Street Center announced the launch of the Kevin and Mary Daniels Fund to help stimulate Nampa’s Main Street Program and revitalization efforts in Downtown Nampa. This fund has been established in appreciation for all Kevin and Mary have done for America’s cultural heritage.

Kevin Daniels, owner of Daniels Real Estate based in Seattle, grew up in Nampa and has a passion to help communities thrive. Daniels recently moved to trustee emeritus status on the Main Street board.

The Kevin and Mary Daniels Fund received $100,000 in donations from Main Street board members, colleagues and friends to honor their dedication to historic preservation and help improve facades of Downtown Nampa’s historic buildings.

The fund will be administered by the National Main Street Center for the first round of funding and they help with working recipients on rehabilitation projects and historic façade improvements.

Attached is the Memorandum of Understanding between the City of Nampa and the National Main Street Center. It defines the roles and responsibilities of National Main Street and the City of Nampa’s Economic Development office to administer the Kevin and Mary Daniels Fund.

Staff Recommendation is to approve the Mayor to sign the Memorandum of Understanding with National Main Street Center for the administration of the Kevin and Mary Daniels fund.
The Kevin and Mary Daniels Fund Memorandum of Understanding

THIS KEVIN AND MARY DANIELS FUND MEMORANDUM OF UNDERSTANDING (the “Daniels Fund MOU”) is entered into as of [________, 2019] (the “Effective Date”) by and between the City of Nampa, Idaho, with its address at 9 12th Avenue S., Nampa, ID, 83651 (the “City”), and the National Main Street Center, Inc., a Delaware nonprofit charitable and educational corporation (“NMSC”), with its address at 53 W. Jackson Blvd., Suite 350, Chicago, IL 60604.

RECITALS:

WHEREAS, NMSC currently administers the Kevin and Mary Daniels Fund, established through individual gifts, to provide loans and grants for façade improvement projects in the Nampa Historic District in Nampa, Idaho (the “Daniels Fund”);

WHEREAS, the Daniels Fund is a revolving loan fund whose first round of funding is anticipated to be depleted within three (3) years after the Effective Date; and

WHEREAS, the City and NMSC desire to establish the manner in which they will maintain and administer the Daniels Fund;

NOW THEREFORE, the City and NMSC agree that they will maintain and administer the Daniels Fund, as described herein.

1. The Daniels Fund. NMSC, operating as Main Street America® (“MSA”), in partnership with the National Trust for Historic Preservation in the United States, the National Trust Community Investment Corporation, and Kevin and Mary Daniels, have raised to date an amount of $120,000 for the Daniels Fund, to be used for the initial round of the revolving fund loans and grants and for the administration fees to administer the fund.

NMSC shall hold and administer the Daniels Fund from the Effective Date until the earlier of (i) three (3) years after the Effective Date or (ii) the date when the initial round of the fund of One Hundred Thousand Dollars ($100,000) (the “Initial Round”) has been disbursed (the earlier of (i) or (ii) being the “Transfer Date”). NMSC and the City agree to discuss the administration of the Initial Round on the annual anniversary of the Effective Date, or at such time that is mutually convenient for both parties, in order to evaluate the coordination of the Transfer Date. On the Transfer Date, NMSC will transfer the administration of the Daniels Fund to the City. The City shall then hold and administer the Daniels Fund through the end of the fund’s lifespan.

2. Joint Branding. The Daniels Fund will be co-branded by both NMSC and the City. The names and logos of both NMSC and the City shall be included in all materials related to the Daniels Fund, and the Daniels Fund shall be presented as a program of both organizations for the entirety of its lifespan. The City agrees that NMSC may also operate under the name and logo of MSA. All materials shall be approved prior to use by both NMSC and the City. Notwithstanding the foregoing, NMSC shall have the right to remove itself as a co-branded partner at any time upon notice to the City.
3. **Loan Eligibility.** Loans from the Daniels Fund shall be limited to the following:
   a. Loans must be used toward façade improvements on buildings located within the Nampa Historic District.
   b. Loans shall be awarded to business owners and/or tenants of existing buildings located within the Nampa Historic District.
   c. Loans shall be in amounts typically ranging from $4,000 to $10,000, or under special circumstances below $4,000.
   d. At the end of the lifespan of the Daniels Fund, at such time when the fund balance equals less than $10,000, the remaining balance may be used to award grants in accordance with Section 4 below in lieu of awarding loans.

   Additional details about the loans from the Daniels Fund are set forth on Attachment A.

4. **Grants Eligibility.** Grants from the Daniels Fund shall be limited to the following:
   a. Grants must be used toward the match requirement for the City of Nampa’s Community Development Block Grant (CDBG) Historic Façade Rehabilitation Program.
   b. Grants shall only be awarded to 501(c)(3), and other nonprofit organizations.
   c. Grants shall be in amounts ranging from $4,000 to $10,000.

   Additional details about the grants from the Daniels Fund are set forth on Attachment A.

5. **Eligible and Ineligible Expenses.** The Daniels Fund is intended to support “bricks and mortar” capital costs toward façade improvements and “soft” preservation planning costs shall not generally be considered an eligible expense. However, such costs may be considered for funding in case of emergency or as otherwise mutually agreed on a case-by-case basis by the City and NMSC.

   The initial amount of $120,000 will be used as follows: $20,000 will be available for grants during the Initial Round, $80,000 will be available for 0% interest loans during the Initial Round and, upon the full execution of this Agreement, $10,000 will be paid to NMSC and $10,000 will be paid to the City for the Nampa Main Street manager to administer the grants and loans for the Initial Round.

   After the Transfer Date, when the City takes over administration of the Daniels Fund, at the beginning of each subsequent round until the end of the fund’s lifespan, the City will be permitted to draw down 20% of the then existing amount of the Daniels Fund for administration costs.

6. **Application and Review Process.** All loan and grant award decisions shall be by mutual agreement of NMSC and the City. Loan and grant applications will be jointly reviewed by the City and NMSC. Applications will be sent by the borrowers/grantees first to the City, who will subsequently forward the applications to NMSC for approval.
The City and NMSC will review each applicant’s application to ensure the project scope’s compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Once the City and NMSC review the project scope’s compliance, the Local Preservation Commission of Nampa, Idaho, will also review the project scope’s compliance with local preservation standards.

When the project scope’s compliance with federal and local preservation standards has been reviewed and approved, NMSC will prepare and distribute loan agreement paperwork to the borrower, or grant agreement paperwork to the grantee, as applicable. The borrower will submit signed paperwork, along with two years’ financial statements, credit report, and certificate of insurance, to NMSC. The grantee will submit signed paperwork, along with a certificate of insurance, to NMSC. NMSC will review the paperwork submission, and if it meets all criteria, NMSC will then disburse the grants or loans to the borrower or grantee, as applicable, via direct deposit or check. NMSC will send the borrower a disbursement notification with an amortization schedule and reporting template. NMSC will send the grantee a disbursement notification and reporting template. In addition, the grantee will be required to deliver to NMSC a copy of any documents that it delivers in connection with the CDBG Historic Façade Rehabilitation Program.

Until the Transfer Date, borrowers will be required to send their loan repayments to NMSC. Beginning on the Transfer Date, at which time when NMSC transfers the funds in the Daniels Fund to the City, borrowers will be required to send their loan repayments to the City.

7. **Fund Ownership and Management.** Until the Transfer Date, the Daniels Fund will be owned by NMSC and accounted for as a separate fund of NMSC’s funds, using standard fund accounting practices, and will be managed and administered as a part of those funds through policies established by the Board of Directors of NMSC, as such policies may be amended from time to time. After the Transfer Date, at which time when NMSC transfers the funds in the Daniels Fund to the City, the City will own the Daniels Fund and will manage and administer it in accordance with the City’s accounting policies.

8. **Joint Responsibilities.** NMSC and the City each agree to use their reasonable efforts to:

   a. Market the Daniels Fund through conversations with potential borrowers, email communications, blog posts, and press.
   b. Provide information and guidance to potential loan and grant applicants, including fielding calls and in-person outreach.
   c. Review loan and grant applications.
   d. Provide guidance to borrowers and grantees on completing the application, compliance with preservation standards, and reporting process details.
   e. Until the Transfer Date, NMSC will provide guidance to borrowers on the specifics of the loan agreement paperwork and the loan repayment process. Beginning on the Transfer Date, the City will provide such guidance to the borrowers.
   f. Until the Transfer Date, NMSC will receive loan repayments and track the receipt of borrowers’ repayments. NMSC will communicate with borrowers if any loan repayment is late. Beginning on the Transfer Date, the City will handle such matters.
9. **Loan and Grant Management.** Until the Transfer Date, loan and grant management and financial functions will be carried out by NMSC, including the issuance of award letters, agreements, disbursements, and the maintenance of a loans data base.

Beginning on the Transfer Date, loan and grant management and financial functions will be carried out by the City, including the issuance of award letters, agreements, disbursements, and the maintenance of a loans data base.

10. **Termination of the Daniels Fund.** Should the Daniels Fund cease to be used for the purposes stated in this Daniels Fund MOU, any amount remaining in the fund shall be paid over to the City and the Daniels Fund shall be terminated.

11. **Amendment.** This Agreement may be amended by the mutual agreement of the parties, made in writing and signed by the duly authorized representative of both parties.

12. **Term.** This Daniels Fund MOU shall commence upon the execution by both parties and shall continue in full force and effect throughout the existence of the Daniels Fund.

13. **Related Agreements.** This Daniels Fund MOU between NMSC and the City constitutes the complete understanding and agreement between the parties and supersedes any and all prior oral or written agreements and understandings.

14. **Governing Law.** This Daniels Fund MOU shall be governed by and construed in accordance with the laws of the District of Columbia and such federal law as may be applicable.

15. **Assignability.** Neither party may assign this Daniels Fund MOU without prior written permission from the other party.

16. **Counterparts.** This Daniels Fund MOU may be executed in several counterparts, and by the parties hereto on separate counterparts, and each counterpart when executed and delivered shall constitute an original agreement enforceable against all who signed it without production or accounting for any other counterpart and all separate counterparts shall constitute the same agreement.

17. **Successors.** This Daniels Fund MOU will be binding upon and will inure to the benefit of the parties, their successors and assigns.
IN WITNESS WHEREOF, the City and NMSC have executed this Daniels Fund MOU on and as of the Effective Date.

CITY OF NAMPA, IDAHO

_________________________________________                       _________________________
Deborah Kling, Mayor      Date

_________________________________________                       _________________________
Robyn Sellers, Assistant Director for Economic Development       Date

NATIONAL MAIN STREET CENTER, INC.

_________________________________________                       _________________________
Patrice Frey, President and CEO                                Date
Attachment A
RESOLUTION NO. 43-2019

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. (Fire Department)

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 3RD DAY OF SEPTEMBER, 2019.

Approved:

Mayor Debbie Kling

ATTEST:

City Clerk
DISPOSAL OF VARIOUS VEHICLE AND EQUIPMENT ASSETS

- Nampa Fire Department has identified the following equipment assets for disposal
- Nampa Fire Department staff request the following asset be declared as surplus property to facilitate disposal:

<table>
<thead>
<tr>
<th>Item</th>
<th>Serial Number</th>
<th>Estimated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 – Draeger SCBA pack frames</td>
<td></td>
<td>$1275.00</td>
</tr>
<tr>
<td>50 – 4500 psi SCBA air bottles</td>
<td></td>
<td>$3000.00</td>
</tr>
<tr>
<td>30 – Draeger SCBA masks</td>
<td></td>
<td>$2000.00</td>
</tr>
<tr>
<td>Various spare parts for SCBA repair</td>
<td></td>
<td>$200.00</td>
</tr>
</tbody>
</table>

- Disposal falls within Nampa Fire Department guidelines for funding, acquisition, maintenance, replacement and disposal of City assets
- Nampa Fire Command staff recommend disposal via in-kind trade
- Henderson Fire Department, Nevada has agreed to trade for the needed station furniture.
- Henderson Fire will purchase the needed equipment on behalf of the Nampa Fire Department in return for the surplus equipment

REQUEST:

1) By Resolution, declare the equipment as outlined above as surplus property.
2) Dispose of identified surplus property as recommend by Staff (see Exhibit 1).
MEMO

Kirk Carpenter
Nampa Fire Dept.
208-250-3258

Mayor and Council:

With the Federal AFG Grant that Nampa Fire received to purchase new SCBA Air Packs we no longer need our old and outdated Draeger SCBA's. Nampa Fire has found another fire department in Henderson NV that can use and is interested in the old equipment. We have made an agreement that in return for some of our old SCBA packs Henderson Fire will purchase Nampa Fire some needed station furniture. Thank you for your consideration, please don't hesitate to call if you have any questions.
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. ______.

<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>06</td>
<td>Fire</td>
<td>25</td>
<td>Draeger SCBA pack frame</td>
<td>R</td>
<td>$1275.00</td>
</tr>
<tr>
<td>06</td>
<td>Fire</td>
<td>50</td>
<td>4500 psi SCBA air bottles</td>
<td>R</td>
<td>$3000.00</td>
</tr>
<tr>
<td>06</td>
<td>Fire</td>
<td>30</td>
<td>Draeger SCBA masks</td>
<td>R</td>
<td>$2000.00</td>
</tr>
<tr>
<td>06</td>
<td>Fire</td>
<td>NA</td>
<td>Various spare parts for SCBA repair</td>
<td>G</td>
<td>$200.00</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: In-kind trade

Condition Codes:
- E Excellent
- G Good
- F Fair
- R Repairable
- U Unusable

Requesting Department: Fire
Requesting Person Name (Print): Kirk Carpenter
Requesting Person Signature: [Signature]
Received By:
Date Received:
Date: 8/28/19
PLANNING & ZONING DEPARTMENT

Before the Mayor & City Council
Meeting of 19 August 2019
Continued to 3 September 2019

PUBLIC HEARING ITEM
STAFF REPORT (REVISED)

Analyst: Kristi Watkins
Applicant(s)/Representative(s):
Trilogy Idaho/Kent Brown, Representative
File(s): ANN 123-19
Project Name/Type: Calvary Springs Subdivision

Requested/Needful Action Approval(s)/Recommendation(s) [1 total]:

Annexation and Zoning Assignment of Land to RS-6
(Decision Required: Approval/Denial)

Pertaining to:
A 16.79-acre portion of land at 1713 E. Iowa Ave. (62 single family detached lots on 16.79 acres for 3.69 dwelling units per gross acre - a 16.79-acre or 731,372 sq. ft. portion of the NW ¼ SW ¼ Section 35, T3N, R2W, BM) (hereinafter the “Property”)...

ANNEXATION and 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 be in agreement with the adopted Comprehensive Plan for the neighborhood.

FINDINGS OF FACT & CONCLUSIONS OF LAW REGARDING ANNEXATION and ZONING

Zoning: Regarding Applicant's Annexation and Zoning Request (to RS-6) 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:** Canyon County zoning, Enclaved, Residential
   - **South:** RA (Suburban Residential, one single family parcel)
   - **East:** Canyon County, Enclaved, Residential Subdivision
   - **West:** RS6 (Single-Family Residential Subdivision)

3. **Immediately Surrounding Land Uses:**
   Single-family residential land uses surround or lie near the Property; and,

4. **Proposed Zoning:**
   That the proposed RS 6 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 within 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 and/or is enclaved by 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 an "Employment Center" setting per the Future Land Use Map associated with the City's adopted Comprehensive Plan.

5.7.2.2 - Principles of an Employment Center:
- Concentration of employment, commercial and residential;
- Street connectivity for easy ingress & egress;
- Development project should have sidewalk and pathways to promote walking, bicycling, transit use and ride sharing, while also accommodating auto...; and,

5.12.1 Infill Development and Redevelopment
   Infill and redevelopment refers to development on vacant, underutilized, or partially used land. Infill occurs on land that may have been skipped over in the urbanization process.

   Infill areas have been identified as enclaves and undeveloped lands where existing City Services are available. Infill and redevelopment are encouraged in order to revitalize developed residential and commercial areas and take advantage of existing infrastructure.

9. Safe Routes to School:
   Skyview High School = .65 miles (within walking distance, but many sidewalk gaps on county properties along the way)
   South Middle School = 1.64 miles (not within walking distance)
   Greenhurst Elementary School = .5 miles via undeveloped ROW on Iowa Ave, perfect for walking to school with no traffic. (an improved short pathway would be ideal, not adjacent to subject property)

10. Services:
   That utility and emergency services are, available to the Property...

11. COMPASS Analysis:
   Bicycle and Pedestrian Level of Stress: N/A
   Jobs/Housing Ratio: .2 (indicates the need for more housing)
   Emergency Services: Police = 2.4 miles and Fire = 1.1 miles
       Developments within 1.5 miles provide for more efficient service and reduce costs for these important public services.
   Farmland is consumed by this project.
   Bus stop: 1.2 miles
   Park: 1.0 miles
   Grocery Store: 1.5 miles

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 recommendation of approval. In the event of an opposite course, then negative findings may be adopted by the City Council.
In summary, this Property fits the definition for infill development because, 1) it is surrounded by developed single-family properties and 2) all city utilities are immediately available to the site. Therefore, given the findings noted above, staff recommends that this property be annexed and zoned RS 6.

Staff has provided the Council with all of 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 Commission’s public hearing wherein the application package associated with this report will be vetted.

Notification of the 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 normal required saved when called for by City Engineering under special circumstances. Any extant street frontage improvements along E Iowa Ave, 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.

CORRESPONDENCE

1) An email dated August 16, 2019, authored by Bill Fischer, address: 1623 Ventura Dr. in which the resident asks about the storm drains that are adjacent to easements on his property and also on 1823 Ventura Dr. and would appreciate consideration of this drainage issue.
   a. Staff spoke to the applicant via phone conversation on August 19, 2019 and were told that ground water, drainage and grading would all be fully reviewed and considered in the design of the development and will be reviewed by the engineers at the time of final plat and construction drawing submittal. If drainage at various locations proves to be an issue currently, those issues will be corrected to the best of their ability within the property lines of the development.

AGENCY/CITY DEPT COMMENTS FOR ANNEXATION & ZONING

Agency/City department comments have been received regarding both the entitlement request and platting approval request associated with this matter [and report]. Such correspondence, by way of information, as received from agencies or the citizenry regarding the application package [received by noon August 14, 2019] is hereafter attached to this report, to include:

1. A June 19, 2019 email printout from the Nampa Parks Department authored by Cody Swander indicating that they have no requests; and,

2. On June 9, 2019, Neil Jones with the Nampa Building Department made a note in the EnerGov permitting program indicating that the Building Department will require a top of foundation wall or a finish floor elevation on each lot, shown on the final plat construction drawings; and,
3. A June 19, 2019 email printout from the Nampa Highway District #1 authored by Eddy Thiel, indicating that they have no comment; and,

4. A June 26, 2019 letter from the Nampa & Meridian Irrigation District authored by David Duvall indicating that they have no comment on the Project; and,

5. A June 26, 2019 email printout from the City Forestry Department authored by Carolynn Murray indicating that they No Class Ill trees are allowed in the planting strip, should be Class I only; this email is supported by review and correction notice, dated July 2, 2019 and sent by Doug Critchfield, Nampa Planning Department, that states that the Street Tree – Liquidambar Styraciflua tends to heave the sidewalk and a different species should be specified on a revised landscape plan; and,

6. A memo dated July 3, 2019, authored by Dan Wagner, Nampa GIS Division, stating required changes to street names as follows:
   a. Propose new, unique name for W Louisiana Ave and Ashbourne Way; and,
   b. Ashbourne Way/Garrustown St should have one name, we suggest Garrustown Way; and,
   c. Suncroft St should be S Suncroft Ave; and,
   d. Celbridge St should be E Celbridge St; and,
   e. Garrustown St should be E Garrustown Way and continue to E Iowa Ave; and,

7. A memo, dated July 9, 2019, authored by Caleb LaClair, stating the following:

**Engineering Annexation & Zoning Comments**

a. The project is located at 1713 E Iowa Ave and will take access from the following roads:
   - E Iowa Ave – classified as “Local Road”
   - E Kentucky Ave – classified as “Local Road”

b. While E Iowa Avenue is classified as a “Local Road” it is possible the classification of the road may change to a “Collector” in the future given it’s location on the half-mile section line. As such, the Engineering Division will request 40’ of right-of-way dedication from the Quarter Section Line.

c. The City’s water, sewer, and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
   - 18” and 15” sewer main in E Iowa Ave;
   - 10” water main on north side of E Iowa Ave;
   - 8” pressure irrigation main on south side of E Iowa Ave;
   - 8” sewer main in E Kentucky Ave;
   - 8” water main in E Kentucky Ave; and,
   - 6” pressure irrigation main along the east boundary of the Canyon Meadows Subdivision.
d. The project will be required to construct utilities to and through the property at the time of development, as well as, provide looping/redundant connections for water and pressure irrigation.

**Engineering Preliminary Plat Comments**

e. The project consists of fewer than 100 lots; therefore, a Traffic Impact Study is not required per the criteria of the City’s 2015 Transportation Impact Study Policy.

f. To support future annexation and development of adjacent enclaved parcels, and to avoid future street cuts, it is preferable to stub utility services to the following parcels:
   - 1625 E Iowa Ave (Parcel # R3234600000) – Sewer only
   - 0 E Iowa Ave (Parcel # R3234700000) – Sewer, water, and irrigation
   - 1715 E Iowa Ave (Parcel # R3234610000) – Sewer only

g. It should be confirmed during final design whether it is necessary to extend gravity irrigation piping along the southerly and easterly property boundaries. Confirm what properties are still assigned to this lateral and if there is opportunity to convert them to City pressure irrigation to reduce or eliminate this extensive piping. Any properties that desire to hook up to City services that are adjacent to City limits will be required to annex per City Code.

h. Parcel # R3234700000 is land locked. Access to this parcel shall be provided from E Kentucky Street through Lot 10, Block 1 via an ingress/egress easement.

i. There appears to be an existing pond/wet area located just south of the project on the 1906 S Powerline Road. It should be confirmed during final design that the project is not restricting a historical drainage or irrigation path, and that lots are elevated sufficiently to not be impacted by any historical drainage that may exist in this location.

j. The submitted Geotechnical Report groundwater may be as high as 2 to 4 feet below existing ground surface. On-going groundwater monitoring should be performed at the site through the irrigation season and data submitted with final design documents to confirm groundwater impact on proposed drainage facilities and home crawl spaces.

**Engineering Conditions of Approval**

k. Dedicate the following public right-of-way at the time of annexation:
   - E Iowa Ave – 40’ from the Quarter Section Line.

l. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/ redevelopment and prior to connection to City services.

m. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/ redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

n. Utilities shall be constructed to and through the site at the time of property development/ redevelopment, and at the sole expense of the Developer.
o. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

p. Applicant shall address all street name comments identified in the letter from Nampa Engineering Division prior to Final Plat submittal.

q. Applicant shall coordinate with the following properties and install utility service stubs to said properties with the development:
   - 1625 E Iowa Ave (Parcel # R3234600000) – Sewer only
   - 0 E Iowa Ave (Parcel # R3234700000) – Sewer, water, and irrigation
   - 1715 E Iowa Ave (Parcel # R3234601000) – Sewer only

8. A review document from COMPASS iterating their findings respecting the Development.

RECOMMENDED CONDITIONS OF APPROVAL

Should City Council vote to approve the annexation and zoning request Staff would suggest the following as (a) Condition(s) of Approval for adoption with any such vote/action (note: the Commission may obviously add, subtract and/or modify conditions as it deems appropriate):

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

2. Indicate a top of foundation wall or a finish floor elevation on each lot on the final plat construction drawings; and,

3. Submit revised landscape plans; and,

4. Make necessary street name corrections as listed:
   a. Propose new, unique name for W Louisiana Ave and Ashbourne Way; and,
   b. Ashbourne Way/Garrustown St should have one name, we suggest Garrustown Way; and,
   c. Suncroft St should be S Suncroft Ave; and,
   d. Celbridge St should be E Celbridge St; and,
   e. Garrustown St should be E Garrustown Way and continue to E Iowa Ave;

5. Confirm, during final design, whether it is necessary to extend gravity irrigation piping along the southerly and easterly property boundaries. Confirm what properties are still assigned to this lateral and if there is opportunity to convert them to City pressure irrigation to reduce or eliminate this extensive piping. Any properties that desire to hook up to City services that are adjacent to City limits will be required to annex per City Code.

6. Parcel # R3234700000 is land locked. Provide access to this parcel from E Kentucky Street through Lot 10, Block 1 via an ingress/egress easement.

7. There appears to be an existing pond/wet area located just south of the project on the 1906 S Powerline Road. It should be confirmed during final design that the project is not restricting a historical drainage or irrigation path, and that lots are elevated sufficiently to not be impacted by any historical drainage that may exist in this location.
8. On-going groundwater monitoring should be performed at the site through the irrigation season and data submitted with final design documents to confirm groundwater impact on proposed drainage facilities and home crawl spaces.

9. Dedicate the following public right-of-way at the time of annexation:
   a. E Iowa Ave – 40’ from the Quarter Section Line.

10. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.

11. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

12. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.

13. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

14. Applicant shall coordinate with the following properties and install utility service stubs to said properties with the development:
   a. 1625 E Iowa Ave (Parcel # R3234600000) – Sewer only
   b. 0 E Iowa Ave (Parcel # R3234700000) – Sewer, water, and irrigation
   c. 1715 E Iowa Ave (Parcel # R3234601000) – Sewer only

15. 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 sufficient in volume and pressure to provide sufficient adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable; and,

16. 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,

---

**ATTACHMENTS**

- Public hearing notice (page 9)
- Zoning “Vicinity Map” (page 10)
- Applicant’s representative’s Project narrative & application pages (pages 11-12)
- Subdivision Preliminary Plat Application/information pages (pages 13-17)
- Aerial ArcGIS image of the Property and surrounds & Future Land Use Map (pages 18-19)
- Reduced size preliminary plat plan pages (pages 20-22)
- Calvary Springs landscape plan (page 23)
- P & Z Minutes from July 23, 2019 Public Hearing (pages 24-29)
- Inter-departmental/agency/citizen correspondence (pages/Exhibits 30+)
NOTICE OF PUBLIC HEARING REGARDING PLANNING/ZONING OF THIS PROPERTY

Notice is hereby given that on August 19, 2019 at 7:00 p.m., in the Council Chambers of the City Hall, 411 3rd Street South, Nampa, Canyon County, Idaho, a public hearing will be held before the Nampa City Council on the following:

Annexation and Zoning to RS6 (Single Family Residential – 6,000 sq. ft.) zoning district for Calvary Springs Subdivision at 1713 E. Iowa Ave. (64 single family detached lots on 16.79 acres for 3.81 dwelling units per gross acre - a 16.79-acre or 731,372 sq. ft. portion of the NW 1/4 SW 1/4 Section 35, T3N, R2W, BM) for Kent Brown representing Trilogy Idaho (ANN 123-19).

For a full definition of said zoning district regulations, reference is hereby made to the Nampa Comprehensive Zoning Ordinance. All interested persons are invited to attend said public hearing or submit written comments prior to the hearing date.

Dated and posted this 8th day of August 2019.

Norman L. Holm, Planning Director
CITY OF NAMPA, IDAHO, Planning Dept., City Hall
1713 Iowa Ave
Annexation and Zoning to RS6 & Subdivision Plat Preliminary Approval for Calvary Springs Subdivision for Kent Brown- Trilogy Idaho

ANN-00123-2019, SPP-00041-2019

Visit Planning & Zoning at cityofnampa.us for more info.

Page 10
May 6, 2019

Nampa City Planning & Zoning Department
411 Third Street SO
Nampa ID 83651

RE: Calvary Springs Preliminary Plat and Annexation

Dear Commissioners and City Council

On behalf of Trilogy Idaho, we respectfully request the City of Nampa’s approval of an annexation to RS 6 zone and preliminary plat approval for Calvary Springs. The Calvary Springs Subdivision is a 64 single family residential lot subdivision with 4 common lots. Calvary Springs has an overall density of 3.69 dwellings per acre. The common lots encompass 1.31 acres or 7.8% of the subdivision, which include: a pocket park with micro pathways interconnecting the entire Calvary Spring Subdivision. This subdivision is located southside of E Iowa Ave between Powerline Road and Ventura Drive.

Annexation
Water and sewer services are available to the property. Calvary Springs complies with the City’s Comprehensive Plan designation for the site of Medium Density Residential (MDR).

Summary
Calvary Springs Subdivision is single family residential subdivision in a RS 6 zone and has 64 residential lots and 4 common lots. This preliminary plat is an appropriate fit for this area of Nampa and will be a valuable single-family neighborhood.

Please contact me if you have any questions regarding this application.

Sincerely,

Kent Brown
Planner
# Application for Annexation/Zoning

**Planning and Zoning Department**

411 3rd Street S., Nampa, Idaho 83651  P: (208) 468-4487  F: (208) 465-2261

Nonrefundable Fee: $452.00 (1 acre or less)  Nonrefundable Fee: $910.00 (more than 1 acre)

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Home Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trilogy Idaho</td>
<td>208-895-8858</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Zip code</th>
</tr>
</thead>
<tbody>
<tr>
<td>9839 W Cable Car St</td>
<td>83709</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boise</td>
<td>Idaho</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Owner Name</th>
<th>Home Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Billy Hanson</td>
<td>208-895-8858</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>1625 E Iowa Ave</td>
<td>83686</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meridian</td>
<td>Idaho</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:Shawn@TriologyIdaho.com">Shawn@TriologyIdaho.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant’s interest in property:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Own</td>
<td>Rent</td>
</tr>
</tbody>
</table>

**Address of Subject Property:** 1713 E Iowa Ave

Please provide the following required documentation:

- Completed Application
- A copy of one of the following: Warranty Deed, Proof Of Option, Earnest Money Agreement
- 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 with Closure Calcs (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

**Project Description**

- State the zoning desired for the subject property: RS 6
- State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for the use of the subject property: SEE ATTACHED LETTER

Dated this 21 day of May, 2019

Applicant Signature

---

**Notice to Applicant**

This application will be referred to the Nampa Planning Commission for a recommendation on the requested zoning. The Planning Commission shall hold a public hearing and will then make its recommendation to the City Council. The City Council will then hold a second public hearing. Notice of the public hearings must be published in the Idaho Press-Tribune 15 days prior to said hearings. Notice shall also be posted on the premises of the subject property not less than 1 week prior to the hearings. Notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearings and should be present to answer any questions.

---

**Office Use Only**

File Number: ANN-123-2019

Project Name: Annex + Zoning to RS-6
A. GENERAL INFORMATION

Subdivision Name: CALVARY SPRINGS SUBDIVISION
Total Acres: 16.79ac
Intended Land Uses: Circle (residential, single-family, multi-family, commercial, industrial)
Property Address(es): 1713 E IOWA AVE
Legal Description: SEE ATTACHED
Canyon County Parcel Account Number(s): R3234601100
Existing Zoning: (Circle one) RA RS RSM RD RML RMH RP BN CB BC BF IP IL IH AG
(County Zoning) R-2

B. OWNER/APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Owner of Record</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: COREY BARTON</td>
</tr>
<tr>
<td>Address: 1977 E OVERLAND RD</td>
</tr>
<tr>
<td>City: MERIDIAN</td>
</tr>
<tr>
<td>State: IDAHO</td>
</tr>
<tr>
<td>Telephone: 208-895-8858</td>
</tr>
<tr>
<td>Email: <a href="mailto:SHAWN@TRILOGYIDAHO.COM">SHAWN@TRILOGYIDAHO.COM</a></td>
</tr>
<tr>
<td>Fax</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: TRILOGY IDAHO</td>
</tr>
<tr>
<td>Address: 9839 W CABLE CAR ST</td>
</tr>
<tr>
<td>City: BOISE</td>
</tr>
<tr>
<td>State: IDAHO</td>
</tr>
<tr>
<td>Telephone: 208-895-8858</td>
</tr>
<tr>
<td>Email: <a href="mailto:SHAWN@TRILOGYIDAHO.COM">SHAWN@TRILOGYIDAHO.COM</a></td>
</tr>
<tr>
<td>Fax</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Engineer/Surveyor/Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: BAILEY ENGINEERS / COMPASS LAND SURVEY / KENT BROWN</td>
</tr>
<tr>
<td>Address: 4242 BROOKSIDE LA / 623 11TH AVE S. / 3161 E SPRINGWOOD DR</td>
</tr>
<tr>
<td>City: BOISE / NAMPA / MERIDIAN</td>
</tr>
<tr>
<td>State: IDAHO / IDAHO / IDAHO</td>
</tr>
<tr>
<td>Telephone: 208-938-0013 / 208-846-8570 / 208-871-6842</td>
</tr>
<tr>
<td>Email: <a href="mailto:DBAILEY@BAILEYENGINEERS.COM">DBAILEY@BAILEYENGINEERS.COM</a> / <a href="mailto:RGRAY.CLS@GMAIL.COM">RGRAY.CLS@GMAIL.COM</a></td>
</tr>
<tr>
<td>Fax: <a href="mailto:KENTLKB@GMAIL.COM">KENTLKB@GMAIL.COM</a></td>
</tr>
</tbody>
</table>
C. SUBDIVISION INFORMATION

<table>
<thead>
<tr>
<th>Lot Types</th>
<th>Number of Lots</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>64</td>
<td>11.15</td>
</tr>
<tr>
<td>Dwelling units per acre (gross/net)</td>
<td>3.69/5.13</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Common (Landscape, Utility, Other)</td>
<td>4 (1)</td>
<td>1.31</td>
</tr>
<tr>
<td>Open Space</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>68</td>
<td></td>
</tr>
</tbody>
</table>

DEADLINES FOR SUBMITTALS
The completed application and plat documents must be submitted to the Planning Department not later than __________. The Planning Commission meets on ________________; applications are due approximately ___ weeks prior to that date.

All supplemental information to be added to the application file must be received by the Planning Department no later than 15 days prior to the public hearing date.

***Please do not submit a subdivision application until all items are completed. Incomplete applications will not be accepted or reviewed.***

I understand:
1. This application is subject to acceptance by the City of Nampa upon determination that the application is complete.
2. The hearing date is tentative and subject to change with notice.
3. This application is subject to a public hearing before the Nampa Planning and Zoning Commission.
4. The application fee is non-refundable.

All information, statements, attachments, and exhibits included with this application submittal are true to the best of my knowledge.

Signature ___________________________ Date ____________

For City Office Use Only

FEE $: ______________ CASH: ________ CHECK: ________ RECEIPT NO.: ________

DATE RECEIVED: ______________ RECEIVED BY: ______________ HEARING DATE: ______________

2015 Engineering Division Development Policy Manual
Rev. Date: February 17, 2015
AFFIDAVIT OF LEGAL INTEREST

STATE OF IDAHO  
COUNTY OF CANYON  

A. I, ___________________________, whose address is ____________________________, being first duly sworn upon oath, depose and say that I am the owner of record of the property described on the attached application.

B. I grant my permission to ___________________________, whose address is ____________________________, to submit the accompanying application pertaining to the property described on the attached application.

C. I agree to indemnify, defend and hold the City of Nampa and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 20th day of May, 2019.

Signature

SUBSCRIBED AND SWORN to before me the 20th day of May, 2019.

Notary Public for Idaho  
Residing at: Nampa, ID  
Commission Expires: 6-05-22
A parcel of land being a portion of the NW 1/4 SW 1/4 of Section 35, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at a found illegible Aluminum Cap marking the NW corner of said SW 1/4, (West 1/4 corner common to section 35 & 34 Township 3 North, Range 2 West), said corner bears N. 89° 53' 37" W., a distance of 2657.15 feet from a found 5/8 inch diameter iron pin marking the NE corner of said SW 1/4, (Center 1/4 corner);

Thence along the Northerly boundary line of the SW 1/4, S. 89° 53' 37" E., a distance of 765.89 feet, to the POINT OF BEGINNING, said point monumented with a set P.K. Nail with Washer, which bears N. 00° 19' 38" W., a distance of 40.00 feet from a set 5/8 inch diameter iron pin witness corner stamped "CLS PLS 7732";

Thence S. 00° 19' 38" E., a distance of 552.07 feet, to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence parallel with the said Northerly boundary line of the SW 1/4 SW 1/4, N. 89° 53' 37" W., a distance of 157.87 feet, to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732", marking a point on the Easterly boundary line of Canyon Meadows Subdivision as on file in Book 29 of Plats at Page 22 in the Office of the Recorder of Canyon County, Idaho;

Thence along said Easterly boundary of said Canyon Meadows Subdivision, S. 00° 19' 38" E., a distance of 765.13 feet, to a point marking the Southerly boundary of said NW 1/4 SW 1/4, said point bears S. 64° 10' 40" W., a distance of 0.39, from a found 5/8 inch diameter iron pin stamped "PLS 7314";

Thence leaving said easterly boundary and along said Southerly boundary of said NW 1/4 SW 1/4, S. 89° 49' 32" E., a distance of 725.82 feet, to the southeast corner of said NW 1/4 SW 1/4,(Southwest 1/16 corner). Said corner also being the southwest corner of Belle Aire Acres Subdivision No. 3 as on file in Book 17 of Plats at Page 5 in the Office of the Recorder of Canyon County, Idaho, said corner bears S. 89° 49' 32" E., a distance of 15.00 feet, from a set 5/8 inch diameter iron pin witness corner stamped "CLS PLS 7732";

Thence leaving said Southerly boundary of the NW 1/4 SW 1/4 and along said Westerly boundary of said Belle Aire Acres Subdivision No. 3 and its prolongation, N. 00° 32' 47" W., a distance of 752.90 feet, to a set P.K. Nail with washer, said point bears N. 00° 32' 47" W., a distance of 20.00 feet, to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence leaving said Westerly boundary line of Belle Aire Acres Subdivision No. 3 and its prolongation, N. 37° 38' 09" W., a distance of 575.71 feet to a point, said point bears S. 89° 54' 33" E., a distance of 10.00 feet from a found 1/2 inch diameter iron pin witness corner stamped "PLS 5081";

Thence N. 89° 54' 33" W., a distance of 156.11 feet, to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence N. 00° 19' 38" W., a distance of 109.96 feet to a set P.K. Nail with Washer marking a point on the northerly boundary line of NW 1/4 SW 1/4, said point bears N. 00° 19' 38" W., a distance of 40.00 feet from a set 5/8 inch diameter iron pin witness corner stamped "CLS PLS 7732";

623 11th Ave. South, Nampa, ID 83651  T. (208) 442-0115  C. (208) 608-2510  rgray.cls@gmail.com
Thence along said Northerly boundary line of the NW 1/4 SW 1/4, N. 89° 53' 37" W., a distance of 60.00 feet to the POINT OF BEGINNING.

This parcel contains 16.79 acres more or less.
Annexation & Zoning to RS6 & Subdivision Preliminary Plat Approval for Calvary Springs Subdivision for Kent Brown Trilogy Idaho

7/15/2019
ANN-00123-2019, APP-00041-2019

Visit Planning & Zoning at cityofnampa.us for more info.
PLANT PALETTE

<table>
<thead>
<tr>
<th>SYM</th>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>EVERGREEN</td>
<td>PICEA GLAUCA</td>
<td>6 FT</td>
</tr>
<tr>
<td>P2</td>
<td>EVERGREEN</td>
<td>PICEA PUSILLA</td>
<td>6 FT</td>
</tr>
<tr>
<td>P3</td>
<td>EVERGREEN</td>
<td>PICEA PUSILLA</td>
<td>6 FT</td>
</tr>
<tr>
<td>P4</td>
<td>EVERGREEN</td>
<td>PICEA ALBEFICIA</td>
<td>6 FT</td>
</tr>
<tr>
<td>P5</td>
<td>EVERGREEN</td>
<td>PICEA ALBEFICIA</td>
<td>6 FT</td>
</tr>
<tr>
<td>P6</td>
<td>SNOW TREE</td>
<td>SANHEDRUM MAGNIFICUM</td>
<td>6 FT</td>
</tr>
<tr>
<td>P7</td>
<td>SNOW TREE</td>
<td>SANHEDRUM MAGNIFICUM</td>
<td>6 FT</td>
</tr>
<tr>
<td>P8</td>
<td>SNOW TREE</td>
<td>SANHEDRUM MAGNIFICUM</td>
<td>6 FT</td>
</tr>
<tr>
<td>P9</td>
<td>SNOW TREE</td>
<td>SANHEDRUM MAGNIFICUM</td>
<td>6 FT</td>
</tr>
<tr>
<td>P10</td>
<td>SNOW TREE</td>
<td>SANHEDRUM MAGNIFICUM</td>
<td>6 FT</td>
</tr>
<tr>
<td>P11</td>
<td>SNOW TREE</td>
<td>SANHEDRUM MAGNIFICUM</td>
<td>6 FT</td>
</tr>
</tbody>
</table>

NOTES

1. ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF NAMPA ORDINANCE REQUIREMENTS.
2. ALL PLANTING AREAS TO BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
3. TREES SHALL NOT BE PLANTED WITHIN THE SUPPORT CLEAR ZONE OF ALL ACES reused.
4. PLANNING BOARD APPROVAL IS REQUIRED FOR ALL NEW DEVELOPMENT.
5. ALL PLANTING MATERIALS TO BE APPROVED BY THE PLANNING BOARD.
6. ALL PLANTING MATERIALS TO BE PLANTED IN ACCORDANCE WITH THE PLANNING BOARD APPROVAL.
7. ALL PLANTING MATERIALS TO BE PLANTED WITHIN THE SUPPORT CLEAR ZONE OF ALL ACES.
8. ALL PLANTING MATERIALS TO BE PLANTED WITHIN THE SUPPORT CLEAR ZONE OF ALL ACES.
9. ALL PLANTING MATERIALS TO BE PLANTED WITHIN THE SUPPORT CLEAR ZONE OF ALL ACES.
10. ALL PLANTING MATERIALS TO BE PLANTED WITHIN THE SUPPORT CLEAR ZONE OF ALL ACES.

DEVELOPMENT DATA

| TOTAL ACRES | 45.9 ACRES |
| BUILDABLE LOTS | 84 |
| NON-BUILDABLE LOTS | 0 |
| TOTAL LOTS | 84 |
| OPEN SPACE | 1.5 ACRES |
| DESIGNATED FOR RESIDENTIAL USE | 0 |
| DESIGNATED FOR COMMERCIAL USE | 0 |

CALVARY SPRINGS SUBDIVISION

NAMPA, IDAHO

PRELIMINARY PLAT LANDSCAPE PLAN

APRIL 23, 2019
Chairman McGrath proceeded to the public hearing items on the Agenda at 7:00 p.m.

Public Hearing No. 1:
Annexation and Zoning to RS-6 (Single Family Residential – 6000 sq ft minimum lot size) zoning district, and Subdivision Preliminary Plat Approval for Calvary Springs Subdivision at 1713 E Iowa Ave. (64 single family detached lots on 16.79 acres for 3.81 dwelling units per gross acre – a 16.79 acre or 731,372 sq ft portion of the SWS 1/4 Section 35 T3N R2W BM), for Kent Brown representing Trilogy Idaho. (ANN-00123-2019, SPP-00041-2019). ACTION ITEM.

Chairman McGrath proceeded to public hearing.

Kent Brown, 3161 E Springwood, Meridian representing the applicant:
- Mr Brown indicated the location of the subject property, currently in the County, surrounded for the most part by City limits and City services, with 62 residential lots and 6 common lots proposed.
- The requested RS-6 zoning, continued Mr Brown, would be consistent with the City Comprehensive Plan Future Land Use Map, and existing zoning in the area.
- To the north, stated Mr Brown, was a connection to E Iowa Ave, as well as the connection to Canyon Meadows Subdivision, E Kentucky Ave, via a stub street on the west.
- There would be a pedestrian micro-path between the blocks, added Mr Brown, and a common area on the west running all the way up to E Iowa Ave.
- Mr Brown discussed the stub street to the south.
- Kehoe noted the Agenda refers to 64 residential lots and the Staff Report denotes 62 residential lots and 6 common lots. Mr Brown stated the 62 residential lots and 6 common lots was correct.

Senior Planner Watkins:
- Watkins explained the application was for Annexation and RS-6 zoning for 16.79 acres and Preliminary Plat approval for Calvary Springs Subdivision with 62 residential lots and 6 common lots.
- According to Watkins, the subject property was currently outside the City limits and enclaved, partially surrounded by properties inside City limits, and County properties surrounded by City limits.
- The surrounding land uses were all single family residential, zoned RS-6 on the west, RA to the south and Canyon County zones to the north, east and a portion of the south.
- Watkins referred to Zoning Ordinance Section 10-2-3 (C) regarding Annexations.
- According to the Comprehensive Plan Future Land Use Map, continued Watkins, the subject property was located within an Employment Center designation, which does not contain a density requirement.
- The density proposed for the project, added Watkins, was approximately 3.69 dwelling units per gross acre.
- Watkins reviewed the Comprehensive Plan, Section 5.7.2.2 – Principles of an Employment Center, for concentration of employment, commercial and residential uses; and, 5.12.1 Infill Development and Redevelopment.
- According to Watkins, the majority of the surrounding area had already been developed for residential uses.
- Watkins reviewed the criteria for the Employment Center designation.
- Watkins indicated the Comprehensive Plan Section 5.12.1 Infill Development and Redevelopment.
• The proposed Calvary Springs Subdivision, continued Watkins, was located on 16.79 acres, comprising 62 residential building lots and 6 common lots.
• Watkins reviewed the subdivision in relation to the RS-6 zoning regulations and minimum lot areas of 6,000 sq ft with the exception of the 12 infill lots, and noted the plat was deemed compliant. The average lot size, stated Watkins, calculated at 8,180 sq ft and the plat was deemed compliant.
• The plat abuts Belle Air Acres, a Canyon County Subdivision on the east, with ½ acre lots, reported Watkins. The seven lots that create the eastern boundary of the proposed development exceed the required 10,000 sq ft minimum lot size and were considered compliant in that regard.
• Watkins reviewed the proposed lot widths and lot depths and noted they were also compliant with current Code.
• According to Watkins, the City Engineering Memorandum, dated July 9, 2019, authored by Caleb LaClair, required Right-Of-Way dedication of 40 ft from Centerline for E Iowa Ave, adjacent the subject property.
• A Landscape Plan had been submitted with the application, reported Watkins; however a revised Landscape Plan had been requested to replace one species of street tree, with the remainder of the Landscape Plan deemed to be acceptable.
• Watkins reviewed the Safe Routes to School criteria in relation to Skyview High School, South Middle School and Greenhurst Elementary School.
• Watkins reviewed the COMPASS Analysis for the proposed development and noted the Jobs/Housing Ratio indicated a need for more housing in the area.
• According to Watkins, the subject property fits the definition for infill development as defined in the Nampa Comprehensive Plan because it is surrounded by developed single family properties; and, all City utilities are immediately available to the site.
• Staff, added Watkins, supports the recommendation for approval for the Annexation and RS-6 zoning for the subject property; and the approval of the Preliminary Plat for Calvary Springs Subdivision, subject to all conditions listed in the Staff Report.
• In response to a question from Kehoe regarding who would be responsible for confirming the proposed subdivision would not be restricting a historical drainage or irrigation path, Watkins stated the developer would be responsible.
• Miller inquired about the proposed access road to the south and if that would be for potential future development to the south and Watkins advised it would be a stub street, with a barrier in place until such time as the property to the south develops.

Chairman McGrath proceeded to public testimony.

Patrick Murray – 1910 S Powerline Rd - opposed but did not wish to speak.

Shantel Murray – 1910 S Powerline Rd – opposed:
• Ms Murray indicated the location of her property, immediately south of the proposed development.
• Ms Murray reported her in-laws’ property, Sheri and Mark Murray, was located at 1906 S Powerline, also just south of the proposed development.
• Those parcels, added Ms Murray, were not a vacant lot, as previously stated. The parcels at 1910 and 1906, added Ms Murray totaled 5 acres, and their property at 1910 comprised 1.87 acres, and 1906 S Powerline comprised 2.88 acres. The road from those two parcels was a private lane connecting to S Powerline Rd.
• Ms Murray voiced concern regarding traffic and privacy within the area because the proposed subdivision backs right up to their property. Ms Murray noted they have horses and livestock on their property. Additionally, they have a concern with irrigation water and the irrigation ditch.
• Ms Murray questioned if the houses along the southern property line of the proposed development would be single-story or two-story, as that would affect their privacy.
• Ms Murray requested information on who the developer of the proposed subdivision would be.

Bill Smith of 1711 Ventura Dr, Nampa – opposed but did not wish to speak.

Jim Kalousek of 1717 Ventura Dr, Nampa – opposed:
• Mr Kalousek stated his one third acre property bordered the east side of the proposed subdivision and inquired the size of the proposed lots.
• Mr Kalousek questioned if there would be a fence completely around the proposed subdivision. Mr Kalousek also questioned if the proposed houses would be single level or two story and considered a two story home would invade the neighbors' privacy in their back yards. According to Mr Kalousek the majority of the existing homes on the east side of the subject property were single story homes.

Patrick Barnes of 1824 E Maryland Ave, Nampa – opposed:
• Mr Barnes stated his property abuts the south east one third of the subject property.
• Mr Barnes voiced concern regarding the irrigation. The pond on the neighbor’s property, added Mr Barnes, was an extensive geese habitat in the spring.
• Currently, the irrigation ditch flows through that area and he and the neighbors depend on that water.
• Privacy was also an issue for him, stated Mr Barnes, if there were two story houses up against the existing lots.
• Mr Barnes suggested a taller fence for the boundary of the proposed development to allow for more privacy.

Ron Hanson of 1715 E Iowa Ave, Nampa – Undecided:
• Mr Hanson stated his property was located on the northeast side of the subject property, right next to where the roadway would come in.
• According to Mr Hanson, where the subdivision road was shown to come into the project was where his well was located. Mr Hanson questioned how the developers proposed to provide water to his home.
• Mr Hanson reiterated his well was not on his property, but he had an agreement with his father to have the well on his father’s property (the proposed development property).
• In response to a question from Chairman McGrath, Mr Hanson stated neither he nor his father had heard anything back from the developer.
• Mr Hanson stated when the new sewer line was constructed along E Iowa Ave his well had been contaminated and his property was hooked up to City water with a temporary connection at that time.

Jeff Ramage of 1823 Ventura Dr, Nampa – Undecided:
• Mr Ramage stated he was President of the Homeowners’ Association for Belle Aire Acres 2 and 3.
• Mr Ramage voiced concern regarding the drainage behind the property line that has always been on the subject property, however, the Belle Aire residents have always taken the initiative to get a backhoe in there to keep it cleared out because of the two feeders that go into that drainage.
• Mr Ramage wanted to make sure that it would be the developer/contractor’s responsibility to keep that drainage maintained.
• According to Mr Ramage the drainage was tiled and covered.
• The other concern, continued Mr Ramage was the irrigation water. The HOA, continued Mr Ramage had tiled the irrigation ditch as well as cleanout points to enable the farmers to continue to get their water. The farmers to the south would be very unhappy, added Mr Ramage, if the line gets plugged up and they can’t get into that line.

Kent Brown:
• Mr Brown referred to the Landscape Plan shows the entire boundary of the subdivision to be fenced, which would include the stub street to the south. City Code limits the fence height to 6 ft, added Mr Brown, so there would be a 6 ft fence.
• Mr Brown reported that irrigation ditches on their property would be tiled and it would make sense to tile the drain, if possible, to preclude any maintenance issues.
• Mr Brown reiterated the adjacent properties to the north and east, and some to the south were County properties.
• According to Mr Brown, it was good planning to stub the street to the properties to the south, added Mr Brown, to allow for future development of those properties.
• Mr Brown discussed the drainage water from the properties to the south and noted the engineer would analyze the irrigation systems.
• The private well on the north where the road would come in from E Iowa, added Mr Brown, would have to be addressed.

Nampa Planning and Zoning Commission Meeting – July 23, 2019
Page 6
Page 26
• The subject property has been surveyed confirmed Mr Brown.
• Mr Brown reported the lots on the east side of the proposed development were the larger lots, and the smaller lots would be to the interior of the development.
• Regarding building elevations, stated Mr Brown, his client planned to build one and two story homes and considered there would be quite a distance from the subject development to the existing houses to the south.
• Discussion followed regarding the size of the lots on the east side of the proposed development (110 ft deep x 91 ft wide).
• In response to a question from Kehoe, Mr Brown stated the fence would be a 6 ft solid vinyl fence.
• Kirkman inquired who the developer of the subdivision would be and Mr Brown responded the developer would be Trilogy and the builder would be Corey Barton Homes.

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

Kehoe motioned and Garner seconded to recommend to City Council Annexation and RS-6 zoning for 16.79 acres at 1713 E Iowa Ave, for Kent Brown representing Trilogy Idaho (ANN-00123-2019), subject to:

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

1. Confirm during final design, whether it is necessary to extend gravity irrigation piping along the southerly and easterly property boundaries. Confirm what properties are still assigned to this lateral and if there is opportunity to convert them to City pressure irrigation to reduce or eliminate this extensive piping. Any properties that desire to hook up to City services that are adjacent to City limits will be required to annex per City Code.
2. Parcel No. R3234700000 is land locked. Provide access to this parcel from E Kentucky Street through Lot 10, Block 1.
3. There appears to be an existing pond/wet area located just south of the project at 1906 S Powerline Rd. It should be confirmed during final design that the project is not restricting a historical drainage or irrigation path, and that lots are elevated sufficiently to not be impacted by any historical drainage that may exist in this location.
4. On-going groundwater monitoring should be performed at the site through the irrigation season and data submitted with final design documents to confirm groundwater impact on proposed drainage facilities and home crawl spaces.
5. Dedicate the following public right-of-way at the time of annexation:
   a) E Iowa Ave – forty (40) feet from the Quarter Section Line.
6. Any on-site wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
7. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
8. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
9. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
10. Applicant shall coordinate with the following properties and install utility service stubs to said properties with the development:
   a) 1625 E Iowa Ave (Parcel No. 3234600000) – Sewer only
   b) 0 E Iowa Ave (Parcel No. R3234700000) – Sewer, water, and irrigation
   c) 1715 E Iowa Ave (Parcel No. 3234601000) – Sewer only
11. 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 sufficient in volume and pressure to provide sufficient adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable.

Motion carried
Kehoe motioned and Miller seconded to approve the Preliminary Plat for Calvary Springs Subdivision for 16.79 acres, at 1713 E Iowa Ave, for 62 single family detached lots and 6 common lots, for Kent Brown representing Trilogy Idaho (SPP-00041-2019), subject to:

Generally: The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of this matter including, specifically the following:
1. Indicate a top of foundation wall or a finish floor elevation on each lot on the final plat construction drawings;
2. Submit revised landscape plans;
3. Make necessary street name corrections as listed:
   a) Propose new, unique name for W Louisiana Ave and Ashbourne Way;
   b) Ashbourne Way/Garrustown St should have one name, we suggest Garrustown Way;
   c) Suncroft St should be S Suncroft Ave;
   d) Celbridge St should be E Celbridge St;
   e) Garrustown St should be E Garrustown Way and continue to E Iowa Ave
4. Confirm, during final design, whether it is necessary to extend gravity irrigation piping along the southerly and easterly property boundaries. Confirm what properties are still assigned to this lateral and if there is opportunity to convert them to City pressure irrigation to reduce or eliminate this extensive piping. Any properties that desire to hook up to City services that are adjacent to City limits will be required to annex per City Code.
5. Parcel # R3234700000 is land locked. Provide access to this parcel from E Kentucky Street through Lot 10, Block 1 via an ingress/egress easement.
6. There appears to be an existing pond/wet area located just south of the project on the 1906 S Powerline Road. It should be confirmed during final design that the project is not restricting a historical drainage or irrigation path, and that lots are elevated sufficiently to not be impacted by any historical drainage that may exist in this location.
7. On-going groundwater monitoring should be performed at the site through the irrigation season and data submitted with final design documents to confirm groundwater impact on proposed drainage facilities and home crawl spaces.
8. Dedicate the following public right-of-way at the time of annexation:
   a) E Iowa Ave – 40’ from the Quarter Section Line.
9. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
10. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
11. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
12. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
13. Applicant/Owner shall coordinate with the following properties and install utility service stubs to said properties with the development:
   a) 1625 E Iowa Ave (Parcel # R3234600000) – Sewer only
   b) 0 E Iowa Ave (Parcel # R3234700000) – Sewer, water, and Irrigation
   c) 1715 E Iowa Ave (Parcel # R3234601000) – Sewer only
14. 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 sufficient in volume and pressure to provide sufficient adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable;
15. Prior to filing for 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;
16. Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council.
Motion carried.

Public Hearing No. 2:
Subdivision Short Plat Approval for Atkinson Acres Subdivision in an RA (Suburban Residential) zoning district at 5025 Feather Creek Lane. (Three single family lots on 5 acres for 1.67 lots per gross acre – A part of the SE ¼ of Section 6 T3N R1W BM), for Larry Atkinson (SPS-00020-2019) ACTION ITEM.

Chairman McGrath proceeded to public hearing.

Larry C Atkinson, 5025 E Feather Creek Ln, Nampa – the applicant:
• Mr Atkinson noted the requirement for a 5 ft wide sidewalk to be constructed along the Star Rd frontage.
• According to Mr Atkinson there are no sidewalks currently on the Star Rd frontage. Mr Atkinson continued that he had talked to the Engineering Division and referred to a possible Deferral Agreement for the sidewalks.
• Mr Atkinson stated it would cause some difficulty in getting the short plat going if the sidewalk was required right away.
• Additionally, stated Mr Atkinson, they may have to go to City Council to request a Variance/Deferral for the landscaping requirement.

Principal Planner Ashby:
• Ashby noted a Short Plat process was allowable for a 3 – 7 lot subdivision.
• The applicants are proposing dividing 5025 E Feather Creek Ln into three single family lots.
• The Comprehensive Plan Designation for the subject property is Community Mixed Use, surrounded by Medium Density Residential on the north, east and south.
• The existing zoning for the subject property was an RA (Suburban Residential) designation.
• To the north, continued Ashby, was County agricultural land with a farmhouse.
• The access to the proposed parcels would be from Feather Creek Ln, stated Ashby, there are no domestic water, sewer, or irrigation utilities available to the site.
• Ashby advised there was development occurring to the north that would extend utilities to the north, but at this time no City utilities would be available.
• The purpose of the short plat would be to divide the subject property and develop those lots.
• The applicants, continued Ashby, have expressed interest in requesting a Deferral for sidewalk.
• Regarding the landscaping, reported Ashby, a Variance to the Landscaping Code would go with the property forever, therefore if the property to the north and to the south developed and they had a 25 ft landscape strip as required along Star Rd, there would never be a 25 ft landscape strip adjacent the subject property because of the Variance.
• Ashby added the required landscaping buffer for the subject property would not be required until the parcels applied for Building Permits and developed.
• Ashby reviewed the Planning and Zoning History for the subject property: in 2006 the parcel was annexed, along with the surrounding parcels, subject to a Development Agreement and RS-8.5 zoning designation.
• In 2007 the Final Plat for Sonoma Creek Subdivision, incorporating single family homes was approved. In 2008 the Final Plat expired. In 2016 the subject parcel and adjacent parcels on Feather Creek Ln were rezoned to RA (Suburban Residential), but no Development Agreement Modification on the original Development Agreement was requested at that time.
• In 2019 a Short Plat Application for Atkinson Acres was submitted.
• According to Ashby, the original Development Agreement from the annexation in 2006 was still in place and applied to all of those properties.
• Ashby advised he had discussed the situation with the City Attorney regarding the Development Agreement and it had been determined the City should pursue a Development Agreement Modification to get rid of the 2006 Development Agreement - no longer applicable to the affected lots.

Nampa Planning and Zoning Commission Meeting – July 23, 2019
Page 9
Page 29
Dear Mr. Critchfield,

Thank you for your courtesy in addressing my inquiry this morning. As I mentioned, my concerns deal with the annexation and zoning to RS6 for the proposed Calvary Springs Subdivision at 1713 E. Iowa Ave. Specifically, the issue is the storm drainage from Ventura Drive and the adjoining streets.

My residence is at 1623 Ventura Dr., and there are two drain inlets on this street, one adjacent to the easement at my south property line and the other at the easement south of 1823 Ventura. To the best of my knowledge, both storm drains discharge onto the area included in the proposed subdivision.

We experience high ponding and localized flooding at the inlet adjacent to my property several times a year - whenever there is a significant rain event. As a minimum, the design of the storm sewer system for the proposed subdivision needs to include the runoff from the residential area including and adjacent to Ventura Dr. Also, ponding allowed in the new subdivision storm sewer system may exacerbate the flooding we are currently experiencing.

Consideration of this drainage issue in the development of the new subdivision will be greatly appreciated. Please contact me if you have any questions about the above or need additional information.

Best Regards,

Bill
William L. Fischer, PE
208-546-0673 (H)
863-335-1713 (C)

Sent from Mail for Windows 10
Hi Shellie,

Nampa Parks Division has reviewed the preliminary plat for Calvary Springs Subdivision Project: SPP-00041-2019. We have no requests.

Thank you,

Cody Swander
Parks Superintendent
O: 208.468.5890, F: 208.465.2321
Nampa Parks – Facebook Page

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
Good Morning Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

-------

Good Afternoon Everyone,

Re: SPP 00041-2019 and ANN-00123-2019

Kent Brown representing Trilogy Idaho has requested the following:

- Annexation and Zoning to RS6 (Single Family Residential - 6,000 sq. ft.) zoning district for Calvary Springs Subdivision at 1713 E. Iowa Ave. (64 single family detached lots on 16.79 acres for 3.81 dwelling units per gross acre - a 16.79-acre or 731,372 sq. ft. portion of the NW ¼ SW ¼ Section 35, T3N, R2W, BM)

- Subdivision Plat Preliminary Approval for Calvary Springs Subdivision at 1713 E. Iowa Ave. (64 single family detached lots on 16.79 acres for 3.81 dwelling units per gross acre - a 16.79-acre or 731,372 sq. ft. portion of the NW ¼ SW ¼ Section 35, T3N, R2W, BM)

These applications will go before the Planning and Zoning Commission as a public hearing item on the July 23, 2019 agenda.

Please find attached the SPP 00041-2019 and ANN-00123-2019 files for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than July 05, 2019.

Thank you & Have a great day!
June 26, 2019

Norman Holm  
Nampa City  
411 Third Street South  
Nampa, ID 83651

RE: SPP-00041-2019/ Calvary Springs Subdivision; 1713 E. Iowa

Dear Norm:

Providing all storm drainage is retained on-site there will be no impact to Nampa & Meridian Irrigation District (NMID). Therefore, no further review will be required at this time.

If any surface drainage leaves the site, NMID requires a filed Land Use Change Application for review prior to final platting. Please contact Elke Adams at (208) 466-7861, or 1503 First St. S. Nampa, ID 83651, for further information.

All private laterals and waste ways must be protected. It is recommended that irrigation water be available to all developments within the NMID. Developers must comply with Idaho Code 31-3803.

Please call with any further questions at (208) 466-0663.

Sincerely,

David T. Duvall  
Asst. Water Superintendent  
Nampa & Meridian Irrigation District  
DTD/ gnf

Cc: Office/ File
**Communities in Motion 2040 2.0 Development Review**

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of Communities in Motion 2040 2.0 (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 2.0 goals.

**Development Name:** Calvary Springs  
**Agency:** Nampa

**CIM Vision Category:** Existing Neighborhoods  
**New households:** 64  
**New jobs:** 0  
**Exceeds CIM forecast:** No

<table>
<thead>
<tr>
<th>CIM Corridor: <strong>None</strong></th>
<th>Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better support bicyclists and pedestrians of all ages and comfort levels.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrian level of stress: <strong>N/A</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Bicycle level of stress: <strong>N/A</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Housing within 1 mile: <strong>4,490</strong></td>
<td>A good jobs/housing balance – a ratio between 1 and 1.5 – reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers indicate an employment need.</td>
</tr>
<tr>
<td>Jobs within 1 mile: <strong>1,010</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Jobs/Housing Ratio: <strong>0.2</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Nearest police station: <strong>2.4 miles</strong></td>
<td>Developments within 1.5 miles of police and fire stations ensure that emergency services are more efficient and reduce the cost of these important public services.</td>
</tr>
<tr>
<td>Nearest fire station: <strong>1.1 miles</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Farmland consumed: <strong>Yes</strong></td>
<td>Farmland contributes to the local economy, creates additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland.</td>
</tr>
<tr>
<td>Farmland within 1 mile: <strong>34 acres</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Nearest bus stop: <strong>1.2 miles</strong></td>
<td>Residents who live or work less than ½ mile from critical services have more transportation choices. Walking and biking reduces congestion by taking cars off the road, while supporting a healthy and active lifestyle.</td>
</tr>
<tr>
<td>Nearest public school: <strong>0.8 miles</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Nearest public park: <strong>1.0 miles</strong></td>
<td>.appendToTable</td>
</tr>
<tr>
<td>Nearest grocery store: <strong>1.5 miles</strong></td>
<td>.appendToTable</td>
</tr>
</tbody>
</table>

**Recommendations**

The proposal provides an opportunity for development in an enclave of the City of Nampa. The proposal utilizes existing stub roads to promote automobile and non-motorized connectivity. The site is not currently served by public transportation.

---

More information about COMPASS and Communities in Motion 2040 2.0:

- **Web:** [www.compassidaho.org](http://www.compassidaho.org)  
- **Email:** info@compassidaho.org

More information about the development review process:  
[http://www.compassidaho.org/dashboard/devreview.htm](http://www.compassidaho.org/dashboard/devreview.htm)
Sylvia Mackrill

From: Carolynn Murray
Sent: Wednesday, June 26, 2019 10:59 AM
To: Sylvia Mackrill
Subject: Calvary Springs Subdivision; SPP-00041-2019; Preliminary Plat Review

Sylvia,

The City Forester has reviewed the plans for the above subdivision and has made the following comments:

No Class III in the planting strip, class II only.

Carolynn Murray
Administrative Coordinator
O: 208.468.5890, C: 208.371.4877
Nampa Parks & Forestry – Facebook Page

Celebrating Nampa's 21st year as a Tree City USA recipient!!

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
Date: July 2, 2019

RE: Planning Department Landscape Plan Review

Project: Project Name: Calvary Springs: SPP-00041-2019

The above listed project Landscape Plans have been reviewed by the City of Nampa's Planning Department for compliance with all applicable planning codes, and the following items and/or revisions are required prior to Planning approval:


2. Please resubmit landscape plans for approval.

If you have questions or would like to discuss this interpretation of the planning code, please call my direct line at (208) 468-5406.

Doug Critchfield
Senior Planner
Nampa Planning Dept.
E-mail address: critchfieldd@cityofnampa.us
Building Department will require a top of foundation wall or a finish floor elevation on each lot, with the Final Plat construction drawings.
July 3, 2019

RE: Calvary Springs - Preliminary Plat

To: Shawn Brownlee

cc: Sylvia Mackrill, City of Nampa P&Z
    Caleb LaClair, P.E., City of Nampa Engineering

The Applicant shall submit an updated site plan or draft copy of the plat to City of Nampa Engineering/GIS staff reflecting these changes prior to final plat application submittal.

- Propose new, unique street names for W Louisiana Ave and Ashbourne Way to the Engineering Division. Per Canyon County Code 06-05-13 (1) There shall be no duplication of street names by sound or spelling within Canyon County including within the incorporated areas. Refer to Street Naming and Addressing Policy in the Engineering Process and Policy Manual (rev 9/2012).
- Ashbourne Way/Garrustown St should have One name. We suggest using Garrustown Way.
- Suncroft St should be S Suncroft Ave.
- Celbridge St should be E Celbridge St.
- Louisiana Ave should be E (New Name) St.
- Garrustown St should be S Garrustown Way, and continue to E Iowa Ave.

Sincerely,

Dan Wagner
GIS Technician I
Engineering Division
City of Nampa
(208) 468-5475
Ashbourne Way has a dup. Propose a new name with We suggest keeping the G Iowa Ave and calling it S C

Propose a new unique name for Louisiana Ave confusion with the disconnected Louisiana Dr. This street should have an E predirectional an
DATE: July 9, 2019
TO: Nampa Planning & Zoning Department
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC: Daniel Badger, P.E. – City Engineer
CC: Tom Points, P.E. – Public Works Director

The Engineering Division has completed a review of the Preliminary Plat and Annexation/Rezone applications for Calvary Springs Subdivision and recommend the following conditions and comments.

Annexation & Zoning Comments

1. The project is located at 1713 E Iowa Ave and will take access from the following roads:
   - E Iowa Ave – classified as “Local Road”
   - E Kentucky Ave – classified as “Local Road”

2. While E Iowa Avenue is classified as a “Local Road” it is possible the classification of the road may change to a “Collector” in the future given it’s location on the half-mile section line. As such, the Engineering Division will request 40’ of right-of-way dedication from the Quarter Section Line.

3. The City’s water, sewer, and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
   - 18” and 15” sewer main in E Iowa Ave;
   - 10” water main on north side of E Iowa Ave;
   - 8” pressure irrigation main on south side of E Iowa Ave;
   - 8” sewer main in E Kentucky Ave;
   - 8” water main in E Kentucky Ave; and,
   - 6” pressure irrigation main along the east boundary of the Canyon Meadows Subdivision.
4. The project will be required to construct utilities to and through the property at the time of development, as well as, provide looping/redundant connections for water and pressure irrigation.

**Preliminary Plat Comments**

1. The project consists of fewer than 100 lots; therefore, a Traffic Impact Study is not required per the criteria of the City’s 2015 Transportation Impact Study Policy.

2. To support future annexation and development of adjacent enclaved parcels, and to avoid future street cuts, it is preferable to stub utility services to the following parcels:
   - 1625 E Iowa Ave (Parcel # R3234600000) – Sewer only
   - 0 E Iowa Ave (Parcel # R3234700000) – Sewer, water, and irrigation
   - 1715 E Iowa Ave (Parcel # R3234601000) – Sewer only

3. It should be confirmed during final design whether it is necessary to extend gravity irrigation piping along the southerly and easterly property boundaries. Confirm what properties are still assigned to this lateral and if there is opportunity to convert them to City pressure irrigation to reduce or eliminate this extensive piping. Any properties that desire to hook up to City services that are adjacent to City limits will be required to annex per City Code.

4. Parcel # R3234700000 is land locked. Access to this parcel shall be provided from E Kentucky Street through Lot 10, Block 1 via an ingress/egress easement.

5. There appears to be an existing pond/wet area located just south of the project on the 1906 S Powerline Road. It should be confirmed during final design that the project is not restricting a historical drainage or irrigation path, and that lots are elevated sufficiently to not be impacted by any historical drainage that may exist in this location.

6. The submitted Geotechnical Report groundwater may be as high as 2 to 4 feet below existing ground surface. On-going groundwater monitoring should be performed at the site through the irrigation season and data submitted with final design documents to confirm groundwater impact on proposed drainage facilities and home crawl spaces.

**Conditions of Approval**

1. Dedicate the following public right-of-way at the time of annexation:
   - E Iowa Ave – 40’ from the Quarter Section Line.

2. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.

3. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

4. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
5. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

6. Applicant shall address all street name comments identified in the letter from Nampa Engineering Division prior to Final Plat submittal.

7. Applicant shall coordinate with the following properties and install utility service stubs to said properties with the development:
   - 1625 E Iowa Ave (Parcel # R3234600000) – Sewer only
   - 0 E Iowa Ave (Parcel # R3234700000) – Sewer, water, and irrigation
   - 1715 E Iowa Ave (Parcel # R3234601000) – Sewer only
PLANNING & ZONING DEPARTMENT

Before the Mayor & City Council
Meeting of 3 SEPTEMBER 2019

PUBLIC HEARING ITEM
STAFF REPORT

Applicant(s)/Engineer(s): Larry C. Atkinson

File(s): APL-009-2019

Analyst: Rodney Ashby, Principal Planner

Date: Aug 8, 2019

Requested Action Approval(s) and Location(s):

Appeal of Planning and Zoning Commission denial of Subdivision Short Plat Approval for Atkinson Acres Subdivision (SPS 020-19) in a RA (Suburban Residential) zoning district at 5025 Feather Creek Lane (3 Single family lots on 5 acres for 1.67 lots per acre – A Part of the SE ¾ of the SE ¼ of Section 6, T3N, R1W, BM) for Larry Atkinson (APL 009-19).

(Decision Required: Decision)

(herinafter the “Development”; alternatively, “Atkinson Acres Subdivision” or the “Project”)

Status of Applicant: Owner

Existing Zoning: RA (Suburban Residential)

Location: 5025 Feather Creek Lane

Existing Land Use: Farmland

Proposed Land Use: Subdivision for three (3) single-family detached homes
General Information

Planning & Zoning History:
2006- Annexation and zoning to RS8.5 zoning and Development Agreement for Sonoma single-family homes approved
2007- Final plat for the Sonoma Creek single-family subdivision approved
2008- No building permits requested and final plat expired
November 2016- Low Angle Subdivision (immediately to the west of the four five-acre parcels created through a lot split, and that the Atkinson property is one of) was approved for a subdivision by City Council, creating four parcels smaller in size to what is being requested by this application.
2016- Rezone to RA; no Development Agreement Modification was requested
May 22nd, 2019- Application for Short Plat Subdivision for Atkinson Acres Subdivision
July 34, 2019- The Nampa Planning & Zoning Commission voted to recommend denial of the Atkinson Acres Subdivision due to confusion over the history of the properties in the area and statements made by neighboring property owners claiming the City of Nampa staff denied them the ability to split their properties in the past.

Proposed Land Uses: Three single family homes and a common driveway (E Feather Creek Ln)

Surrounding Land Use and Zoning:
North- Single Family home on an RA (suburban residential) lot
South- Single Family Homes (RS6 zoning)
East- Single Family Homes (RS6 zoning)
West- Single Family Homes (RS6 zoning)

Comprehensive Plan Designation: Community Mixed Use

Public Utilities/Services:
No water, irrigation, or sewer services are available to the property at this time. The closest services are located over 3,000 feet to the south in Star Road. Engineering indicated that since the proposed lots are greater than 1-acre in size, "the use of individual on-lot septic systems is acceptable. City water is planned to be extended in Star Road and Cherry Lane as part of the Silver Star and Spring Hollow Ranch Subdivisions. New pressure irrigation pump stations and delivery pipes will also be constructed with these subdivisions."

Transportation:
Access to the properties is from Feather Creek Lane, an existing private street.

Applicable Regulations:

Subdivision Short Plat
Section 10-27-4F Short Plats, allows an abbreviated platting process for subdivisions of three to seven lots created from a single original property. "Drawings shall portray all features required to be shown on standard preliminary and final plat drawings; and 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."
As stated in the subdivision chapter of the Title 10, the Planning & Zoning Commission shall evaluate a proposed plat’s design based on city codes in making its determination. The plat must also meet the standards identified in the approved Subdivision Process and Policy Manual; and Standard Construction Specification Manual.

Correspondence:
The applicant has indicated his interest in seeking a deferral for sidewalk construction. The Engineering Division clarified at the Planning & Zoning Commission Public Hearing that by City Code, deferrals are not an option along principal arterials. Because Star Road is a principal arterial, this is not an option for the applicant.

The applicant has also indicated an interest in seeking a variance for the 25’ landscaping requirement fronting Star Rd. Staff has communicated that the applicant would need to show a “hardship” to justify a variance of the landscaping requirement, and that it is unclear what that hardship would be in this case.

The following is a summary of agency correspondence that can be found in full detail in the exhibits:

- **Nampa & Meridian Irrigation District:** No impact as long as all storm drainage is retained on-site.
- **Nampa Engineering Division:**
  - Access to the property is from Feather Creek Lane, an existing private street
  - City utilities are not currently available to the site
  - City water and pressurized irrigation is planned to be extended in Star Rd as a part of the Silver Star and Spring Hollow Ranch Subdivisions
  - On-lot septic systems are acceptable but will require permitting through Southwest District Health Department.
  - Frontage improvements along Star Road are required, though ROW has already been dedicated.
  - Conditions:
    - Increase the easement width along the northerly and westerly subdivision boundaries from 10’ to 12’
    - Add Block # to the plat
    - Five foot (5’) wide sidewalk shall be constructed along the Star Road frontage, according to Engineering conditions and staff approval
    - Obtain a septic permit from SW District Health Department & submit to Nampa Building Department prior to an permit approval
    - Surveyor shall address all Final Plat comments prior to city Engineering’s signature of the plat
- **Nampa Planning and Zoning Department:**
  - A 25’ landscape buffer is not shown on the plans
  - A Landscape Plan, including a 25’ landscape buffer along Star Road shall be submitted
  - Trees may be selected from the Treasure Valley Tree Selection Guide
  - Class II trees are required in the landscape buffer
- **Nampa Parks Division:** No requests
- **Nampa Forestry Division:** Since no landscape plans were submitted, Forester is unable to provide a review
- **Nampa Highway District #1:** no comment
STAFF FINDINGS & DISCUSSION

As has been stated, a variance to the twenty-five-foot (25') landscaping requirement seems to have no valid basis or hardship. However, the landscape requirement along Star Rd can be delayed until development (or building permit is pulled) for the property abutting Star Rd. This will allow the owner to sell the property as a separate lot prior to installing landscaping.

Several concerns were stated by neighbors at the Planning & Zoning public hearing:
1. Neighbors expressed concerns that the subdivision was developed with five acre lots to preserve a rural, farm-like, atmosphere. They argued that subdividing the lot would change the feel or atmosphere of the subdivision and that would be counter to their purpose for moving into the area.
2. Subdividing the property will reduce land utilized for farming or raising farm animals.
3. Finally, the property owners of 5020 E. Feather Creek, directly across the street from the development, argued that Nampa Planning & Zoning staff denied them the ability to subdivide their property in the past. They felt that if they were not allowed to subdivide, the Atkinsons should be treated equally.

Staff Findings Regarding Previous Three (3) items:
1. One of those speaking out against the Atkinson Acres subdivision at the Planning & Zoning Public Hearing, was the owner, at that time, of the property that was subdivided into the Low Angle Subdivision in 2016. This subdivision is directly west of the subject properties, is accessed by way of the shared private roadway “E Feather Creek Ln,” and has smaller parcel averages than what is being requested by Mr. Atkinson. Nampa City boundaries are expanding in this area. Planning expects this area to continue to develop with higher density residential than the existing conditions. If the Council considers the area in general, and not just the four roughly five-acre parcels, the proposed subdivision appears to exceed the lot sizes of developed residential properties.

2. A large amount of research has been produced by the American Planning Association regarding the impacts of large residential lots on farming. The conclusion has been for many years that higher density residential is the best planning tool to minimize impact to productive farmland. Larger lot residential reduces the efficiency of crop production. Though a homeowner may produce food for their household on a five-acre-lot, that same five acres is able to have a much higher production rate as part of a larger farm. In this specific case, the property is not being utilized for crop or animal production. Therefore, subdividing the land for additional residential uses, is a means to preserve farmland elsewhere instead of converting it to a rural residential property.

3. The property owners at 5020 E. Feather Creek, stated that they were denied the ability to subdivide their property. This was one of the primary reasons that Planning & Zoning Commission denied the Short Plat. The Commission stated in the public hearing that staff should research the history behind why the neighbor was denied the ability to subdivide their property. They also believed that the short-plat would still automatically go to City Council for final approval and that the research by staff would help City Council to make an informed decision. Staff was unable to find any documentation of application for subdivision of the 5020 E Feather Creek property. I am unable to confirm what was communicated to that property. However, the Low Angle Subdivision to the west was approved only three years ago. This subdivision is and was the same zoning district as 5020 E Feather Creek. It is Planning & Zoning policy to work with property
owners to comply with the Zoning ordinance. It would be very unusual to tell an applicant they cannot subdivide if the zoning ordinance allows it. Some conditions that may affect whether a subdivision can take place include the placement of buildings, wells, septic tanks, etc. This property includes an older original farm home that has since been converted to an accessory dwelling unit (in-laws quarters). Perhaps the placement of these two homes, the septic tank, and other conditions, prevented the property from being divided with a minimum lot size of 30,000 square feet (as required by the RA zoning conditions). Another possible scenario is that the property owners were informed of requirements such as landscaping, sidewalk, etc. and concluded that they would not be able to subdivide the property.

Staff finds that with the changes requested in the Correspondence Section of this report, the proposed subdivision short plat for the Atkinson Acres Subdivision conforms, or substantially conforms within acceptable limits, with relevant RA zoning codes and City of Nampa subdivision standards pertaining to land division. This determination is conditioned on the applicant submitting a landscape plan which complies with the conditions stated in the attached correspondence authored by Doug Critchfield and being revised in limited form and fashion to meet requirements set forth by various responding agencies and City departments.

Accordingly, Staff recommends that the Development be approved, contingent on Applicant/Developer/Development compliance with various Conditions of Approval as iterated hereafter....

**SUGGESTED CONDITIONS OF APPROVAL**

Should the City Council vote to appeal the Planning and Zoning Commission denial of the “Atkinson Acres Subdivision” Short Plat, then Staff would suggest the following as (a) Condition(s) of Approval(s):

1. Generally, the Applicant/Development shall:
   a. Comply with all City department/division or outside agency requirements pertinent to this matter.

2. Specifically, the Applicant/Development shall:
   a. A development agreement, in place for the Sonoma Creek Subdivision, shall be rescinded before approval of the final plat
   b. Retain storm drainage on site
   c. Increase the easement width along the northerly and westerly subdivision boundaries from 10’ to 12’
   d. Add Block # to the plat
   e. Five foot (5’) wide sidewalk shall be constructed along the Star Road frontage, according to Engineering conditions and staff approval
   f. Obtain a septic permit from SW District Health Department & submit to Nampa Building Department prior to a permit approval
   g. Surveyor shall address all Final Plat comments prior to city Engineering’s signature of the plat
   h. A Landscape Plan, including a 25’ landscape buffer along Star Road shall be submitted before City Council considers the plat for approval
i. The Landscape Plan shall show trees selected from the Treasure Valley Tree Selection Guide
j. The Landscape Plan shall show Class II trees only in the required landscape buffer

---

**ATTACHMENTS**

- Application and Grounds for Appeal
- Planning & Zoning Action Letter
- Original Short Plat Application
- Vicinity/Zoning Map
- Plat pages
- Ord. 3613 - 2006 Development Agreement for Sonoma Creek Subdivision
- Low Angle Subdivision Short Plat Staff Report
- Public Hearing Minutes for Low Angle Subdivision Short Plat
- Agency/department & citizen correspondence, etc.
APPLICATION FOR APPEAL
PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83681 P: (208) 468-4487 F: (208) 465-2261
Nonrefundable Fee: $239.00

<table>
<thead>
<tr>
<th>Appeal Contact Person</th>
<th>Home Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Craig Atkinson</td>
<td>208-991-8553</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Zip code</th>
</tr>
</thead>
<tbody>
<tr>
<td>5025 E. Feather Creek Ln</td>
<td>83687</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nampa</td>
<td>Idaho</td>
<td><a href="mailto:CraigatKinson@gmail.com">CraigatKinson@gmail.com</a></td>
</tr>
</tbody>
</table>

I (we) Craig and Katy Atkinson, hereby appeal the decision of the Nampa City:

- Planning & Zoning Commission
- Historic Preservation Commission
- Design Standard Committee
- Design Standard Staff
- Other

File Number: SPS-00020-2019
Address: 5025 E. Feather Creek Lane

Specific Action BeingAppealed: The recommendation for denial of our application for Short Plat by PDZ to City Council.

Grounds for Appeal
1. History of Properties
2. Neighboring Property owners claims of Short Plat by PDZ Splitting their Property

Appeals
- Appeal of an Administrative Decision to the Planning & Zoning Commission or Design Standard Committee
- Appeal of a Design Standard Committee Decision to the Planning & Zoning Commission
- Appeal of a Planning & Zoning or Historic Preservation Commission decision to City Council.

Notes
1. If the reasons for the appeal are resolved prior to the appeal hearing, please contact the Planning Staff at 468-5497.
2. The only topics which may be discussed during the appeal hearing are the specific reasons for the appeal as stated in the application.
3. Neighborhood groups are encouraged to elect a spokesperson for appeals that are supported by numerous residents of the project to avoid a duplication of testimony.

Signature of Appellant/Representative: Katy Atkinson
Date: 7/29/19

OFFICE USE ONLY
If the appellant is not the applicant, the applicant must be contacted immediately following the acceptance of this appeal.

Applicant contacted on DATE by ZONING REPRESENTATIVE
Appeal is by applicant

FILE NUMBER: APL-000-2019 PROJECT NAME

RECEIVED
JUL 3, 2019
BY:
Grounds for Appeal:

We were under the impression that the previous neighbors weren't technically "denied" splitting. They would have been allowed to split into 1 acres if they agreed to landscaping, road and sidewalk requirements set forth by the city, and simply chose a cheaper alternative. We have been given similar requirements and are complying.

We also don't think it's fair to compare their request to split into (5) 1 acre lots with our request to split 5 acres into (3) 1.67 acre lots. We looked into a 4 lot split using (3) 1 acre lots, but our engineer found we didn't have the clearance and couldn't squeeze 4 homes in. So we opted for 3 larger lots instead.

The plat at the end of the culdesac did split into smaller lots. The original 4 lots are 5 acres but the land at the end was bought and split into 4 smaller lots.

A concern in opposition was fear of setting precedent to piecemeal the subdivision but those lots are all odd shapes and sizes and, from our understanding, were approved AFTER the original 5 acres. So their claim that large 5 acre lots is all that the city would allow for this subdivision is unfounded.

We actually bought this lot with the understanding that it was dividable. It's right in our offer. We made an offer and the seller countered with a 2.5 acre price and a 5 acre price as he was planning to split. We opted for the full 5 acres because of that option to split in the future. The neighbors have all known our intentions from day one. None have said anything to us in opposition. In fact, John low has been giving us advice as to the process and came to us a few days before the July 23 meeting, asking to be the builder for the project.

We moved here to get out of an HOA where neighbors felt entitled to tell the others what they can do with their land. We have followed all the city and zoning requirements and spent a lot of time and money to get to this point. During which we have asked the city, zoning and every other department, with each step, if we were allowed to split and all were in agreement that we should be able to.
July 29, 2019

Larry C. Atkinson
5025 E. Feather Creek Lane
Nampa, ID 83687

Re: Subdivision Short Plat recommendation for Atkinson Acres Subdivision at 5025 Feather Creek Lane (3 single family lots on 5 acres for 1.67 lots per gross acre (A part of the SE ¼ of the SE ¼ of Section 6, T3N, R1W, BM) for Larry Atkinson (SPS 020-19).

Dear Mr. Atkinson:

The Nampa Planning & Zoning Commission, during their regularly scheduled public hearing of 7/23/2019, voted to recommend denial of the above referenced request. The Commission recommended denial due to confusion over the history of the properties in the area and statements made by neighboring property owners claiming the City of Nampa staff denied them the ability to split their properties in the past.

After conferring with the city attorney, a recommendation of denial of a short-plat does not proceed to City Council, as it would if it were a recommendation of approval. As a result, the only way for the City Council to review this application, is for the applicant to file an appeal of the Planning & Zoning Commission decision within fifteen (15) days of the denial. An application for an appeal is on the Planning & Zoning Department's website.

If you should have any questions concerning this matter, please contact me during normal business hours Monday through Friday at (208)468-5457.

Sincerely,

Rodney Ashby, AICP
Principal Planner
City of Nampa Planning & Zoning
ashbyr@cityofnampa.us
**Please do not submit a subdivision application until all items are completed. Incomplete applications will not be accepted or reviewed.**

### A. GENERAL INFORMATION

Subdivision Name: **ATKINSON ACRES**
Total Acres: **5.41**
Intended Land Uses Circle (residential, single-family, multi-family, commercial, industrial)
Property Address(es): **5025 E. Feather Creek Lane Nampa, ID 83687**
Legal Description: **R38S T250100 5414 5414 S.U.T.Z.NW1/4**

Existing Zoning (Circle one) **RA RS RSM RD RML RMH RP BN CB BC BF IP IL HI AG**
(County Zoning) **I**

### B. OWNER/ APPLICANT INFORMATION

**Owner of Record**

Name: **LARRY C. ATKINSON**
Address: **5025 E. Feather Creek Lane**
City: **Nampa**
State: **ID**
Telephone: **208-911-9757**
Email: **larryc.atkinson@comcast.net**
Fax: **208-874-9839**

**Applicant**

Name: **Same**
Address: 
City: 
State: 
Telephone: 
Email: 
Fax: 

**Engineer /Surveyor/Planner**

Name: **STEVEN EVANS, PD, EAGLE LAND SURVEYING, LLC**
Address: **106 W. MIDDLE ST. UNIT D MIDDLETON ID 83644**
Telephone: **208-861-7313**
Email: **pevans@eagleland.com**
Fax: **844-837-4925**
C. SUBDIVISION INFORMATION

<table>
<thead>
<tr>
<th>Lot Types</th>
<th>Number of Lots</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Dwelling units per acre (gross/net)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common (Landscape, Utility, Other)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Space</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>3</td>
<td>5</td>
</tr>
</tbody>
</table>

I understand:
1. This application is subject to acceptance by the City of Nampa upon determination that the application is complete.
2. The hearing date is tentative and subject to change with notice.
3. This application is subject to a public hearing before the Nampa Planning and Zoning Commission.
4. The application fee is non-refundable.

All information, statements, attachments, and exhibits included with this application submittal are true to the best of my knowledge.

Signature: [Signature] Date: 5/22/2019
Subdivision Short Plat Approval for Atkinson Acres Subdivision in a Suburban Residential zone for Larry Atkinson

SPS-0020-2019

7/5/2019

Visit Planning & Zoning at cityofnampa.us for more info.

5025 Feather Creek Lane

Nampa Proud

For illustrative purposes only
CERTIFICATE OF OWNERS

KNOW ALL PERSONS BY THESE PRESENTS: THAT WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THAT REAL PROPERTY TO BE KNOWN AS ATKINSON ACRES SUBDIVISION, AND THAT WE INTEND TO INCLUDE SAID REAL PROPERTY, AS DESCRIBED BELOW, IN THIS PLAT: THE OWNERS ALSO HEREBY STATE THAT THIS PLAT COMPLIES WITH IOWA CODE 50-134(1). ALL LOTS WILL BE SERVED WITH INDIVIDUAL WELLS.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 6, Township 3 North, Range 1 West of the 4th Meridian, City of Nampa, Idaho described as:

Commencing at a fixed Brass Cap marking the Southeast corner of Section 6, Township 3 North, Range 1 West of the 4th Meridian, City of Nampa, Idaho and running thence NO1°13'25"E 1376.89 feet along the East line of said Section to the Northeast corner of the Southeast 1/4 of the Southeast 1/4; thence N99°26'26"W 50.11 feet to a fixed 5/8" rebar marking the Point of Beginning; thence S90°15'13"W 352.94 feet; thence S89°46'05"W 51.64 feet; thence N68°13'49"E 356.05 feet; thence S09°56'26"E 614.41 feet to the Point of Beginning.

This contains 217,945 square feet or 5.00 acres.

EXCEPT FEDERAL WATER LANE WITH A PERMANENT RESERVATION OF BREESE-ADDRESS EASEMENTS, THE REMAINING EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED WITHIN THIS PLAT AND NO PERMANENT STRUCTURES OTHER THAN FOR SUCH PURPOSES ARE TO BE ERECTED WITHIN THE BOUNDARY OF SAID EASEMENTS.

IRRIGATION WATER HAS BEEN PROVIDED FROM HAMPA MERRIDEN IRRIGATION DISTRICT IN COMPLIANCE WITH IOWA CODE 31-380(7)(a)(a). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM HAMPA MERRIDEN IRRIGATION DISTRICT.

IN WITNESS WHEREOF: WE HAVE HEREunto SET OUR HANDS:

LARRY C. ATKINSON
KITY A. ATKINSON

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF COTTON

ON THIS _____ Day of __________ 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared LARRY C. ATKINSON and KITY A. ATKINSON, who, being first duly sworn, acknowledged the instrument described in the certifying statement and acknowledged to me that they executed the same.

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

NOTES

1. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE REGULATIONS OF THE CITY OF NAMPA, IDAHO, AT THE TIME OF ISSUANCE OF BUILDING PERMITS.

2. A TEN FOOT (10') WIDE PUBLIC UTILITY, PROPERTY DRAINAGE, AND IRRIGATION EASEMENT IS HEREBY DESIGNATED ON THE SUBDIVISION EASEMENTS AND ROAD LOT LINES, EXCEPT AS OTHERWISE SPECIFIED. IN THE EVENT OF CONFLICTS BETWEEN EASEMENTS AND ROAD LOT LINES, EASEMENT IS HEREBY DESIGNATED OVER ALL OTHER LOT LINES.

3. ANY RESERVATION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF RESERVATION.

4. THIS DEVELOPMENT REQUIRES SECTION 29-4203 OF THE IOWA CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NOISE, PRIVACY OR PUBLIC HAZARD OR ANY ENCROACHMENT IN OR NEAR A SUBDIVISION WHICH HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATOR, FACILITY OR EXPANSION HAS NOT A POSTAGE ADDRESS AT THE TIME IT BEGAN OR WAS CONSTRUCTION, THE POSTAGE ADDRESS WILL NOT BE REQUIRED TO APPLY WHEN A PROBLEM RESULTS FROM THE NOISE OR RECURRING OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."

5. IRRIGATION WATER HAS BEEN PROVIDED FROM HAMPA MERRIDEN IRRIGATION DISTRICT IN COMPLIANCE WITH IOWA CODE 31-380(7)(a). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM HAMPA MERRIDEN IRRIGATION DISTRICT.

6. LOT OWNERS ARE RESPONSIBLE FOR MAINTENANCE OF ANY IRRIGATION OR DRAINAGE EASEMENTS ON THEIR LOT UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRainAGE DISTRICT.

7. DOMESTIC WELLS SHALL BE PLACED IN ACCORDANCE WITH THE SETBACK REQUIREMENTS OUTLINED IN HAMPA MERRIDEN WELL CONSTRUCTION STANDARDS RULES.

8. LOTS SHALL HAVE INDIVIDUAL SEPTIC SYSTEMS.

SURVEYOR'S CERTIFICATE

I, JEREMIAH J. FIELDS, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IOWA, AND THAT THE PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE PLATS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IOWA CODE RELATING TO PLATS AND SURVEYS.

JEREMIAH J. FIELDS
PLAT SURVEYOR

BOOK Page
EAGLE LAND SURVEYING, LLC

SEC. 6, T. 3 N., R. 1 W., M.
INDEX # 316-6-2-3-09-00000

CERTS. 2 3 4 5 6 7

Page 15
APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 30, CHAPTER 12 HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH SECTION 50-1538, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DISTRICT HEALTH DEPARTMENT, EMS DATE

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF HAMPA, CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE DAY OF , 2018, THIS PLAT WAS DRAFT ACCEPTED AND APPROVED.

CITY CLERK

APPROVAL OF CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER, IN AND FOR THE CITY OF HAMPA, CANYON COUNTY, IDAHO, DO HEREBY APPROVE THIS PLAT.

CITY ENGINEER DATE

CERTIFICATE OF THE COUNTY SURVEYOR

I, THE UNDERSIGNED, REGISTERED PROFESSIONAL LAND SURVEYOR, IN AND FOR CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

CANYON COUNTY SURVEYOR

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 36-2100, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

COUNTY TREASURER DATE
ORDINANCE NO. 3613

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO ANNEXING APPROXIMATELY 20.12 ACRES OF REAL PROPERTY LOCATED ON THE WEST SIDE OF STAR ROAD NORTH OF CHERRY LANE AT 17155 AND 17175 STAR ROAD IN THE PURDAM DRAINAGE AREA INTO THE CITY OF NAMPA, CANYON COUNTY, IDAHO, ZONING THE SAME RS-8.5 SUBJECT TO THE TERMS OF THAT CERTAIN DEVELOPMENT AGREEMENT ENTERED INTO BETWEEN THE APPLICANT AND THE CITY OF NAMPA, 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 real property consisting of approximately 20.12 acres located on the west side of Star Road north of Cherry Lane at 17155 and 17175 Star Road in the Purdam Drainage Area, and all thereof, be, and the same is hereby, annexed and made a part of the City of Nampa, Idaho. That the real property hereby annexed is described as follows, to-wit:

See Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full.

Section 2: That the real property so annexed, as described in Exhibit A above, shall be zoned RS-8.5.

Section 3: That this annexation and zone ordinance is subject to and limited by that certain Development Agreement entered into between the parties.

Section 4: 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 5th DAY OF September, 2006.

Approved:

By

Mayor

RECORD NO.

200674
EXHIBIT "A"

Legal Description

Cleaver Property – Annexation Description

A parcel located in the N ½ of the SE ¼ of the SE ¼ of Section 6, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the northeast corner of said N ½ of the SE ¼ of the SE ¼, from which a brass cap monument marking the southeast corner of the SE ¼ of the SE ¼ of said Section 6 (Section Corner) bears S 0°16’09” W a distance of 1328.70 feet;

Thence N 89°55’35” W along the northerly boundary of said N ½ of the SE ¼ of the SE ¼ a distance of 25.00 feet to the POINT OF BEGINNING;

Thence S 0°16’09” W along a line 25.00 feet west of and parallel to the easterly boundary of said N ½ of the SE ¼ of the SE ¼ a distance of 336.43 feet to a ½ inch diameter iron pin;

Thence N 89°43’51” W a distance of 120.93 feet to a 5/8 inch diameter iron pin;

Thence S 0°16’09” W a distance of 112.79 feet to a 5/8 inch diameter iron pin;

Thence S 89°43’51” E a distance of 120.93 feet to a ½ inch diameter iron pin;

Thence S 0°16’09” W along a line 25.00 feet west of and parallel to the easterly boundary of said N ½ of the SE ¼ of the SE ¼ a distance of 214.12 feet to a 5/8 inch diameter iron pin on the southerly boundary of said N ½ of the SE ¼ of the SE ¼;

Thence N 89°53’59” W along said southerly boundary a distance of 1297.28 feet to a point marking the southwest corner of said parcel;

Thence N 0°19’43” E along the westerly boundary of said N ½ of the SE ¼ of the SE ¼ a distance of 662.74 feet to a 5/8 inch diameter iron pin marking the northwest corner of said parcel;

Thence S 89°55’35” E along the northerly boundary of said N ½ of the SE ¼ of the SE ¼ a distance of 1296.60 feet to the POINT OF BEGINNING.

SAID PARCEL: Containing 19.43 acres, more or less.

SUBJECT TO: Any easements, rights, rights-of-way or any encumbrances.

Clinton W. Hansen, PLS
Land Solutions, PC
Revised: August 8, 2006
EXHIBIT "A-1"

Legal Description

Dyas Property - Annexation Description

A parcel located in the N ½ of the SE ¼ of the SE ¼ of Section 6, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the northeast corner of said N ½ of the SE ¼ of the SE ¼, from which a brass cap monument marking the southeast corner of the SE ¼ of the SE ¼ of said Section 6 (Section Corner) bears S 0°16'09" W a distance of 1326.70 feet;

Thence N 89°55'35" W along the northerly boundary of said N ½ of the SE ¼ of the SE ¼ a distance of 25.00 feet to a point;

Thence S 0°16'09" W along a line 25.00 feet west of and parallel to the easterly boundary of said N ½ of the SE ¼ of the SE ¼ a distance of 336.43 feet to a ½ inch diameter iron pin and the POINT OF BEGINNING;

Thence continuing along said line S 0°16'09" W a distance of 112.79 feet to a ½ inch diameter iron pin;

Thence N 89°43'51" W a distance of 120.93 feet to a 5/8 inch diameter iron pin;

Thence N 0°16'09" E a distance of 112.79 feet to a 5/8 inch diameter iron pin;

Thence S 89°43'51" E a distance of 120.93 feet to the POINT OF BEGINNING.

SAID PARCEL: Containing 0.31 acres, more or less

SUBJECT TO: Any easements, rights, rights-of-way or any encumbrances

Clinton W. Hansen, PLS
Land Solutions, PC
August 8, 2006
DEVELOPMENT AGREEMENT ANNEXATION AND
ZONING TO RS 6.5 (SINGLE FAMILY RESIDENTIAL – 8,500 SQ. FT.)
FOR APPRX. 23.12 ACRES AT 17155 AND 17175 STAR RD.
(ON THE WEST SIDE OF STAR RD. NORTH OF CHERRY LANE
BEING A PORTION OF THE N 1/4 OF THE SE 1/4 OF
THE SE 1/4 OF SECTION 6, T3N, R1W, BM)
FOR QUALIFICATION AND PARTICIPATION IN THE PROPOSED
LID TO EXTEND SEWER SERVICES TO THE PURDAM
DRAINAGE AREA
FOR LANDMARK ENGINEERING AND TRUST 1 LLC.
PROJECT: 13-0652
DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "Agreement"), is made and entered into this day of__, 2006 (the "Effective Date"), by and between the City of Nampa, a municipal corporation, hereinafter referred to as the "City," and Trust 1 LLC, hereinafter referred to as "Owner/Developer."

RECITALS

A. Owner/Developer is the owner of approximately 20.12 acres of real property legally described in Exhibit "A" attached hereto and made a part hereof (the "Property").

B. Owner/Developer applied to City on January 30, 2006 (the "date of application") for annexation of the Property into City and for rezoning of the Property to RS 8.5 (Single Family Residential 8,500 sq. ft.) in anticipation of the development and construction of a residential subdivision (the "Project").

C. City, pursuant to Section 10-2-5, Nampa City Code, and Idaho Code Section 67-6511A, has the authority to rezone the Property and enter into a development agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for specific purposes and/or uses that are appropriate in the area.

D. City’s Planning and Zoning Commission and City’s City Council have held public hearings as prescribed by law with respect to the annexation, rezoning and development of the Property and this Agreement. City has approved the annexation and requested rezoning of the Property to RS 8.5 (Single Family Residential 8,500 sq. ft.) subject to the terms and commitments contained in this Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the above recitals, which are incorporated below, and of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. This Agreement shall not prevent City, in subsequent actions applicable to the Property, from applying new ordinances and regulations of general application adopted by City in the exercise of its police powers that do not conflict with the parties’ commitments applicable to the Property as set forth herein, or the zoning designation approved hereby as the Property has been deemed suitable for the uses allowed within said zoning designation.

2. The Project shall be developed in general conformance with the conceptual plan attached hereto as Exhibit “B” and made a part hereof (the "Conceptual Plan"); provided, however, that Owner/Developer shall have limited flexibility to develop the Property to meet market conditions, and the only specific commitments concerning development of the Project which Owner/Developer is making are set forth herein. Upon recordation of this Agreement, Owner/Developer shall have all approvals required from City for development of the Project in
general conformance with the conceptual plan. The Owner/Developer further agrees that acceptance of the conceptual plan attached hereto as Exhibit "B" shall not be construed as City endorsement of said plan as the final design of the preliminary and/or final plat to be subsequently submitted, and that acceptance of the conceptual plan shall not preclude the City from requiring revision of the concept at the time of platting to address other planning issues and concerns, including but not limited to, the interconnectivity of streets between adjoining subdivision areas and undeveloped property, and the location of open space or parks.

3. This Agreement is intended to be supplemental to all other local, city, state and federal Code requirements, rules and regulations, and is established to help assure the compatibility of the resulting land use with the surrounding area. Provided, however, that to the extent this Agreement conflicts with any provision of the Nampa City Code, this Agreement shall prevail to the extent permitted by law.

4. The provisions and stipulations of this Agreement shall be binding on City, Owner/Developer, each subsequent owner of the Property or portion thereof, and each other person acquiring an interest in the Property and are, in no particular order, as set forth in the conditions of approval attached hereto as Exhibit "C", and by this reference incorporated herein.

5. This Agreement may be modified only by the written agreement of Owner/Developer and the City after complying with the notice and hearing procedures required under Idaho Code Section 67-6511A or Nampa City Code Section 10-2-5(D) or successor provisions.

6. The execution of this Agreement and the written commitments contained herein shall be deemed written consent to change the zoning of the Property to its prior designation upon failure of Owner/Developer to comply with the terms and conditions of this Agreement. Provided, however, that no such consent shall be deemed to have been given unless City provides written notice of any such failure and Owner/Developer or its successors and/or assigns fails to cure such failure as set forth below.

7. This Agreement and the commitments contained herein shall be terminated, and the zoning designation reversed, upon the failure of Owner/Developer, or each subsequent owner or each person acquiring an interest in the Property, to comply with the commitments contained herein within two (2) years after the Effective Date, and after the notice and hearing requirements of Idaho Code Section 67-6509 have been complied with by City. Provided, however, no such termination or reversal shall occur unless City provides written notice of Owner/Developer’s failure to comply with the terms and conditions of this Agreement to Owner/Developer and Owner/Developer fails to cure such failure within six (6) months of Owner/Developer’s receipt of such notice. The two (2) year period of time for compliance with commitments may be extended by City for good cause upon application for such extension by Owner/Developer, and after complying with the notice and hearing provisions of Idaho Code Section 67-6509.

8. Except as specifically set forth in this Agreement, the rules, regulations and official policies governing permitted uses of land, density, design, improvements and construction standards and specifications applicable to the Project and the Property shall be those rules, regulations and official policies in effect as of the date of annexation. Provided, however, that the applicable building codes for structures shall be the codes in effect when a complete
application for a building permit is filed. Development impact fees, if imposed by ordinance, shall be payable as specified in said ordinance even if the effective date is after the date of this agreement or the annexation pursuant thereto.

9. It is intended by the parties that this Agreement shall be recorded on the Effective Date or as soon as practicable thereafter. The parties further intend that the provisions of this Agreement shall run with the Property and shall be binding upon City, Owner/Developer, each subsequent owner of the Property, and each other person or entity acquiring an interest in the Property.

10. If any term or provision of this Agreement, to any extent, shall be held invalid or unenforceable, the remaining terms and provisions herein shall not be effected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

11. This Agreement sets forth all promises, inducements, agreements, conditions and understandings between Owner/Developer and City relative to the subject matter hereof. There are no promises, agreements, conditions or understandings, either oral or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by the parties or their successors-in-interest or their assigns, and pursuant, with respect to the City, to a duly adopted ordinance or resolution of the City.

12. Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorneys' fees as determined by a court of competent jurisdiction.

13. This Agreement may be executed in counterparts, each of which shall constitute an original, all of which together shall constitute one and the same Agreement.

14. In the event Owner/Developer, its successors, assigns or subsequent owners of the Property or any other person acquiring an interest in the Property, or in the event City, fail to faithfully and materially comply with all of the terms and conditions included in this Agreement, enforcement of this Agreement may be sought by either City or Owner/Developer or by any successor or successors in title or interest or by the assigns of the parties hereto, in an action at law or in equity in any court of competent jurisdiction.

a. A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the breach waived and shall not bar any other rights or remedies of City or apply to any subsequent breach of any such or other covenants and conditions. A waiver by Owner/Developer of any default by City of any one or more of the covenants and conditions hereof shall apply solely to the breach waived and shall not bar any other rights of remedies of Owner/Developer or apply to any subsequent breach of any such or other covenants and conditions.

b. Notwithstanding anything to the contrary herein, in the event of a material default of this Agreement, the parties agree that City and Owner/Developer shall have thirty (30) days after delivery of notice of such default to correct the same prior to the non-defaulting
party's seeking of any remedy provided for herein; provided, however, that in the case of any such default which cannot with diligence be cured within such thirty (30) day period and thereafter shall prosecute the curing of same with diligence and continuity, then the time within which such may be cured shall be extended for such period as may be necessary to complete the curing of the same with diligence and continuity, but in any event not to exceed six (6) months; and provided further, however, no default by a subsequent owner of a portion of the Property shall constitute a default by Owner/Developer for the portion of the Property still owned by Owner/Developer.

c. In the event the performance of any obligation to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.

d. In addition to the remedies set forth above, in the event of a default by Owner/Developer, or any other party claiming an interest herein, City may withhold building permits for any remaining lots within the development until such time as the default is cured.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands on this day and year first above written.

CITY OF NAMPA

Tom Dale, Mayor

Attest: Diana Lambing, City Clerk

OWNER/DEVELOPER

Oliver Cleaver, Managing Member
Trust 1 LLC
On this 5th day of September, in the year of 2006, before me Deborah L. Bishop, personally appeared Tom Dale, known or identified to me, to be the Mayor of the City of Nampa, whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same, and was so authorized to do so for and on behalf of said City of Nampa.

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

STATE OF IDAHO )
) ss.
County of Canyon )

On this 8th day of August, in the year of 2006 before me, Macdillena A. Drilon, personally appeared Oliver Cleaver, known or identified to me, to be a Managing Member of Trust 1, LLC, the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same for and on behalf of Trust 1, LLC.

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

TRUST 1 LLC DEVELOPMENT AGREEMENT – Page 5
EXHIBIT “A”

LEGAL DESCRIPTION OF THE PROPERTY

A parcel being the N ¼ of the SE ¼ of the SE ¼ of Section 6, Township 3 North, Range 1 West, Boise, Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at a 5/8 inch diameter iron pin marking the northeast corner of said N ¼ of the SE ¼ of the SE ¼, from which a brass cap monument marking the southeast corner of the SE ¼ of the SE ¼ of said Section 6 (Section Corner) bears S 0°16'09" W a distance of 1326.70 feet;

Thence S 0°16'09" W along the easterly boundary of said N ¼ of the SE ¼ of the SE ¼ a distance of 663.35 feet to a 5/8 inch diameter iron pin marking the southeast corner of said parcel;

Thence N 89°53'59" W along the easterly boundary of said N ¼ of the SE ¼ of the SE ¼ a distance of 1322.28 feet to a point marking the southwest corner of said parcel;

Thence N 0°19'43" E along the westerly boundary of said N ¼ of the SE ¼ of the SE ¼ a distance of 662.74 feet to a 5/8 inch diameter iron pin marking the northwest corner of said parcel;

Thence S 89°55'35" E along the northerly boundary of said N ¼ of the SE ¼ of the SE ¼ a distance of 1321.60 feet to the POINT OF BEGINNING.

Said parcel containing 20.12 acres, more or less.
EXHIBIT “C”

CONDITIONS OF APPROVAL

1. The Owner/Developer agree that they will not oppose the formation of a local improvement district for the construction of any infrastructure associated with the development of the Property.

2. The Owner/Developer agree that sewer service from the City is contingent upon successful implementation of a local improvement district to finance construction of sewer infrastructure.

3. Prior to the third reading of the annexation and zoning ordinance the Owner/Developer shall dedicate any additional right-of-way, as defined by the city engineer, adjacent the sides of the Property required for the ultimate build out of all adjacent public roadways.

4. Residential subdivision developments proposed by Owner/Developer on the Property shall conform to the following minimum design standards:
   a. The average residential density for any subdivision development on the Property shall not exceed 3.15 dwelling units per acre (Calculated according to the gross acreage of the development.)
   b. The minimum allowable residential buildable lot size within any development shall be eight thousand five hundred (8,500) square feet as allowed by the RS 8.5 zone classification.
   c. The minimum allowable residential buildable lot size of proposed lots situated along a subdivision boundary adjoining any rural residential lots or parcels shall be twelve thousand (12,000) square feet.

5. The Owner/Developer shall establish and enforce Covenants, Conditions, and Restrictions to be recorded against the Property proposed for residential subdivision development which contain the following minimum design standards for single family dwellings:
   a. The minimum floor area or minimum dwelling size shall be one thousand six hundred (1,600) square feet, exclusive of the garage area.
   b. All dwellings shall be provided with eaves which project not less than twelve (12) inches beyond the side of the exterior wall.
   c. At least seventy-five (75) percent of the second story of two-story dwellings shall be set back a minimum of three (3) feet (from the wall plane) or set forward a minimum of two (2) feet (from the wall plane) when positioned over the garage; or two-story dwellings shall include architectural features such as but not limited to roof lines, belly bands, pop-outs, cantilevers, material variations, color variations, etc., and eave “eyebrows” constructed with a minimum overhang of thirty six (36) inches across the full width of the garage to break the plane of the lower and upper levels.
   d. The roof pitches for dwellings shall be a minimum of 5/12 pitch.
   e. Roof coverings for dwellings shall be of materials generally accepted as the industry standard. If the roof covering is asphalt shingles, shingles shall be “architectural” in style with a minimum warranty of twenty-five (25) years.
f. Elevations of dwellings shall incorporate varied wall planes or roof forms, and main entries shall be defined by incorporating architectural elements such as roof gables, dormers, stairways, vestibules, wainscoting, lighting, etc.

g. Elevations of dwellings, including the garage, shall include stucco, stone, brick, or similar material, covering at least twenty (20) percent of each façade oriented to a street.

h. Dwellings shall be encouraged which feature a side entry garage.

i. Dwellings shall include design features such as recessed windows and entrance doors, pop-outs, or other architectural details around windows, entrance doors, sliding glass doors, and garage doors. Window treatments may also include additional trim, mullions, or shutters.

j. No building elevation of any dwelling shall have less than five (5) percent of the gross wall area in glazing, excluding garage or unconditioned areas.

k. Each dwelling shall contain a front porch, balcony or courtyard.

l. Detached garages shall be architecturally compatible and consistent in material, design and colors with the dwelling and shall be situated to the side or rear of the site.
PLANNING & ZONING DEPARTMENT

Before the Planning & Zoning Commission
Meeting of 11 OCTOBER 2016

PUBLIC HEARING ITEM NO. 1
STAFF REPORT

Applicant(s)/Engineer(s): John Low as Applicant/JJ Howard Surveying as representative(s)
Analyst: Robert Hobbs
File(s): SPS 005-16

REQUESTED ACTION APPROVAL(S), LOCATION & HISTORY

1. Short (Combined Preliminary and Final) Plat Approval for 43 residential building lots to be known as the):

Low Angle Subdivision

(Hereinafter: alternatively the “Project” or “Low Angle Subdivision” or the “Subdivision”, or the “Development”)

Appertaining to:
Some 7.693 acres of land located on the west side of Star Road, north of Cherry Lane and south of Ustick Road in the SW ¼ of the SE ¼ of Section 6, T3N, R1W in a RA (Suburban Residential) Zone in Nampa (hereinafter the “Property”).

History:
Land divisions of a parcel or lot executed post June of 2002 in Nampa that create more than two (2) subsequent properties require filing for subdivision plat approval (vs. use of simple record of survey split process). Correspondingly, land splits executed since June 11, 2002 or date of annexation of a property are tolled such that upon the creation of (from either parcel of a prior split via survey) a third parcel, a plat is required to used to officially create the third (or more) [new] “buildable” lots.

The master parcel from which the four (4) lots involved in this matter are being derived was created pre-2002. As the Applicant proposes to form four (4) parcels from a/the parent parcel, a plat is required to effectuate the land division herewith associated. Fortuitously for small subdivisions, a recent subdivision rule change [actually a re-introduction] in Nampa allows the
processing of subdivisions of seven (7) or fewer lots to be processed as "short plats" whereby a preliminary and final plat are combined to expedite application handling time and to consolidate (reduce) the intake/processing fees associated with a basic platting process.

### 2016 SUBDIVISION STATISTICS

<table>
<thead>
<tr>
<th>Overall Site Area-</th>
<th>7.693 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total, RA Lot Count-</td>
<td>4</td>
</tr>
<tr>
<td>Total Common Lot Count-</td>
<td>0</td>
</tr>
<tr>
<td>Total Building Lot Count-</td>
<td>4</td>
</tr>
</tbody>
</table>

Regarding "RA Building Lots":
- Min. Allowed RA Bldg. Lot Size- 30,000 sq. ft.
- Min. Allowed Avg. RA Bldg. Lot Size- N/A
- Periphery Compatibility Applicability - N/A
- Min. Req. St. Frontage RA Zone- N/A
- Min. Allowed RA Bldg. Lot Widths- 150'
- Min. Allowed RA Bldg. Mean Lot Depths- N/A

Plat Development Data/Notes: See plat sheets

### FINDINGS OF FACT & NOTES REGARDING PLAT

This matter before the Commission is to determine whether or not the short plat, as proposed, is acceptable.

Platting of this Project will serve to divide the land. It must be done in accordance with state law, Nampa City Code § 10-27, Nampa City Code § 10-7, and, in cooperation with the City's currently adopted Engineering Design and Specification manuals.

Accordingly, Plat review was done to analyze the Project's compliance to code in the context of this project having already been annexed and zoned.

Regarding the Plat, Zoning Staff finds:

1. **Minimum Lot Area(s)**
   - All proposed lots are compliant (i.e. they exceed 30,000 sq. ft. in area)
2. **Average Lot Size:**
   N/A

3. **Lot Compatibility:**
   N/A

4. **Lot Width:**
   All proposed lot are compliant (i.e. they exceed 30,000 sq. ft. in area)

5. **Lot Depth:**
   N/A

6. **Right-Of-Way Dedication(s)/Improvements:**
   The RA Zone does not require that lots, in order to be "buildable" front on/abut a public right-of-way. Access to the lots will be via a previously approved common driveway.

7. **Landscaping:**
   N/A (proposed lots do not front a right-of-way and no common lots are involved in this case)

8. **Path/Trailway(s):**
   The Parks Department is requiring that the Applicant deed and dedicate twenty feet (20') of land from the top of bank along the Ten Mile Creek to facilitate the future emplaced of a section of the Ten Mile Creek Pathway as intended by the City's Pathway Master Plan; and,

9. **Misc./Correspondence:**
   Any correspondence from agencies or the citizenry regarding this part of the application is hereafter attached to this report. (Agency comments, when provided, are usually geared towards recommending conditions for the Project should it be approved.)

**Recommendation:**
Both Staff and the Engineering Division recommend approval of this Short Plat contingent on Developer/Development compliance with certain Conditions of Approval recommended for Commission and Council imposition against the requested Project entitlement as noted hereafter....

**RECOMMENDED CONDITION(S) OF APPROVAL**

In the event that the Commission wishes to vote to recommend approval of the Short Plat as presented, then Staff would recommend that the Commission consider, correspondingly, suggesting to the City Council that they impose the following Conditions of Approval on/against the Development/Developer:

1. 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 sufficient in volume and pressure to provide sufficient adequate fire suppression for the development in accordance with Fire Department policy or International Fire Code requirements as applicable; and,

2. 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 to be provided to the City; and,

3. Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council; and,

4. That the Applicant shall cause the existing common driveway that provides access to the Property, and, its proposed extension that will provide access to the lots from Star Road be paved in compliance with City standards prior to commencement of construction of any houses upon/within the Property; and,

5. Applicant/Project shall comply with the requirement(s) iterated in the memorandum dated September 30, 2016 from the City's Engineering Division authored by Daniel Badger (1 page – copy hereto attached); and,

6. Applicant/Project shall comply with the requirement(s) listed in the memorandum dated September 07, 2016 from the City's Engineering Division, GIS section, authored by Craig Tarter (1 page – copy hereto attached)...

ATTACHMENTS

- Copy of Vicinity Map
  (page/Exhibit 5)

- Copy of aerial photos of Property
  (pages/Exhibits 6-7)

- Copy of plat application
  (pages/Exhibits 8-9)

- Copy of proposed, preliminary/final plats drawing/sheets
  (pages/Exhibits 10-14)

- Copy of any agency/citizen correspondence/etc.
  (pages/Exhibits 15+)
SUBDIVISION PLAT SHORT PLAT APPROVAL FOR LOW ANGLE SUBDIVISION IN A PROPOSED RA (SUBURBAN RESIDENTIAL) ZONED AREA ON THE WEST SIDE OF STAR RD, NORTH OF CHERRY LN AND SOUTH OF USTICK RD (4 SINGLE FAMILY RESIDENTIAL LOTS ON 7.63 ACRES, .5 DWELLING UNITS PER ACRE - LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 6, T3N, R1W, BM) FOR JOHN LOW (SPS 005-16).
Chairman McGrath called the meeting to order at 6:47 p.m.

Approval of Minutes. Keim motioned and Sellman seconded to approve the Minutes of the September 27, 2016 Planning and Zoning Commission meeting. Motion carried.

Report on Council Actions. There were no City Council members present to report on City Council actions.

Chairman McGrath proceeded to the business item on the agenda.

Subdivision Final Plat approval for Red Hawk Ridge Park Subdivision on the west side of Middleton Road in Section 31 T3N R2W, BM. (A portion of Parcel No. R3208301400 and a portion of Parcel No. R32083014A0). The plat contains 2 common lots on approximately 3.64 acres in RMII (High Density Multi-Family Residential) and BC (Community Business) zoning districts for M3 Companies (SPF-00014-2016).

Assistant Planning Director Hobbs:
- Hobbs noted the proposed development was a parcel of land split by a public right-of-way.
- Hobbs reviewed the Staff Report and recommended conditions of approval.

Kropp motioned and Rodriguez seconded to recommend to City Council approval of the Final Plat for Red Hawk Ridge Subdivision, for two lots on approximately 3.64 acres, on the west side of S Middleton Rd, for M3 Companies, subject to:
1. Compliance with all City department/division or outside agency requirements pertinent to the matter. This is to include any extant but applicable conditions from prior approvals for the subdivision as iterated in correspondence on file with the city pertaining to Red Hawk Subdivision.
   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):
   a) Compliance with the requirement(s) listed in the September 30, 2016 memorandum from the Nampa 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.

Chairman McGrath proceeded to the public hearing items on the agenda at 7:00 p.m.
Subdivision Short Plat Approval for Low Angle Subdivision in a proposed RA (Suburban Residential) zoned area on the west side of Star Rd, north of Cherry Ln and south of Ustiek Rd, 4 single family residential lots on 7.63 acres, .5 dwelling units per acre – Located in the SW ¼ of the SE ¼ of Section 6 T3N R1W BM) for John Low (SPS-0005-2016)

Assistant Planning Director Hobbs:
- Hobbs noted the short plat process had been initiated through an Ordinance Amendment in 2015.
- The subdivision, added Hobbs, had been found to be in care and keeping with the RA zoning designation requirements. Hobbs added the proposed common driveway extension would be acceptable, with the requirement for the common driveway to be paved.
- Hobbs reviewed the Staff Report and recommended conditions of approval.
- In response to a question from Kehoe, Hobbs stated the common driveway would be paved for approximately 20 ft within the 50 ft access/egress easement.

Chairman McGrath proceeded to public hearing.

John Low of 4921 Cresthaven Dr, Boise – the applicant:
- Mr Low stated the plan was to split the property into four lots, build on one lot, and sell the other three.
- The Rezone to RA, added Mr Low, had already been approved by City Council.
- Mr Low explained 7 acres was too much to take care of and a two acre lot would be sufficient.
- According to Mr Low, the four lots to the east of the Low Angle Subdivision had just been purchased and the agreement was that as soon as 3 of the houses on the parcels to the east were built, then everything would be paved all the way through to, and including, Low Angle Subdivision.
- Mr Low inquired why there would be a requirement for 20 ft from the top of bank along Tenmile Creek to be deeded to the City for the future Tenmile Creek Pathway, when the two 5 acre parcels to the east were not required to do so.
- He had spoken to the Nampa Meridian Irrigation District, continued Mr Low, and had been advised there was already a 50 ft easement from the centerline of Ten Mile Creek for Nampa Meridian Irrigation District, and considered he would not be able to deed that to the City.
- Mr Low referred to recommended condition No. 1 in the Staff Report, requiring the water system for the Development shall be completely installed prior to any Building Permits being issued.
- According to Mr Low, they were planning for each parcel having their own water source (individual well), similar to the four parcels to the east.

Hobbs:
- Hobbs noted both the Parks Department and the City of Nampa Long Term Planner had requested, as part of the City’s pathway extension, the dedication of the necessary ground, 20 ft from top of bank, to facilitate the future pathway going through the property.
- According to Hobbs, that was common practice whenever properties have some portion of their land align with an area designated for a future pathway.
- Hobbs indicated the aerial view of the property and the location of Tenmile Creek, and the 50 ft easement from the center of the channel. Within that 50 ft easement, added Hobbs, would be where the top of bank lies for the deed and dedication of the pathway.
- Hobbs discussed the process by which the City would work with the Irrigation District to obtain the deed and dedication for the land, to get the pathway in place.

Staff Engineer Badger:
- Badger advised the City was able to require the deed and dedication of land for the pathway at the time of platting or annexation.
- At the time of annexation, continued Badger, the subject development properties and the four parcels to the east were just one parcel and under the same ownership. At that time, the plan was for one single subdivision with much smaller lots and sewer coming from the west, with the intent to put the pathway along the entire length of the Tenmile drain.
- During the economy downturn, continued Badger, the land had been split into two and went to two separate owners. The Code, stated Badger, allowed the owners to create 5 acre parcels without platting action and
just a Record of Survey. Those four parcels to the east had been created without a plat and therefore there had not been the opportunity to acquire that dedication. At some point in the future, stated Badger, when the pathway goes in adjacent the two parcels to the east, then the City will negotiate with those two property owners for either an easement or fee dedication in order to put the pathway in.

- Regarding the water system, explained Badger, the applicant was correct and City water was not available and therefore, the applicant will not be required to put in fire hydrants and the water system. Badger advised the lot owners will put in individual wells and septic systems.

Rodriguez:
- Rodriguez noted Condition No. 1, should be struck from the recommended conditions of approval, regarding the requirement for the installation of the water system to be completely installed prior to any Building Permits being issued.

Chairman McGrath proceeded to public testimony.

Mr Low:
- Mr Low advised his main concern with the requirement for a pathway was the fact the Tenmile drainage was very deep at that location, and would not be a safe place to be riding bicycles, unless a fence was placed next to the pathway.
- Chairman McGrath noted it was common practice for the City to request deeding and dedication of that easement along drainages where the City has plans for pathways in the future.
- In response to a question from Mr Low, Badger advised the pathway would be on the north side of Tenmile Creek.
- Badger reiterated the pathway would be within the 50 ft easement shown on the plat, and would not be in addition to that easement.

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

Rodriguez motioned and Kropp seconded to recommend to City Council approval for the Short Plat Subdivision approval for Low Angle Subdivision in a proposed RA zoned area on the west side of Star Rd, north of Cherry Ln and south of Ustick Rd, for four single family residential lots on 7.63 acres, for John Low, subject to:

1. 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 to be provided to the City.
2. Any exceptions to City adopted subdivision design standards shall require separate design [exception] approval from the City Council.
3. The Applicant shall cause the existing common driveway that provides access to the Property, and, its proposed extension that will provide access to the lots from Star Road be paved in compliance with City standards prior to commencement of construction of any houses upon/within the Property.
4. Applicant/Project shall comply with the requirement(s) iterated in the memorandum dated September 30, 2016 from the City’s Engineering Division, authored by Daniel Badger.
5. Applicant/Project shall comply with the requirement(s) listed in the memorandum dated September 7, 2016, from the City’s Engineering Division, GIS section, authored by Craig Tarter.

Motion carried.

Zoning Map Amendment from RD to BC at 320 11th Ave N. (An approximate 26,312 sq ft portion of the NE ¼ Section 2, T3N R2W, Mrs J Posts Subdivision, Lots 8 through 10, and SW 53 ft of Lots 11 and 12, all in Block 104), for Adam Garcia representing Angel Navarrete. (ZMA-0001-2016)

Chairman McGrath proceeded to public testimony.
Adam Garcia with Houston-Bugatsch Architects, 1307 N 39th St, Ste 103, Nampa – representing the applicant:
- Mr Garcia stated the applicant had requested a change of zoning from residential to commercial.
- The intent, added Mr Garcia, was to demolish the home and build a restaurant and parking area.
- The existing restaurant will be retained, explained Mr Garcia, until construction of the new restaurant, and the existing restaurant will be demolished at that time.
- Rodriguez noted the subject property was in the floodplain, and a small portion in the floodway.
- Mr Garcia responded, advising they will be getting a survey, and once the buildings are demolished and the asphalt taken out, the property level can be raised.

Planning Director Holm:
- Holm indicated the subject parcel and noted the property had two zones, BC at the front and RD at the rear of the parcel.
- The existing house, explained Holm, was located within the RD zoned portion of the property.
- Holm advised the Comprehensive Plan Future Land Use Map designation indicated a Community Mixed Use designation, and rezoning to BC would conform to that plan.
- According to Holm, no comments or correspondence concerning the rezone had been received from surrounding property owners or residents.
- Holm considered the rezone to BC would be a logical extension of what was already in the area, but would be in close proximity to some of the residential uses in the neighborhood.
- Holm reviewed the Staff Report and recommended conditions of approval.
- There really was not a need for a Development Agreement with the proposed rezone, suggested Holm.
- In response to a question from Kehoe, Mr Garcia stated the property owner intended to keep the motel building and lease it out. Mr Garcia added, with the additional land rezoned to BC, there would be sufficient space for the required parking.
- Discussion followed regarding the address of the subject parcel because the house addressed as 320 11th Ave N was located adjacent 4th St N.
- Badger explained the restaurant would be addressed at the time of Building Permit review.

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

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

Myers motioned and Rodriguez seconded to recommend to City Council approval of the Zoning Map Amendment from RD to BC at 320 11th Ave N, for Adam Garcia representing Angel Navarrete.
Motion carried.

Conditional Use Permit for a Wireless SmartStack Monopole in a DB (Downtown Business) zoning district at 225 1st Ave S. (A .183 acre or 7,989 sq ft portion of the NE ¼ Section 2 T3N R2W BM, Pleasant’s Addition SE 70 ft of Lots 11 and 12 and ½ Vacated 1st Ave S, Block 19 less Highway) for Verizon Wireless (CUP-00045-2016)

Chairman McGrath proceeded to public hearing.

Jodie Knopp with Verizon Wireless, 10569 W Carolina, Boise – representing the applicant:
- Verizon Wireless, explained Ms Knopp, was proposing a 35 ft SmartStack monopole, within a 10 ft by 10 ft leased area.
- The SmartStack monopole, added Ms Knopp, will basically be self-contained, with all the associated equipment inside the pole.
- Ms Knopp noted the monopole would be a passive, unoccupied use, and will only generate on average, one trip per month for maintenance. The monthly maintenance visit, stated Ms Knopp, will not impact local streets or traffic.
• The only interaction with surrounding uses, stated Ms Knopp, would be to provide reliable wireless communication services to the customers in the area.
• According to Ms Knopp, the facility would be structurally engineered to meet or exceed local Building Code safety requirements, as well as FCC and FAA requirements.
• Ms Knopp considered the proposed SmartStack monopole would help strengthen Nampa's infrastructure as it will be meeting both the social and economic needs of the residents.
• In response to a question from Myers, Ms Knopp stated she did not think Verizon Wireless currently had any SmartStack monopoles installed in Nampa, but they were working towards more.
• Ms Knopp responded to a question from Kehoe, and stated she anticipated there would be a mix of the standard monopoles with antennas and the new SmartStack monopole in the future.
• The purpose behind the SmartStack monopole, explained Ms Knopp, was to help relieve overloading of the signal in an area.
• Keim stated she had seen similar monopoles with foliage added to look like trees and questioned if the proposed monopole would have foliage.
• Ms Knopp advised Verizon did not like to add foliage to the monopoles unless the municipality or jurisdiction required.
• Ms Knopp added Verizon had been adding parking lot lights to SmartStack monopoles to make them look more like a light structure, however, there would be no lighting on the monopole proposed for 225 1st Ave S, and noted the subject property was currently a vacant lot.

Planning Director Holm:
• Holm indicated the location of the subject property at the northeast corner of Caldwell Blvd/3rd St S and Northside Blvd.
• Holm considered the proposed SmartStack monopole would look more like a utility pole.
• Holm reviewed the Staff Report and recommended conditions of approval.
• The Building Permit, added Holm, would be acquired through the Building Department for placement of the structure.
• Holm stated no comments or correspondence had been received from surrounding property owners or businesses.

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

Rodriguez motioned and Miller seconded to close public hearing. Motion carried.

Rodriguez motioned and Sellman seconded to approve the Conditional Use Permit for a Wireless SmartStack Monopole in a DB zoning district at 225 1st Ave S, for Verizon Wireless, subject to:
1. All City Code requirements of the Nampa Planning, Building, Engineering and Fire Departments, as well as applicable State or Federal agencies regarding use of the property for a Wireless SmartStack Monopole shall be satisfied prior to occupancy.
2. The conditional Use Permit shall be issued only for a Wireless SmartStack Monopole.
3. The conditional Use Permit shall be granted to the Applicant permanently, and shall not be transferable to any other operator or location.

Motion carried.

Meeting adjourned at 7:43 p.m.

Norman L. Holm, Planning Director

Nampa Planning and Zoning Commission Meeting – October 11, 2016
Page 5
June 28, 2019

Norman Holm
Nampa City
411 Third Street South
Nampa, ID 83651

RE: SPS-00020-2019/ Atkinson Acres Subdivision; 5025 Feather Creek Lane

Dear Norm:

Providing all storm drainage is retained on-site there will be no impact to Nampa & Meridian Irrigation District (NMID). Therefore, no further review will be required at this time.

If any surface drainage leaves the site, NMID requires a filed Land Use Change Application for review prior to final platting. Please contact Elke Adams at (208) 466-7861, or 1503 First St. S. Nampa, ID 83651, for further information.

All private laterals and waste ways must be protected. It is recommended that irrigation water be available to all developments within the NMID. Developers must comply with Idaho Code 31-3803.

Please call with any further questions at (208) 466-0663.

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/ gnf

Cc: Office/ File
DATE: July 8, 2019
TO: Nampa Planning & Zoning Department
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC: Daniel Badger, P.E. – City Engineer
CC: Tom Points, P.E. – Public Works Director

The Engineering Division has completed a review of the Short Plat application for Atkinson Acres Subdivision and recommend the following conditions and comments.

General Comments

1. The property is located at 5025 E Feather Creek Lane west of Star Road and north of Tenmile Creek. The property is already annexed and zoned in the City as “RA”. Access to the property is from Feather Creek Lane, which is an existing private street.

2. The City currently is not able to provide water, sewer, or pressure irrigation service to this property. The closest City water and pressure irrigation services are located over 3,000 feet to the south in Star Road, south of the Purdam Gulch Drain, and in Cherry Lane west of Rose Briar Lane. The property is within the Purdam sewer basin and is intended to sewer to the north to Ustick Road. The Ustick Road sewer trunk main is currently over 3-miles away. As a result, it is not considered economically feasible for the property to connect to or extend City utilities.

3. City water is planned to be extended in Star Road and Cherry Lane as part of the Silver Star and Spring Hollow Ranch Subdivisions. New pressure irrigation pump stations and delivery pipes will also be constructed with these subdivisions.

4. The proposed lots are greater than 1-acre in size. Given this, and that City sewer is not available nor feasible to extend to the property at this time, the use of individual on-lot septic systems is acceptable. Septic system permitting will be through the Southwest District Health Department.

5. The property has frontage onto Star Road, which is classified as a Minor Arterial. As a result, it is subject to frontage improvements required by Nampa City Code Section 9-3-1, including sidewalk and drainage facilities. The necessary 50' of public right-of-way has already been dedicated.
Preliminary/Final Plat Comments

1. The minimum public utility width along subdivision boundary adjacent to un-platted property is 12’. Increase the easement width along the northerly and westerly subdivision boundaries from 10’ to 12’.

2. Add Block # to the plat.

Conditions of Approval

1. A 5’ wide sidewalk shall be constructed along the Star Road frontage in accordance with Nampa Standard Drawing N-822 and all City Policy’s and specifications prior to Building Permit approval of Lot 1, Block 1 of the subdivision. The sidewalk shall be elevated to account for future widening of Star Road. The sidewalk shall be inspected by Nampa Engineering Division, and Developer/Builder shall pay required inspection fees. A Right-of-Way Encroachment Permit shall be obtained from Nampa Highway District No. 1 prior to any work within the Star Road right-of-way.

2. Obtain a septic permit from Southwest District Health Department and submit a copy to the Nampa Building Department prior to Building Permit approval for any and all lots within the subdivision.

3. The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.
June 26, 2019

Norman Holm  
Nampa City  
411 Third Street South  
Nampa, ID 83651

RE: SPS-00020-2019/ Atkinson Acres Subdivision; 5025 Feather Creek Lane

Dear Norm:

Providing all storm drainage is retained on-site there will be no impact to Nampa & Meridian Irrigation District (NMID). Therefore, no further review will be required at this time.

If any surface drainage leaves the site, NMID requires a filed Land Use Change Application for review prior to final platting. Please contact Elke Adams at (208) 466-7861, or 1503 First St. S. Nampa, ID 83651, for further information.

All private laterals and waste ways must be protected. It is recommended that irrigation water be available to all developments within the NMID. Developers must comply with Idaho Code 31-3803.

Please call with any further questions at (208) 466-0663.

Sincerely,

David T. Duvall  
Asst. Water Superintendent  
Nampa & Meridian Irrigation District  
DTD/ gnf

Cc: Office/ File
PLANNING AND ZONING DEPARTMENT

Date: July 1, 2019
RE: Planning Department Review
Project: SPS-00020-2019 Atkinson Acres Short Plat

The above listed project been reviewed by the City of Nampa's Planning Department for compliance with all applicable planning codes, and the following items and/or revisions are required prior to Planning approval:

1. **Landscape buffer required:** The proposed subdivision is located on Star Road, a Minor Arterial. Nampa City Code requires a 25' landscape buffer from the edge of the right-of-way for new subdivision development (NCC 10-33-4.A.1.d.3). The plans that were submitted do not show this landscape buffer.

2. Please submit a landscape plan showing required landscaping in a 25' landscape buffer from the edge of the Star Road right-of-way for review and approval. Please refer to Title 10, Chapter 33 of the Nampa City Code for landscaping requirements: https://www.cityofnampa.us/DocumentCenter/View/200/Zoning-Ch-33-Corridor-Beautificationpdf?bldld=

3. Trees may be selected from the Treasure Valley Tree Selection Guide (https://id-nampaparksandrec.civicplus.com/DocumentCenter/View/923/2018-Treasure-Valley-Tree-Selection-Guide), with exception to Acer rubrum (Red Maple) and Acer freemanii (Freeman Maple).

4. Please use Class II trees in the landscape buffer.

If you have questions or would like to discuss this interpretation of the planning code, please call my direct line at (208) 468-5406.

Doug Critchfield
Senior Planner
Nampa Planning Dept.
E-mail address: critchfieldd@cityofnampa.us
Hi Shellie,

Nampa Parks has reviewed the short plat for Atkinson Acres Subdivision Project: SPS-00020-2019. We have no requests.

Thank you,

Cody Swander
Parks Superintendent
O: 208.468.5890, F: 208.465.2321
Nampa Parks – Facebook Page

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
Sylvia Mackrill

From: Carolynn Murray  
Sent: Wednesday, June 26, 2019 11:02 AM  
To: Sylvia Mackrill  
Subject: Atkinson Acres Subdivision; SPS-00020-2019; Short Plat Review

Sylvia,

The City Forester made the following comments/notes regarding SPS-00020-2019——

No Landscape plans with the plan set where sent, unable to give a review.

Carolynn Murray
Administrative Coordinator
O: 208.468.5890, C: 208.371.4877

Nampa Parks & Forestry – Facebook Page

Celebrating Nampa’s 21st year as a Tree City USA recipient!!!

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

---

Good Afternoon Everyone! 😊

Re: Short Plat Approval for Atkinson Acres Subdivision (SPS-00020-2019)

Please find attached for your review Short Plat Approval for Atkinson Acres Subdivision in a RA (Suburban Residential) zoning district at 5025 Feather Creek Lane (3 Single family lots on 5 acres for 1.67 lots per acre - A part of the SE 1/4 of the SE 1/4 of Section 6, T3N, R1W, BM) for Larry Atkinson.

The short plat is scheduled for the Planning and Zoning Commission meeting of July 23, 2019, as a public hearing item. Please review and return any comments to my attention prior to July 5, 2019.

Thank you & Have a great day!

Shellie A. Lopez, Planning Administrative Specialist
O: 208.468.4487, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook
Nampa Proud
STAFF REPORT – PUBLIC HEARING


To: Mayor & City Council

Applicant/Owner: Ludmila and Viktor Dudlya

File No: VAC 041-19

Prepared By: Norman L. Holm

Date: August 27, 2019

Requested Action: Vacation of the Alley Right-Of-Way between 523 18th Ave. No. and 611 18th Ave No.

Purpose: The applicant has constructed a foundation for a garage they intend to build on a portion of the proposed vacation area. They seek vacation of the undeveloped alley in order to complete the construction of the garage.

GENERAL INFORMATION

Status of Applicant: Property Owner

Existing Zoning: RD (Two-Family Residential)

Location: That portion of the road right of way in the Amended Plat of Elmwood Place Addition to Nampa as recorded in Book 4 of Plats at Page 49, records of Canyon County, Idaho, lying between Lots B and C of said plat and being bounded on the Northwest by the Southeasterly right of way of 17th Avenue North and on the Southeast by the Northwesterly right of way of 18th Avenue North, each of these rights of way being named Elmwood Place of the said Plat.

Size of Vacation Area: Approximately 25’ x 90’ or 2,250 square feet
Surrounding Land Use and Zoning:
North- Single Family Residential; RD (Two-Family Residential)
South- Single Family Residential; RD (Two-Family Residential)
East- Single Family Residential; RD (Two-Family Residential)
West- Single Family Residential; RD (Two-Family Residential)

Comprehensive Plan Designation: Medium Density Residential

Applicable Regulations: State law requires the consent of adjoining property owners for the vacation of street right-of-way. The neighbor and adjoining property owner to the vacation area at 611 18th Ave. No. has not yet provided a written statement of consent. The applicant has been notified regarding the need for their soliciting the opposite property owners’ consent. If consent is not provided the vacation should not be granted.

Description of Existing Uses: Vacant and undeveloped alley right-of-way, presently utilized as part of the adjoining properties.

SPECIAL INFORMATION

Planning & Zoning History: The alley was originally platted in the Elmwood Place Subdivision recorded January 2, 1906.

Public Utilities: No existing city street facilities or utilities are situated in the vacation area, nor does it appear that Idaho Power, ITD, or other public utilities have facilities or easements within the proposed alley right-of-way vacation area.

Environmental: Approval of the vacation will have no negative effect on properties adjacent either side of the proposed alley right-of-way vacation area. The positive effect that the adjoining property owners call split the area between them and utilize their portion as extended lot area.

Correspondence: As of the date of this staff report no objections have been raised by any utility companies or surrounding property owners. Fire, Building, and Engineering Departments do not oppose the vacation of the alley right-of-way area.

While I was visiting the site neighboring property owners Jerry and Virginia McCordle - 615 18th Ave. No. approached staff expressing their opposition to the alley vacation and also expressed concern over the lack of property maintenance and the fact that the house addition shown in street view photo has been underway and uncompleted for over three years.

STAFF FINDINGS AND DISCUSSION

Planning staff sees no reason why the requested alley right-of-way vacation should not be approved, unless the required adjacent property owner consent is not provided.

RECOMMENDED APPROVAL CONDITIONS

If the applicant has not provided written consent to the vacation from the adjacent property owner prior to the hearing. A possible condition of approval would be that the Vacation ordinance not be passed by the City Council until said consent has been provided. And that if it is not provided the ordinance would not be finalized and the vacation effectively denied. In other regards the Planning and Zoning
Department has no concerns with the granting of the alley right-of-way vacation request with no other conditions attached.

**ATTACHMENTS**

1) Application, vacation description (Pages 4-5)
2) Zoning and vicinity map (Page 6)
3) Amended plat of Elmwood Place (Page 7)
4) Aerial View Map (Page 8)
5) Street view photo of alley vacation (Page 9)
6) Comprehensive plan map (Page 10)
7) Utilities map (Page 11)
8) Birds eye view (Page 12)
9) Agency and other correspondence (Pages 13+)
### Application for Vacation of Easement, Public Right-of-Way or Plat

**Planning and Zoning Department**

411 3rd Street S, Nampa, Idaho 83651

P: (208) 468-4487 F: (208) 465-2261
Nonrefundable Fee: $505.00

**Subject Property Information**

Please provide the following REQUIRED DOCUMENTATION to complete the Vacation

- A copy of one of the following: ✓ Warranty Deed    □ Proof Of Option    □ 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: **We have foundation for garage but problem should change because we are on city property line. We would like to request to buy 50' feet from the garage on each road.**

Dated this 28th day of June, 2014

**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.
Elmwood Place road vacation description

That portion of the road right of way in the Amended Plat of Elmwood Place Addition to Nampa as recorded in Book 4 of Plats at Page 49, records of Canyon County, Idaho, lying between Lots B and C of said plat and being bounded on the Northwest by the Southeasterly right of way of 17th Avenue North and on the Southeast by the Northwesterly right of way of 18th Avenue North, each of these rights of way being named Elmwood Place of the said Plat.
523 & 611 18th Ave
Vacate alley between 523 & 611 18th Ave N

VAC-00041-2019

Visit Planning & Zoning at cityofnampa.us for more info.
DATE: August 15, 2019
TO: Planning and Zoning Department
FROM: Caleb LaClair, P.E., Nampa Assistant City Engineer
CC: Daniel Badger, P.E., Nampa City Engineer
CC: Tom Points, P.E., Nampa City Public Works Director
APPLICANT: Ludmila Dudlya
OWNER: Viktor Dudlya
ADDRESS: 523 18th Ave N
RE: VAC-00041-2019 – Vacation of Alley between 523 18th Ave N and 611 18th Ave N

The Engineering Division does not oppose the request to vacate the alley located between the properties addressed 523 18th Ave N and 611 18th Ave N, Nampa, ID. This alley was created as part of the Elmwood Subdivision in the year 1906. The alley was never improved, and the City does not maintain utilities within the right-of-way.
August 13, 2019

City of Nampa Planning & Zoning
ATTN: Norman Holm, Planning Director
411 3rd Street South
Nampa, ID 83651

RE: Project # VAC-00041-2019

Dear Sir;

Intermountain Gas Company has received the request to vacate "an approximate twenty five (25) x ninety (90) ft alley right of way traversing between 17th Ave North and 18th Ave North, a part of Elmwood Place Addition Sub Recorded in Page 49, Book 4 of Canyon County Plats, in the SW ¼ of Section 23 T3N R2W."

After review, Intermountain Gas Company requests that the utility easement is retained for any and all existing utilities and that no permanent structure is built on or within 5' of said existing Intermountain Gas facilities.

Enclosed is a drawing of the existing gas facilities in the area. Please contact Brian Bettis at 208/468-6712 for any relocation needs. Thank you for your time and consideration in this matter.

Sincerely,
Intermountain Gas Company

[Signature]

Ben Marconi
District Operations Manager

BM/jm

Enclosure
Sylvia Mackrill

From: Easement, Nre <Nre.Easement@centurylink.com>
Sent: Thursday, August 08, 2019 7:41 AM
To: Sylvia Mackrill
Subject: [External] Acknowledgment Email / P819302 /VAC-00041-2019 Vacation of Alley between 523 18th Ave N and 611 18th Ave N, for Ludmila Dudlya

Caution: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using your Phish Button or call the helpdesk at 208-468-5454.

Sylvia,

Good morning. We have received your request for a vacate-abandon and have set up a CenturyLink project accordingly. Your project number is P819302 and it should be referenced in all emails sent in for review.

Please do not reply to this email. Your project owner is Nichole Milbrath and she can be reached by email at Nichole.Milbrath@centurylink.com with any questions that you may have regarding this project.

Requests are addressed in the order received. CenturyLink will endeavor to respond within 30 days.

Have a great day!

Best Regards,

Laura Lambert
Faulk & Foster
1811 Auburn Ave, Monroe, LA 71201

From: Sylvia Mackrill [mackrill@cityofnampa.us]
Sent: Tuesday, August 06, 2019 12:18 PM
To: Addressing; Beth Ineck; bob.parsons@phd3.idaho.gov; Bobby Sanchez; bocc@canyonco.org; Brent Hoskins; Caleb LaClair; Canyon Highway District No. 4 (chopper@canyonhd4.org); Carl Miller - Compass of Idaho (cmiller@compassidaho.org); Chanee Grant; Cody Swander; Daniel Badger; deerflat@fws.gov; Don Barr; Doug Critchfield; Eddy Thiel; Elijah Effinger; Eric R Shannon; gwiles@nampachristianschools.com; Jared Bryan; Jason Kimball; Jay Young; Jeff Barnes; jenny.titus@vallivue.org; jessica.mansell@intgas.com; Ken Couch - Idaho Transportation Dept, District 3 (D3Development.Services@itd.idaho.gov); Ken Keene; Kent Lovelace; kfunke@idahopower.com; mark@pioneerirrigation.com; Melissa Close; monica.taylor@intgas.com; Neil Jones; nick@nampahighway1.com; nmid@nmid.org; Easement, Nre; Patrick Sullivan; Phillip Roberts; pnilsson@canyonco.org; Ray Rice; rdewey@nsd131.org; Richard Davies; Shellie Lopez; Soyla Reyna; Tammy Wallen; Tom Points; UCC ben melody; vcharles@idahopower.com
Subject: Laura /VAC-00041-2019 Vacation of Alley between 523 18th Ave N and 611 18th Ave N, for Ludmila Dudlya

Ludmila Dudlya, representing Viktor Dudlya has requested Vacation of the Alley Right-Of-Way located between 523 18th Avenue North (Elmwood Place Lot B, less Tax 7) and 611 18th Avenue North (SW 125 ft of Elmwood Place Lot C & Half Adj Vacated St on West), an approximate twenty five (25) ft x ninety (90) ft Alley Right-Of-Way traversing between 17th Avenue North and 18th Avenue North, a part of Elmwood Place
August 12, 2019

Norman L. Holm, Planning Director
City of Nampa
411 3rd Street South
Nampa, ID 83651

RE: VAC041 19/ Vacation of Alley between 523 18th Ave. & 611 18th Ave. N.

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application as no facilities are impacted and plans show storm water is retained on site.

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
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/ gnf

Cc: Office/ file
Neil Jones
Assistant Building Official
P: 208.468-5492 F: 208.468.4494
jonesn@cityofnampa.us
Department of Building Safety, Like us on Facebook
NAMPA Proud

From: Sylvia Mackrill <mackrill@cityofnampa.us>
Sent: Tuesday, August 06, 2019 11:18 AM
To: Addressing <Addressing@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Bob Parsons <phd3.idaho.gov>; Bobby Sanchez <sanchezb@cityofnampa.us>; Bobboc@canyonco.org; Brent Hoskins <hoskinsb@cityofnampa.us>; Caleb LaClair <lacleir@cityofnampa.us>; Canyon Highway District No. 4 (chopper@canyonhd4.org) <chopper@canyonhd4.org>; Carl Miller - Compass of Idaho (cmiller@compassidaho.org) <cmiller@compassidaho.org>; Channee Grant <grant@nmid.org>; Cody Swander <swander@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; deerflat@fws.gov; Don Barr <barrd@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Eddy Thiel <eddy@nampa/highway1.com>; Elijah Effinger <effingere@cityofnampa.us>; Eric R Shannon <eric@nampa/highway1.com>; gwiles@nampachristianschools.com; Jared Bryan <bryanj@cityofnampa.us>; Jason Kimball <kimballj@cityofnampa.us>; Jay Young <youngj@cityofnampa.us>; Jeff Barnes <barnesj@cityofnampa.us>; jenny.titus@vallivue.org; Jessica Mansell <jessica.mansell@intgas.com>; Ken Couch - Idaho Transportation Dept, District 3 (D3Development.Services@itd.idaho.gov) <D3Development.Services@itd.idaho.gov>; Ken Keene <keene@cityofnampa.us>; Kent Lovelace <lovelacek@cityofnampa.us>; kfunker@idahopower.com; mark@pioneerirrigation.com; Melissa Close <closem@cityofnampa.us>; Monica Taylor @intgas.com; Neil Jones <jonesn@cityofnampa.us>; nick@nampa/highway1.com; nmid@nmid.org; nre.easement@centurylink.com; Patrick Sullivan <sullivanw@cityofnampa.us>; Phillip Roberts <robertsp@cityofnampa.us>; Pnllson@canyonco.org; Ray Rice <ricer@cityofnampa.us>; rdewey@nsdl31.org; Richard Davies <daviers@cityofnampa.us>; Shellie Lopez <lopezs@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Tammy Wallen <twallen@nsdl31.org>; Tom Points <pointst@cityofnampa.us>; UCC ben melody <ben.melody@intgas.com>; vcharles@idahopower.com
Subject: VAC-00041-2019 Vacation of Alley between 523 18th Ave N and 611 18th Ave N, for Ludmila Dudlya

Ludmila Dudlya, representing Viktor Dudlya has requested Vacation of the Alley Right-Of-Way located between 523 18th Avenue North (Elmwood Place Lot B, less Tax 7) and 611 18th Avenue North (SW 125 ft of Elmwood Place Lot C & Half Adj Vacated St on West), an approximate twenty five (25) ft x ninety (90) ft Alley Right-Of-Way traversing between 17th Avenue North and 18th Avenue North, a part of Elmwood Place Addition Subdivision Recorded in Page 49, Book 4 of Canyon County Plats, in the SW ¼ of Section 23 T3N R2W. The applicants state they are requesting the Vacation of Alley to allow sufficient room to construct a garage.

Building Department will require permits for any and all work.

Neil Jones
Assistant Building Official
P: 208.468-5492 F: 208.468.4494
jonesn@cityofnampa.us
Department of Building Safety, Like us on Facebook
NAMPA Proud
This does not effect Fire Department Access as it already has power lines/utilities and fencing that effect it’s use for department access.

We were contacted by an Irena for a 6' vacation of access easement at 523 18th Ave N. Only BP able to locate in Energov was an expired BP#12479-2016. 

Photos of construction and easement attached.
R2W. The applicants state they are requesting the Vacation of Alley to allow sufficient room to construct a garage.

The application is scheduled as a public hearing on the City Council Agenda of September 3, 2019.

Please review and forward any comments to my attention prior to August 23, 2019.

Thank you,

Sylvia Mackrill - Planning and Zoning Department
O: 208.468.5484, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
Neighbor called in and expressed opposition on grounds that the property is not well maintained. The owner has been working on building the house for three years and the construction of a garage is not priority at this time.
ORDINANCE NO. 4461

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO, TO PROVIDE IL (LIGHT INDUSTRIAL) ZONE DESIGNATION FOR CERTAIN LANDS, COMMONLY KNOWN AS 1504 GARRITY BOULEVARD, NAMPA, CANYON COUNTY, IDAHO, COMPRISING APPROXIMATELY 2.38 ACRES, MORE OR LESS; DETERMINING THAT SAID ZONING IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF NAMPA, IDAHO; REZONING SAID PROPERTY FROM RML (LIMITED MULTIPLE-FAMILY RESIDENTIAL) TO IL (LIGHT INDUSTRIAL); PROVIDING FOR RECORDATION; INSTRUCTING THE CITY ENGINEER TO DESIGNATE SAID PROPERTY AS IL (LIGHT INDUSTRIAL) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO;

SECTION 1. Whereas, it has been determined by the Nampa City Council, upon the recommendation of the Nampa Planning & Zoning Commission and the public notice and hearing processes required by Idaho Code chapter 65, Title 67, that a rezone request applied for by Solsbury Hill Land Co., LLC (ZMA 108-19) to rezone the hereinafter described real property from RML (Limited Multiple-Family Residential) to IL (Light Industrial) should be approved.

SECTION 2. It is hereby determined to be in the best interests of the public, and consistent with the Nampa Comprehensive Plan, that the following described property in the City of Nampa, Canyon County, Idaho, commonly known as 1504 Garrity Boulevard, comprising approximately 2.38 acres, more or less, be, and hereby is, rezoned from RML (Limited Multiple-Family Residential) to IL (Light Industrial), to-wit:

See Exhibit “A,” attached hereto and made a part hereof by this reference.

SECTION 3. That the recordation of this ordinance shall be deemed for all intents and purposes as an amendment to the zoning ordinance and zoning map of the City of Nampa. The City Engineer is instructed to designate said property as IL (Light Industrial) on the Official Zoning Map and other area maps of the City of Nampa.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval, publication and recordation according to law.
PARCEL 1

A parcel of land being a portion of the NE1/4 NW1/4 of Section 23, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at the southeast corner of the NE1/4 NW1/4;

Thence N 89° 27' 55" W a distance of 260.00 feet along the south boundary of the NE1/4 NW1/4;

Thence N 00° 14' 44" E a distance of 5.50 feet parallel with the east boundary of the NE1/4 NW1/4 to the POINT OF BEGINNING;

Thence N 89° 27' 55" W a distance of 115.25 feet parallel with the south boundary of the NE1/4 NW1/4;

Thence N 42° 51’ 06” W a distance of 24.58 feet;

Thence N 00° 12’ 58” E a distance of 231.63 feet to the beginning of a curve;

Thence 98.98 feet along an arc to the right, with a 71.50 foot radius, having a central angle of 79° 19’ 07”, and a long chord of which bears N 39° 33’ 35” E a distance of 91.27 feet;

Thence N 78° 54’ 12” E a distance of 75.82 feet;

Thence N 00° 14’ 44” E a distance of 51.15 feet;

Thence S 89° 27’ 55” E a distance of 160.00 feet parallel with the south boundary of the NE1/4 NW1/4;

Thence S 00° 14’ 44” W a distance of 386.84 feet parallel with the east boundary of the NE1/4 NW1/4;

Thence N 89° 27’ 55” W a distance of 160.00 feet parallel with the south boundary of the NE1/4 NW1/4 to the POINT OF BEGINNING.

This parcel contains 2.38 acres more or less.

Also, this parcel is subject to all easements and rights-of-way of record or implied.
Zoning Map Amendment: Rezone from Residential Multi Family to Light Industrial

ZMA-00108-2019

Visit Planning & Zoning at cityofnampa.us for more info.

1504 Garrity Blvd

6/4/2019

For illustrative purposes only.
At the time of Publication This Item Had no Supporting Documentation