Mayor Kling called the meeting to order at 6:00 p.m.

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

(1) Consent Agenda (Action Items)

MOVED by Rodriguez and SECONDED by Haverfield to approve the Consent Agenda as presented; Regular Council Minutes of December 17, 2018; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes of December 13, 2018; Airport Commission Minutes; Planning & Zoning Commission Minutes of December 11, 2018; Library Commission Minutes; bills paid; The City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; final and preliminary plat approvals: 1) None; Authorize Public Hearings: 1) None; Authorize to Proceed with Bidding Process: 1) None; Authorization for execution of Contracts and Agreements: 1) Authorize Mayor to approve the ITD/Nampa Signal FY19 Zone B1 Equipment Procurement project; Monthly Cash Report: 1) None; Resolutions: 1) Destruction of Clerk’s Records; 2) Disposition of Fleet Property; License for 2018: 1) None; Miscellaneous Items: 1) None. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. Mayor Kling declared the MOTION CARRIED

(2) Proclamation

Item #2-1 - None

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):

- None

Mayor Kling’s and Council Comments

- Year-end Report (the greatest asset is the people) – Mayor
- Councilmember Rodriguez – thanked the community and the Council support over my first year
- Councilmember Hogaboam – gave a shout-out for the firefighters from a citizen; and also gave a shout-out for the police

Agency/External Communications

- Amy Schroeder presented the following presentation on ITD I-84 Project: we have a public meeting on January 22, 2019 in Nampa and January 23 in Caldwell. We are looking at this corridor in three segments. In Nampa between the Franklin Boulevard and the Karcher Interchange we have construction beginning this year and that is reconstruction of the
Northside interchange and rebuilding I-84 to three lanes in each direction. That will go on through next year 2020.

We are also working on an environmental study and that is going into Caldwell but we are taking that in two pieces the center piece is the one that we are focused on for the open houses at the end of the month. This is advancing the expansion of I-84 from the Karcher Interchange to the Franklin Road interchange in Caldwell. It is looking like three lanes in each direction and rebuilding the bridges and the canal crossing and everything that goes with it.

Left hand side of traffic, this is a study that will take a little bit longer and so we are able to advance Karcher to Franklin Road but we need a little bit more time to study the improvements that are needed in Caldwell so there will be another public meeting later in the summer for the improvements in Caldwell.

Franklin Road in Caldwell construction in 2021 and take a couple of years. Construction in Nampa won’t stop it will be continuous.
Item #3-1. – Public Works Director Tom Points presented a staff report to update the council on current projects as follows:

Letter of Appreciation to Idaho Department of Transportation for I-84B, Northside Boulevard to Grant Street Project – On behalf of the City, Mayor Kling is sending the attached letter of appreciation (see Exhibit A) to Chairman Jerry Whitehead of the Idaho Transportation Department (ITD) for the excellent work on the I-84B, Northside Boulevard to Grant Street project.

- The letter states gratitude to ITD for their efforts in planning, allocation of funding, design and construction management resulting in a job well done.

The project rebuilt deteriorated roadway, pedestrian ramps and curbing throughout downtown Nampa and along Garrity Avenue adjacent to Lakeview Park, and was completed last summer.

- The project was constructed at night to expedite the work and reduce impacts to businesses and the community.

The City looks forward to a continued partnership with ITD.

Street Division Snow Removal - Street Division crews continue winter maintenance activities by applying Magnesium Chloride (MgCl2), salt and/or brine. The following highlights labor hours and material expenditures:

<table>
<thead>
<tr>
<th>FISCAL YEAR 2019 TOTALS</th>
<th>Hours</th>
<th>Gallons</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task and/or Material</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtime</td>
<td>60</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>99</td>
<td></td>
<td></td>
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<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Total Hours</td>
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</tr>
<tr>
<td>Mag Chloride</td>
<td></td>
<td>17,171</td>
<td></td>
</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salt</td>
<td></td>
<td></td>
<td>143</td>
</tr>
</tbody>
</table>
I-84 Northside Interchange Landscape Plan - ITD is designing improvements to I-84, between the Karcher Interchange and Franklin Boulevard Interchange in Nampa. The improvements are part of a major project addressing the needs on I-84 from Nampa into Caldwell. The work is expected to improve safety, address congestion and benefit the regional economy for many years.

As part of the corridor project, the I-84 Interchange and Northside Boulevard will be replaced with a Single Point Urban Interchange (SPUI). The design is underway, including the landscape plan.

ITD has allocated approximately $400,000 (the value of the existing landscape) toward installation of new landscaping.
Regular Council  
January 7, 2019

The I-84 Northside Interchange 50% Design Narrative has been reviewed and approved by city staff, including Parks Department staff (see Exhibit B).

The plan includes grass turf areas, landscaping planting beds, dryland grass areas, and some large trees. The plan is designed for aesthetics as well as efficiency of maintenance.

**Greenhurst Road Rebuild – Midland to Juniper** – The first phase (Phase I) of the East Greenhurst Road Rebuild Project (Project) will begin on January 14. Phase I will include work on East Greenhurst Road, from 12th Avenue Road to South Juniper Street, and is expected to be completed in May 2019.

Phase II of the Project will include work on West Greenhurst Road, from 12th Avenue Road to Midland Boulevard. Phase II work will begin in June 2019 and is scheduled to be completed before school is back in session for the 2019-2020 school year.

The attached letter (see Exhibit C) was sent to affected property owners in the adjacent subdivision last week and includes a map of the Phase I detour.

Mayor and Councilmembers asked questions and made comments.

**Wastewater Program Update:** The Wastewater Program Management Team (WPMT) continues to oversee preliminary design to construction management for the following projects:

- $165 Million Loan Agreement with Idaho Department of Environmental Quality  
  - **To be completed in Winter 2019**
- Recycled Water Program Reuse Permit
- Phase II/III Preliminary Design
- Fiscal Year 2020 Wastewater Rate Increases  
  - **To be completed in Summer 2019**
- Phase I Construction
- Procurement of Design/Construction Services for Phase II  
  - **To be completed in Fall 2019**

The WPMT is also tracking regulatory issues related to the waters of the United States. On December 11, 2018, the U.S. Environmental Protection Agency (EPA) issued a press release regarding the proposed new “Waters of the United States” (WOTUS) definition and opened a 60-day public comment period (see Exhibit D). The EPA will host an informational webcast on January 10, 2019, as well as a listening session on the proposed rule in Kansas City, Kansas, on January 23, 2019. The WPMT plan to attend both broadcasts and is working with legal counsel to prepare comments for submission to EPA. The proposed rule is expected to take several years to finalize as the EPA will need to address the anticipated, hundreds of thousands public comments.
In December, the city received the draft loan offer from the Idaho Department of Environmental Quality (IDEQ) for the first $37 million of the $165 million State Revolving Fund (SRF) loan. On December 3, 2018, IDEQ informed the city the 2018 Wastewater Treatment Plant (WWTP) Facility Plan environmental document review was complete and no further environmental analysis will be required (see Exhibit E). On December 11, 2019, IDEQ published a legal notice for the categorical exclusion determination in the Idaho Press, clearing the way for IDEQ to prepare the city’s $165 million SRF loan offer and agreement. The loan agreement was received by the city on December 20, 2018, and is with the city’s legal counsel, and bond counsel (Skinner Fawcett LLP), for review. It is anticipated the agreement will be before the city to execute in February 2019.

Phase I Upgrades Construction Update

On September 8, 2015, city council requested the WPMT provide bimonthly reports on Phase I Upgrades construction progress. Phase I Upgrades were designed to meet the Wastewater National Pollutant Discharge Elimination System (NPDES) permit interim phosphorus limits that go into effect May 1, 2020.

The $38 million Phase I Upgrades Projects is more than 80% complete. Project Group A-Liquid Streams Upgrades started in June 2015 and completed in the summer 2018. Project Group B-Solids Handling Upgrades started in June 2017 and is scheduled for completion in the spring of 2019. The final project, Project Group C-Primary Digester No. 4, started in October 2018 and scheduled for completion in the fall of 2019.

Project Group B – Solid Handling Upgrades Status

Since issuance of Notice to Proceed there has been considerable progress on Project Group B:

- Notice to Proceed issued June 19, 2017
- The Contract Time Completed is currently at 79%
- The Contract Work Completed is currently at 83%

Key activities and milestones achieved since the update to city council on December 3, 2018, include:

- Completed installation of the polymer makeup system inside the new Solids Handling Building
- Initiated work on the ferric chloride system
- Continuation of electrical work in the polymer room, including pulling wire and starting terminations
Submitted 517 technical submittals since the beginning of project. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 17 days.

Based on the current project schedule, the following are the major work items expected to be completed in the near future:

- Continuation of electrical and instrumentation work on MCC 7 in the blower building
- Commissioning and testing of several construction components, including plant drain lift station, polymer and thickening systems, and dewatering system is slated for January and February 2019
- Punch list completion and walkthrough with the city is scheduled for April 2019

The following photos show the progression of Project Group B:

![Image Description](image)

**Figure 1 – Continued work on electrical installations in the polymer room**
Since issuance of Notice to Proceed there has been considerable progress on Project Group C.
- Notice to Proceed issued October 15, 2018, for administrative activities. Construction Notice to Proceed issued November 12, 2018
- The Contract Time Completed is currently at 17%
- The Contract Work Completed is currently at 2%

Key activities and milestones achieved since the update to city council on December 3, 2018, include:
- Continuation of contractor submittal process for construction work
- Completion of mass excavation at the location of the new Primary Digester No.4
- Preparation of subgrade for the foundation at the site
- Submitted 47 technical submittals since the beginning of Project. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 12 days

Based on the current project schedule, the following are the major work items expected to be completed in the near future:
- Concrete pouring for the base slabs of the new digester will take place in January 2019
- Placement of walls for the new digester is currently slated for February 2019
The following photos show the progression of Project Group C:

*Figure 1 – Excavation activities*

*Figure 2 – Foundation progress*
Nampa WWTP Phase I Upgrades: Financial Report
The following table shows current financials for Phase I Upgrades:

<table>
<thead>
<tr>
<th>Contract</th>
<th>Original Budget</th>
<th>Current Budget</th>
<th>Change Order Rate</th>
<th>Spent</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Group A – Ewing</td>
<td>$12,494,000</td>
<td>$14,071,194</td>
<td>11.2%</td>
<td>$14,071,194</td>
<td>100%</td>
</tr>
<tr>
<td>Project Group A Contingency</td>
<td>$1,500,000</td>
<td>-$77,194</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Project Group A Total</td>
<td>$13,994,000</td>
<td>$13,994,000</td>
<td></td>
<td>$14,071,194</td>
<td>101%</td>
</tr>
<tr>
<td>Project Group B - JC</td>
<td>$11,255,000</td>
<td>$11,636,989</td>
<td>3.3%</td>
<td>$9,794,947</td>
<td>84%</td>
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<tr>
<td>Project Group B Contingency</td>
<td>$500,000</td>
<td>$118,011</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Project Group B Total</td>
<td>$11,755,000</td>
<td>$11,755,000</td>
<td></td>
<td>$9,794,947</td>
<td>83%</td>
</tr>
<tr>
<td>Project Group C – Ewing</td>
<td>$3,311,094</td>
<td>$3,311,094</td>
<td>0.0%</td>
<td>$67,850</td>
<td>2%</td>
</tr>
<tr>
<td>Project Group C Contingency</td>
<td>$150,000</td>
<td>$150,000</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Project Group C Total</td>
<td>$3,461,094</td>
<td>$3,461,094</td>
<td></td>
<td>$67,850</td>
<td>2%</td>
</tr>
<tr>
<td>PHASE I UPGRADES TOTAL</td>
<td>$29,210,094</td>
<td>$29,210,094</td>
<td>7.2%</td>
<td>$23,933,991</td>
<td>82%</td>
</tr>
</tbody>
</table>

*a Overall project authorization was not exceeded. Savings in other contracts resulted in finishing under the original project budget of $18.5M.

Other Financial Updates:
- Project Group B will have an unused contingency of $125,000 resulting from decisions by city staff, the contractor, and the WPMT. The contract values shown in the table above still include this contingency as the cost savings will be captured early in 2019.

City of Nampa Fiscal Year 2018 Nampa Wastewater Treatment Facility National Pollutant Discharge Elimination System Permit Annual Report: The Wastewater NPDES permit allows for the city to discharge to Indian Creek. The same permit requires an annual progress report to be submitted before the end of each calendar year. With IDEQ being granted primacy of the Idaho Wastewater NPDES permits, the City’s Fiscal Year 2018 Nampa Wastewater Treatment Facility NPDES Permit Annual Report (Report) was submitted to IDEQ on December 28, 2018.

The report summarizes the wastewater program and provides progress on compliance activities outlined in the Wastewater NPDES permit. Activities for fiscal year 2018 include:

- 2018 WWTP Facility Plan: The facility plan was completed and adopted by city council in February 2018. The plan identifies a recycled water program as the preferred alternative for meeting the regulatory requirements and Nampa’s growth
- Total Phosphorus Limit: Significant progress with Phase I Upgrades (Projects Group A, B and C) has been made with the final completion. The aeration basin biological nutrient
removal and primary effluent pump station construction was completed (Project Group A). Construction activities for the Solids Handling Building and Primary Digester No. 4 are underway. The building (Project Group B) is estimated to be completed in Spring 2019, and the digester (Project Group C) will be completed in late 2019. The Wastewater NPDES permit includes a schedule of compliance for meeting a total phosphorus interim limit and final limit that go into effect May 1, 2020, and August 31, 2026, respectively

- **Temperature Limit:** Completion of the Nampa WWTP Facility Plan identified a recycled water program that will discharge Class A Recycled Water to the Phyllis Canal during the summer months. The Wastewater NPDES permit includes a schedule of compliance for meeting a temperature limit that go into effect August 31, 2031

- **Mercury Limit:** Data was obtained from local dental offices through a questionnaire

- **Copper Limit:** The copper sampling plan is being developed and will be completed in early 2019 at which time the city will begin collecting data to meet the requirements of the plan

Councilmembers asked questions.

❖ *(4) Unfinished Business ❖*

**Item #4-1.** – None

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

5-1. 1st reading of ordinance for Annexation and Zoning to Light Industrial at 58 and 0 N. Kings Rd. for construction of Storage Units (A combined 3.87 acre or 168,577 sq. ft. portion of the South Half of the NW ¼ of the SW ¼ of Section 24, T3N, R2W, BM) for Cody Lane-Trek Investment Group *(PH was 9-17-2018)*

5-2. 1st reading of ordinance for Annexation and Zoning to RS 7 (Single Family Residential - 7,000 sq. ft.) for Carriage Hill West Subdivision east of Midway Rd. between W. Iowa Ave. and Lake Lowell Ave. (A 122.38-acre portion of the NW 1/4 of Section 31, T3N, R2W, BM - 368 Single Family Residential lots or 3.01 lots/gross acre) for Engineering Solutions, LLP representing Toll ID I LLC *(PH was 11-05-2018)*

5-3. 1st reading of ordinance for Modification of Annexation and Zoning Development Agreement between Constantine LLC and the City of Nampa for property at 2305 E. Victory Rd. amending: a) condition 2 regarding dedication of right-of-way, b) condition 3 regarding fencing along the North Nampa Lateral, c) condition 4 subsections c, g, and k regarding building design standards, d) incorporating an additional 1.5 acres into the development, and e) substituting a new preliminary plat design which includes the original acreage and an additional acreage (A 4.07-acre portion of the E ½ of the NW ¼ of the NW ¼ of Section 26, T3N, R2W, B.M.), Annexation and Zoning to RD (Two-Family Residential) at 0 E. Victory Rd. (A 1.5-acre or 65,296 sq. ft. portion of the East ½ of the NW ¼ of the NW ¼ of Section 26, T3N, R2W, BM) for Riley Planning Services representing Getty Capital of Idaho (DAMO 025-18, ANN 103-18) *(PH was 11-19-2018)*
Regular Council  
January 7, 2019

5-4. 1st reading of ordinance annexation and zoning to RS-6 at 2724 Seminole Drive for Alan and Karen Wheatley for connection to city sewer services (PH was 12-17-2018)

5-5. 1st reading of ordinance for annexation and zoning to RS-6 at 2420 East Amity Avenue for Stephen Warren for connection to city water and sewer services (PH was 12-17-2018)

5-6. 1st reading of ordinance for a vacation of the right-of-way located within the Nampa Industrial Corporation First Addition Subdivision, comprising 0.683 acres, located running north off industrial Rd, between Lot 1 on the west, Lots 6,7,8 Block 4 on the east and the Phyllis Canal and Parcel R311881000 to the north for NLH LLC, John Burrow, and Home Style Industries, to retain ownership of the adjacent vacated right-of-way (PH was 12-17-2018)

5-7. 1st reading of ordinance for a zoning map amendment from RS-6 to BC for the second parcel west of 11460 West Karcher Road for Jeremiah Jenkins (PH was 12-17-2018)

(6) New Business

Item #6-1. - Mayor Kling presented the request to award the bid and authorize the Mayor to sign the contract with EKC, Inc for the Remodel Project for Nampa Family Justice Center.

Facilities Superintendent Brian Foster presented a staff report explaining that the Facilities Development, as part the Department of Building Safety and Facilities Development, is charged with maintaining and improving city property. Facilities Development has identified the need for a remodel for the Family Justice Center. 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 solicited bids from contractors for the remodel project. A mandatory walk through was conducted at the project site on December 6, 2018 at 10:00 a.m.

A total of five (5) bids were received on December 18, 2018.

The apparent low bid was received from Excelsior Construction, however, on December 19, 2018 Excelsior Construction withdrew their bid pursuant to Idaho Code 54-1904E.

The apparent low bid for the project is EKC, Inc.

Documentation has been reviewed by the City Attorney.

The project is to be funded by CDBG funds.
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 contact with ECK, Inc. for the remodel for the Nampa Family Justice Center at the Mangum Building not to exceed contract amount of $110,819. 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 presented the request for reappointment of Erica Hernandez and appointment of Mary Knight to the Venue Management Advisory Commission.

MOVED by Haverfield and SECONDED by Rodriguez to approve the reappointment of Erica Hernandez and appointment of Mary Knight to the Venue Management Advisory Commission. The Mayor asked all in favor say aye with all Councilmembers present voting AYE. The Mayor declared the MOTION CARRIED

Item #6-3. - Mayor Kling presented the request to authorize the Parks and Recreation Department to give a 30-day notice to terminate the Letter of Agreement, dated September 4, 2018, with the South Valley Homeowners Association.

Parks and Recreation Director Darrin Johnson presented a staff report explaining that in 2017 the Nampa Parks Division and the Nampa Meridian Irrigation District (NMID) organized maintenance near a section of the Wilson Pathway located southwest of the Panda Express on 12th Ave Rd. The maintenance was done to maintain and repair the Wilson Drain.

As a result of the maintenance, trees on the NMID maintenance easement were removed. When the maintenance was completed, at the request of the South Valley Drive HOA, the Parks Division established a letter of agreement between the city and the HOA permitting the HOA to plant trees on City of Nampa Property. The purpose for the agreement was to satisfy the homeowners who had concerns about the removal of trees during the drain repair.

After the agreement was ratified and the HOA planted trees, the NMID took issue with the trees being planted on their maintenance easement. Referring to a 2003 agreement between the city and the NMID, the district notified the Parks Division that the city would need approval from the NMID to restore landscaping. With this, Nampa Parks and Recreation determined it is in the City of Nampa’s best interest to request city council authorize the termination of the agreement between the city and the South Valley Drive Homeowners Association. The original agreement is attached with an exhibit showing location.
Regular Council  
January 7, 2019

In a separate agreement (that will be presented for approval on January 7, 2018) the City of Nampa is requesting city council approve a Landscape License Agreement between the City of Nampa and the NMID. This agreement will allow shrubs but not the replacement of trees.

Councilmembers asked questions and made comments.

MOVED by Haverfield and SECONDED by Bruner to authorize the Parks and Recreation Department to give a 30-day notice to terminate the Letter of Agreement, dated September 4, 2018 with South Valley Homeowners Association. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the 
MOTION CARRIED

Item #6-4. - Mayor Kling presented the request to authorize the Mayor to sign the Landscape License Agreement between the City of Nampa Parks and Recreation Department and the Nampa Meridian Irrigation District.

Darrin Johnson presented a staff report explaining that on a portion of the Wilson Pathway, located Southwest of the Panda Express on 12th Ave. Rd, Nampa Parks and Recreation has negotiated a license agreement with the Nampa Meridian Irrigation District. The agreement allows shrubs to be planted along the pathway but limits the city from planting trees. The location pertaining to the agreement is described in the attached exhibits.

This action will replace an agreement that was established between the City Parks and Recreation Department and the South Valley Drive Homeowners Association. In a separate action item, the Nampa Parks and Recreation Department will request the described agreement with the homeowner’s association be terminated.

Nampa & Meridian Irrigation District (NMID) will allow nine (9) shrubs and grass to encroach within the easement for the Wilson Drain. The easement for the Wilson Drain at this location is a minimum of one hundred feet (100') total, fifty feet (50') on each side of centerline.

Previously, seven (7) shrubs and two (2) trees were planted approximately twenty-seven feet (27') from the centerline of the Wilson Drain without an agreement between NMID and The City of Nampa. You have proposed that the two trees that do not meet NMIDs current landscaping requirements, will be removed and replaced with shrubs.

MOVED by Bruner and SECONDED by Haverfield to authorize the Mayor to sign the Landscape License Agreement between the City of Nampa Parks and Recreation Department and the Nampa Meridian Irrigation District. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the
MOTION CARRIED
Regular Council  
January 7, 2019  

**Item #6-5.** - Mayor Kling presented the request to **award quote to Blue Sky Construction** and **authorize the Mayor to sign contract** for FY19 Aerial Sewer Replacement Project.

Tom Points presented a staff report explaining that each year as part of the City’s Asset Management program the Wastewater Division identifies sanitary sewer lines and infrastructure that need rehabilitation or replacement.

In 2017 (FY17) the city had to perform an emergency repair on an aerial sewer crossing at Broadmore Ave to stop sewage discharge into Indian Creek. The emergency repair highlighted the need for the city to be more proactive in replacing failing aerial sewer crossings.

For FY18 the Wastewater Division identified six (6) aerial sanitary sewer crossings in need of replacement (Exhibit A).

T-O Engineers, Inc. was selected by interview to design the project and assist with easement acquisition, bidding and construction.

The aerial crossings were designed in FY18 and construction in FY19 to coincide with the irrigation offseason. Constructing the project during the irrigation offseason will reduce the need for bypass pumping and improve constructability.

The Aerial Sewer Replacements FY19 project has an approved Wastewater Division budget of $685,000.

The project was put out to bid in September, and we received no bids.

Engineering contacted Blue Sky Construction and negotiated a price for the work.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concept, Design, Bidding Preparation</td>
<td>$82,954.00</td>
</tr>
<tr>
<td>Construction</td>
<td>$365,159.67</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$448,113.67</strong></td>
</tr>
</tbody>
</table>

Construction inspection will be performed in-house saving an estimated $40,200.00

This is aligned with the city’s goal is to improve the 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.

Engineering Division recommends awarding the project.
MOVED by Haverfield and SECONDED by Bruner to award the quote to Blue Sky Construction and authorize the Mayor to sign contract for FY19 Aerial Sewer Replacement Project in the amount of $365,159.67. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the
MOTION CARRIED

Item #6-6. - Mayor Kling presented the request to authorize the Mayor and Public Works Director to sign Task Order and Contract with Paragon Consulting, Inc. for professional services on Midland Boulevard Re-Striping (W. Greenhurst Road to Caldwell Boulevard) project.

Tom Points presented a staff report explaining that the draft transportation masterplan identifies this stretch of the Midland corridor be reviewed for safety and striping plan. The roadway segment spans approximately 3.5 miles. (Exhibit A)

The purpose of the Midland Boulevard Re-Striping (W. Greenhurst Road to Caldwell Boulevard) project is to increase safety, reduce delay, and improve conductivity along the corridor.

A conceptual pavement marking layout for the Midland Boulevard corridor has been completed as part of a previous project, however further development will require additional design and public involvement to coordinate access and parking with adjacent property owners.

Paragon Consulting, Inc. was selected to perform professional design services for the Midland Boulevard Re-Striping project.

Paragon Consulting, Inc. provided a scope of work for $28,700 to provide design and public involvement services to meet with property owners along the corridor, conduct a public open house, review accident history, complete a report, striping plans and bid documents (Exhibit B) The current approved budget is $75,000 and is from the FY19 Streets Division.

Engineering Division has reviewed the Scope of Work and recommends approval of the task order to Paragon Consulting, Inc. in the amount of $28,700.

MOVED by Bruner and SECONDED by Rodriguez to authorize the Mayor and Public Works Director to sign a task order and contract with Paragon Consulting, Inc. for professional services on Midland Boulevard re-striping (W. Greenhurst Road to Caldwell Boulevard) project in the amount of $28,700. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the
MOTION CARRIED
Regular Council  
January 7, 2019

Item #6-7. - Mayor Kling presented the request to authorize the **Public Works Director** and/or **Deputy Public Works Director** (Water) **signing authority** in accordance with the City’s Municipal Separate Storm Sewer System (MS4) Permit. (reviewed and approved by legal counsel)

Tom Points presented a staff report explaining that the City of Nampa’s Stormwater National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit No. IDS-028126 states that all permit applications, discharge monitoring reports, and reporting of permit violations are to be signed by a ranking elected official (Mayor) or his/her duly authorized representative.

The duly authorized representatives, under penalty of law, submit the information to their best knowledge to be true, accurate, and complete.

Staff have reviewed City Council records and were unable to find action assigning a duly authorized representative.

The Deputy Public Works Director (Water) oversees Stormwater NPDES MS4 permit activities and reporting.

In the event the Deputy Public Works Director (Water) is not available, the person holding the position of Public Works Director oversees stormwater permit activities.

Public Works Department recommends that the Stormwater NPDES MS4 permit duly authorized representative be the Deputy Public Works Director (Water).

MOVED by Rodriguez and SECONDED by Bruner to authorize the **Public Works Director** and/or **Deputy Public Works Director** (Water) **signing authority** in accordance with the City’s **Stormwater NPDES MS4 Permit No IDS-028126**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

Item #6-8. - Mayor Kling presented the request to **authorize** the **Public Works Director** to **Sign and Submit 2018 Stormwater Annual Report** for National Pollutant Discharge Elimination System Permit for Municipal Separate Storm Sewer System (MS4) Permit to the Environmental Protection Agency and the Idaho Department of Environmental Quality.

Tom Points presented a staff report explaining that the City of Nampa’s Stormwater National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit No. IDS-028126 became effective October 15, 2009 and expired on October 14, 2014.

In July 2014 the city submitted an application for permit reissuance to the Environmental Protection
Agency (EPA) for continued coverage under the Stormwater NPDES MS4 permit.

In October 2014 the EPA issued a letter to the city that the Stormwater NPDES MS4 permit was being administratively extended until a new permit is issued. The EPA’s administrative extension required no program changes for the permit compliance.

Nampa stormwater discharges continue to be monitored and reported annually under EPA’s administrative extension. EPA anticipates issuing a new MS4 general permit to Idaho in 2019, with an effective date of October 1, 2019.

Once per year the city must evaluate and demonstrate compliance with the MS4 permit conditions, the appropriateness of identified Best Management Practices (BMPs), and progress toward achieving the six (6) minimum control measures. This task is accomplished through the MS4 Annual Report.

The 2018 annual report documents Stormwater NPDES MS4 Permit Year 9.

Activities performed during Year 9 of the MS4 permit were focused on the continuation of Public Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Runoff Program, Post-Construction Stormwater Management, Pollution Prevention/Good Housekeeping, and a Stormwater Monitoring Program.

The city continued efforts to educate and engage Nampa’s community through the Public Education and Outreach and Public Involvement and Participation Programs. These events educated and informed 11,217 participants, on Nampa’s stormwater and are outlined below:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th># of Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/27/2017</td>
<td>Downtown Nampa Trunk or Treat</td>
<td>3,500</td>
</tr>
<tr>
<td>11/28/2017</td>
<td>Boy Scout Troop 118</td>
<td>10</td>
</tr>
<tr>
<td>3/17/2018</td>
<td>Dog Park Food Truck Rally</td>
<td>1500</td>
</tr>
<tr>
<td>4/20/2018</td>
<td>Water Education Day</td>
<td>200</td>
</tr>
<tr>
<td>4/27/2018</td>
<td>Water Education Day</td>
<td>237</td>
</tr>
<tr>
<td>4/14/2018</td>
<td>Rec Center Spring Kickoff</td>
<td>1200</td>
</tr>
<tr>
<td>5/13/2018</td>
<td>Treasure Valley Leadership Academy</td>
<td>26</td>
</tr>
<tr>
<td>5/24/2018</td>
<td>Central Canyon Edible Aquifer</td>
<td>63</td>
</tr>
<tr>
<td>5/30/2018</td>
<td>Nampa Library Summer Reading Program Kickoff</td>
<td>2,000</td>
</tr>
</tbody>
</table>
### Total Number of Attendees for 2017–2018 Permit Year 9 Stormwater Outreach Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th># of Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-7/2018</td>
<td>Water Quality Camps</td>
<td>133</td>
</tr>
<tr>
<td>8/10/2018</td>
<td>21st Century Water Fun Day</td>
<td>300</td>
</tr>
<tr>
<td>8/25/2018</td>
<td>Nampa Parks and Recreation Pooch Party</td>
<td>1200</td>
</tr>
<tr>
<td>9/26/2018</td>
<td>Stormwater Community Cleanup Day</td>
<td>62</td>
</tr>
<tr>
<td>10/3/2018</td>
<td>Employee Health Fair</td>
<td>200</td>
</tr>
<tr>
<td>2018</td>
<td>3 Library Workshop Events</td>
<td>86</td>
</tr>
<tr>
<td></td>
<td>Total for all events</td>
<td>11,217</td>
</tr>
</tbody>
</table>

### Six (6) Minimum Control Measures:

1. **Stormwater Public Education and Outreach, and Public Involvement and Participation Program**
   - Continue to sponsor the Nampa School District partnership Memorandum of Understanding.
   - Environmental Compliance Division website and Facebook page is continually updated, to notify the public of upcoming events and provide opportunities to input or report stormwater related concerns.

2. **Illicit Discharge Detection and Elimination (IDDE) Program**
   - IDDE information fact sheets and posters were distributed to target audience including city departments, as well as public education events.
   - Monitoring the “Report a Spill” page on the Environmental Compliance Division website, and the city installed pet pickup stations throughout the city.
   - The city inspected outfalls to verify ownership.
   - Dry weather screening was performed on city owned stormwater outfalls.
   - Updated the comprehensive storm sewer system map.
   - Reviewing and updating the industrial inventory of all facilities that discharge directly to the MS4.

3. **The Construction Site Runoff Program**
   - Inspection of projects disturbing five (5) acres or greater, as well as projects disturbing an acre or less in size.
   - Using the prioritization approach developed during previous permit years and inspecting construction sites less than five (5) acres.
   - Providing a free educational opportunity called “Conceptual Plan Review” for commercial builders, developers, and property owners.
4. The Post-Construction Stormwater Management Program (PCSWMP) continues to address permit requirements including:
   a. Actively working to update the City of Nampa Engineering Policy manual to clearly delineate roles and responsibilities between heavy and light maintenance for permanent structural control.
   b. Identifying a process to educate owners and developers on long-term operations and maintenance (O&M) via an O&M fact sheet.
   c. Plans to collaboratively work with other city departments to review and incorporate the PCSWMP into existing operations and practices.

5. The Pollution Prevention/Good Housekeeping Program (PPGH) continues to create awareness to prevent or reduce pollutant runoff from municipal operations:
   a. Developed and updated Stormwater Pollution Prevention Plan (SWPPP), and Spill Prevention, Control, and Countermeasure (SPCC) Plan for the Wastewater Treatment Plant. In Year 9, Wastewater, Fleet Services, Street, and Water Divisions continue to implement the SWPPP requirements.
   b. Ongoing training on best practices.
   c. Standard Operational Procedures were developed to address PPGH activities.

6. During Year 9, city staff continued monitoring stormwater at three locations:
   a. Samples were collected during four (4) storm events to include Indian Creek, Mason Creek, and Wilson Drain.
   b. An Annual Stormwater Monitoring Report was developed which provides monthly and annual pollutant loading estimates from samples collected during the ninth permit year.

   • As part of the Stormwater NPDES MS4 permit requirements, the city must submit a Stormwater NPDES MS4 Annual Report to EPA and the Idaho Department of Environmental Quality (IDEQ)

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **authorize** the **Public Works Director** to **sign and submit** the **2018 Stormwater Annual Report** for National Pollutant Discharge Elimination System Permit for Municipal Separate Storm Sewer System to the United States Environmental Protection Agency. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

❖ (8) Public Hearings ❖

**Item #8-1.** - Mayor Kling opened a public hearing for a variance of the required interior yard 5-foot side setback to allow a 3-foot interior yard side setback for all lots within Bella Commons
Subdivision – Phase 2 PUD located in the SE ½ SE ¼ NW ¼ Section 7, T3N, R2W, BM for Chad Olsen DBA Envision 360, Inc.

Chad Olsen, 12790 West Helamark, Boise presented the request.

Mayor and Councilmembers asked questions made comments.

Planner II Douglas Critchfield presented the following staff report explaining that the request is for a variance to City of Nampa Zoning Ordinance Sections 10-10-6 E for all detached single family homes requiring a 5’ side setback, to allow a three (3) foot setback from side property lines for property located at 2121 W Claira Road and 1522 S Pilar Way for Chad Olsen, Envision 260 Inc for the purpose of constructing single-family homes on 35’ wide lots in the Bella Commons Planned Unit Development Ph. 2.

General Information


Location: 2121 W. Claira Rd., 1522 S. Pilar Way, & other parcels within the PUD TBD - North of Flamingo Road and West of N. Cassia St. on that portion S½ of the SE¼ of the NW¼ of Section 17, T.3N., R.2W., B. M., Nampa, Canyon County, ID. Size of Property: The PUD is 9.05 acres.

Surrounding Land Use and Zoning: North- Residential, RS 6 (Single Family Residential); South- Residential, RA (Single Family Suburban Residential); East- Residential, RA (Single Family Suburban Residential) and RMH (Multi-Family Residential); West- Residential, RS 6 (Single Family Residential). Comprehensive Plan Designation: Residential Mixed Use. Parcel History: Ordinance #3725 (August 7, 2007) annexed the parcel into the City of Nampa, zoned it RD (two-family residential) and created a PUD overlay.

Applicable Regulations

10-24-1: [Variance] Purpose:

The 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; and 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.

10-10-6: PROPERTY AREA, WIDTH AND YARD REQUIREMENTS: (RD Zone)

Minimum Interior Yard Setback: Minimum property interior (side/rear) yard setbacks shall be not less than five feet (5') wide/deep. Where a utility easement is recorded adjacent to a side property line, there shall be provided a side yard (setback) no less than the width of the easement or five feet (5') whichever is greater. Where a utility easement is recorded adjacent to a rear property line, the rear interior yard (setback) shall be no less than the width of the easement on the development site or five feet (5'), whichever is greater. (Ord. 4282, 9-19-2016)

Special Information

Transportation/Access: The parcel has direct access on Flamingo Ave. via Pilar Way and N Cliffrock Rd. Environmental, Aesthetics/Landscaping: Subdivision landscaping as well as street frontage landscaping on Flamingo Ave as stated in the Development Agreement dated August 6, 2007 will be required. 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**

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 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.

The city council must determine if this request qualifies as a unique site circumstance providing the required justification for approval. The 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 the case. The owner/applicant seeks to reduce side setbacks to 3’ throughout the Bella Commons PUD Phase 2 in order to build detached single-family residences. The Bella Commons PUD did not specifically grant a variation from the RD zone setback requirements. Historically, PUD’s have permitted variations in setbacks in order to accommodate special circumstances, such as the narrow lot sizes in this PUD.

*Staff recommends that if the 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 City Council vote to approve the requested Variance, staff recommends the following condition be applied:

1) The applicant shall comply with all applicable requirements as may be imposed by 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 city divisions/departments.
2) The Applicant shall comply with the requirements stated in the Development Agreement between city and Needs Koch, LLC dated August 6, 2007 “Exhibit D – Conditions of Approval”.

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

 Councilmembers asked questions and made comments.

The applicant answered question that were asked.

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 Rodriguez to approve the variance of the required interior yard 5-foot side setback to allow a 3-foot interior yard side setback for all lots within Bella Commons Subdivision – Phase 2 PUD located in the SE ½ SE ¼ NW ¼ Section 7, T3N, R2W, BM for Chad Olsen DBA Envision 360, Inc with staff conditions. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #8-2. - Mayor Kling opened a public hearing for a modification of an annexation and zoning related development agreement (Ord. 3335 – Instr. # 200423257) between Lava Springs LLC and the City of Nampa by amending the Recitals Section and certain Commitments and Conditions thereof; also, annulling and rescinding Exhibits B & C [then substituting a new master plan in the stead of Exhibit B]; pertaining to Parcel # R29454 (3905 Southside Blvd.) a 6.85-acre property in a RS6 PUD zoning district at the SW corner of the intersection of E. Locust Lane & Southside Blvd. for Matt Schultz representing Quatro Properties Nampa, Inc.

Matt Schultz, 8421 South Ten Mile presented the request.

Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for Modification of an Annexation and Zoning [related] Development Agreement (Ord. # 3335 recorded in 2004 as Canyon County Instrument # 200423257) To allow re-purposing/conversion of a single commercial building lot (originally approved in association with the Lava Springs PUD [planned unit development]) into a single-family residential development in care and keeping with the balance of the Lava Springs PUD Subdivision development; and, pertaining to land addressed as 3905 Southside Boulevard (a 6.85-acre lot located in the NE ¼ of the NE ¼ of Section 11, T2N, R2W, Boise Meridian, Canyon County, Nampa Idaho at the
southwest corner of the intersection of E. Locust Lane and Southside Boulevard (hereinafter the “Property”) – see attached zoning “Vicinity Map”

History: As cited by the Project representative: “The original Annexation, [zoning], and PUD [planned unit development] applications for the overall 102-acre site [Lava Springs PUD] were approved on March 1, 2004 with 266 residential and 1 commercial building lots [sic] (267 lots total) … Lava Springs No. 1 was recorded on June 29, 2007 (46 lots); Lava Springs 2 was recorded on December 11, 2014 (41 lots); Lava Springs 3 was recorded on December 14, 2015 (54 lots); Lava Springs No. 4 was recorded on November 27, 2017 (42 lots); Lava Springs No. 5 was recorded on July 25, 2018 (49 lots). Lava Springs No. 6 is in process with recordation anticipated in June 2019 (18 lots). The total number of residential lots in Lava Springs No. 1 through No., 6 is 250 lots or 17 lots less than approved in 2004.

The original Lava Springs No. 3 had 31 additional residential lots, however, 5.40 acres of the plat was converted to the Legacy Charter School site in 2011.”

Note(s): Staff has provided the city council with all the relevant report/packet documentation or visual information available to us at the time this report was generated. We anticipate that the Applicant’s representative(s) may have visual displays of their concept plan for the build-out of the Property at the city council’s public hearing wherein the application associated with this report will be vetted.

Notification of the city council hearing was done in accordance with legal requirements. An environmental impact study (EIS) was not called for in conjunction with the Application package submittal as such is not normal required saved when called for by City Engineering under special circumstances. Any extant street frontage improvements along Locust Lane or Southside Blvd., 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.

Development Agreement Modification

Criteria to guide the Commission in making a recommendation to council regarding a proposed Development Agreement (DA) Modification, and to subsequently guide the council in deciding/decision whether to allow a Development Agreement Modification, are absent from state statute or city ordinance. Thus, approving -- or not – Development Agreements and proposed modifications/amendments thereto becomes a purely subjective matter/decision on the part of the city in reaction to this DA contract modification application. Development Agreement [contracts] “run with the land”.
Hereafter attached is a copy of Ordinance 3335 (Instrument No. 200423257) which has, as a part thereof, the Development Agreement imbedded therein and referenced by this report.

The process of amending a Development Agreement is a two-step endeavor. Finalization of an amended Agreement would occur prior to the 3rd reading of the ordinance that will/would enact the Development Agreement Modification if the request made the subject of this report is approved.

**Commentary:** An approved Development Agreement associated with an approved, conceptual commercial plan is already assigned to the Original Property as afore-noted [again: Ord. # 3335]. That entitlement [still] “runs with the land”.

Site re-configuring, as proposed by the current Applicant, is understood to contemplate the substitution of single-family detached structures for the afore-noted commercial corner development. A copy of the Agreement is hereto attached to provide an understanding of the Applicant’s intent with respect to the modification(s). Also attached hereafter is a copy of the elevation and other plan view exhibits provided by the Applicant. Thus, the RECITALS, CONDITIONS AND EXHIBITS of the original Agreement will be subjected to change if the application, made the subject of this report, is approved or approved in substantially the form proposed.

**Recommended Condition(s) of Approval**

**As Pertaining to the Development Agreement Modification Request:** Should the Commission vote to recommend to the city council that they approve the Development Agreement Modification request associated with this report, then staff would recommend that the commission consider recommending imposition of the following Condition(s) of Approval on the Project/applicant(s):

1. The Applicant, as Owner/Developer, [shall] enter into a Modified Development Agreement with the City of Nampa. The Agreement(s) shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the Applicant and agreed to and conditioned by the city through its council or executive departments or outside agencies properly involved in the review of the Applicant’s request for the Property’s entitlement(s), including insertion of [new] concept plans, Recital language and terms, commitments and conditions therein as requisite…

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

Hubert Osborne, 4199 E Switzer Way made comments.

Councilmembers asked questions and made comments.
Regular Council
January 7, 2019

Applicant made comments.

MOVED by Levi and SECONDED by Bruner 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 Rodriguez to approve the modification of an annexation and zoning related development agreement (Ord. 3335 – Instr. # 200423257) between Lava Springs LLC and the City of Nampa by amending the Recitals Section and certain Commitments and Conditions thereof; also, annulling and rescinding Exhibits B & C [then substituting a new master plan in the stead of Exhibit B]; pertaining to Parcel # R29454 (3905 Southside Blvd.) a 6.85-acre property in a RS6 PUD zoning district at the SW corner of the intersection of E. Locust Lane & Southside Blvd. for Matt Schultz representing Quatro Properties Nampa, Inc. with staff conditions and authorize the 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

Item #8-3. - Mayor Kling opened a public hearing for fee increase for Parks, Recreation, Recreation Center, Golf and Cemetery.

Darrin Johnson presented the following staff report explaining that the request is for proposed fee schedule. All Parks and Recreation Division fees are listed in the schedule that include Parks, Recreation Programing, Cemetery, Nampa Recreation Center and Golf. All Parks and Recreation fees are listed for review but not all fees are proposed for an increase.

The Parks and Recreation Department's goal is to have reasonable and competitive fees while allowing for maximum participation. We strive to meet our financial obligations by promoting conservative spending and adjusting the cost of services as appropriate.

Recommended fees are based on professional staff input and determining the objective of each program and service. When determining proposed fees staff evaluate revenue and expenses. In some cases, when setting fees, data from other communities or similar organizations are considered as comparisons. In addition to fees, the Nampa Recreation Center membership policies are attached. The policies guide our staff on the eligibility and management for each membership type.

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

Councilmembers asked questions.
Regular Council  
January 7, 2019

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 Haverfield to approve the fee increases for the Parks, Recreation, Recreation Center, Golf and Cemetery and authorize the resolution. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

❖ (6) New Business ❖

Item #6-9. – The following Resolution (Implementing Increase of 2.88% for 2019 Irrigation Rates, effective March 1, 2019 as recommended by Board of Appraisers on December 13, 2018) was presented:

Tom Points presented a staff report explaining that in accordance with Idaho Code section 50-1807, the Mayor and City Council are to meet on or before the second Wednesday of February of each year to make an estimate of the necessary funds to maintain the city’s irrigation system and services.

On December 13, 2018, Public Works staff presented to the Board of Appraisers (BOA) the following options relating to an annual irrigation rate increase for 2019*:

- Take no increase.
- ENR\(^1\) (Engineering News-Record) Index increase of 2.88% (average increase from November 1, 2017, thru September 30, 2018) effective March 1, 2019
- Adopt an increase of 4.95%, effective March 1, 2019, with an anticipated additional request of 4.95%, effective March 1, 2020
- Adopt a 10% increase, effective March 1, 2019, to bring forecasted revenues and fund balance to anticipated need

The total revenue of $3,826,050 was received 2018, 97% of what was budgeted. This amount matches the projected revenue with ongoing 4.5% increases (as projected in 2015 Water Utilities Cost of Service Study) equal to that expected in 2020. But it was further reported that utility construction costs are up about 15%.

A motion was made, and seconded, in favor of the ENR Index increase of 2.88% plus 1% for 2019 irrigation rates. The motion passed
Today’s request is to meet statutory requirements by resolution and ensure pass through of any underlying irrigation districts’ changes.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, IMPLEMENTING AN INCREASE IN THE RATES CHARGED BY THE CITY OF NAMPA FOR IRRIGATION WATER AND THE PASS THROUGH OF UNDERLYING IRRIGATION DISTRICTS RATES TO THE CUSTOMERS OF THE CITY OF NAMPA.

MOVED by Bruner and SECONDED by Haverfield to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 3-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #6-10. – The following Resolution (Increase of 2.88% for 2019 Domestic and Irrigation Water Miscellaneous Fees, effective March 1, 2019 as recommended by Board of Appraisers on December 13, 2018) was presented:

Tom Points presented a staff report explaining that on December 13, 2018, Public Works staff proposed to the Board of Appraisers (BOA) an increase to 2019 Domestic Water and Irrigation Miscellaneous Fees to slow rate increase projection as follows*:

- ENR1 (Engineering News-Record) increase of 2.88% (average increase from November 1, 2107, through September 30, 2018)

A motion was made, and seconded, by the BOA in favor of the ENR Index increase of 2.88% for 2019 Domestic Water and Irrigation Miscellaneous Fees.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, IMPLEMENTING AN INCREASE IN THE MISCELLANEOUS FEES CHARGED BY THE CITY OF NAMPA FOR DOMESTIC WATER AND IRRIGATION.

MOVED by Bruner and SECONDED by Haverfield to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 4-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #6-11. – The following Resolution (Implementing Increase of 2.88% for 2019 Irrigation Hookup Fees, effective March 1, 2019 (as recommended by Board of Appraisers on December 13, 2018) was presented:
Tom Points presented a staff report explaining that on December 13, 2018, Public Works staff presented to the Board of Appraisers (BOA) the following increase to 2019 Irrigation Water Hookup Fees:
   o ENR¹ (Engineering News-Record) increase of 2.88% (average increase from November 1, 2107, through September 30, 2018)

A motion was made, and seconded, by the BOA in favor of the ENR Index increase of 2.88% for 2019 Irrigation Water Hookup Fees. The motion passed.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, IMPLEMENTING AN INCREASE IN FEES CHARGED BY THE CITY OF NAMPA FOR IRRIGATION WATER HOOKUP FEES.

MOVED by Bruner and SECONDED by Haverfield to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 5-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #6-12. – The following Resolution (Implementing Changes in the Services Rates and Fees Outlined in the Equivalent Dwelling Unit (EDU) and Strength Class Guide for Wastewater and Water User Classifications, effective March 1, 2019 as recommended by Board of Appraisers on December 13, 2018) was presented:

Tom Points presented a staff report explaining that based upon usage studies, on December 13, 2018, Public Works staff presented to the Board of Appraisers (BOA)* the following proposed changes to services rates and fees outlined in the Equivalent Dwelling Unit (EDU) and Strength Class Guide for Wastewater and Water User Classifications:
   o Bars (without dining facilities)
   o Beauty Salons

In addition, staff recommended adding single family dwellings to the EDU guide.

A motion was made, and seconded, by the BOA to adopt proposed changes. The motion passed.

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.
Regular Council
January 7, 2019

MOVED by Haverfield and SECONDED by Hogaboam to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 6-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #6-13. – The following Resolution was presented:

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 CEMETARY, GOLF, NAMPA RECREATION CENTER, NAMPA RECREATION DEPARTMENT AND PARKS SERVICES.

MOVED by Levi and SECONDED by Rodriguez to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 7-2019 and directed the clerk to record it as required.

MOTION CARRIED

✧ (7) Executive Session ✧

Item #7-1- Mayor Kling presented a request to adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

MOVED by Hogaboam and SECONDED by Rodriguez to adjourn into executive session at 8:41 p.m. pursuant to Idaho Code 74-206 (1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. 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 Rodriguez to conclude the executive session at 9:02 p.m. during which discussion was held regarding Idaho Code 74-206 (1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. 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 Rodriguez to adjourn the meeting at 9:03 p.m. The Mayor declared the

MOTION CARRIED
Regular Council
January 7, 2019

Passed this 22nd day of January 2019.

____________________________________
MAYOR

ATTEST:

____________________________________
CITY CLERK