

NAMPA CITY COUNCIL REGULAR MEETING MINUTES
January 17, 2023

(Presentations provided to Clerk's Office prior to posting of the agenda can be viewed in the Council Agenda Packet.)

Mayor Kling called the meeting to order at 5:30 p.m.

Clerk made note that Councilmembers Rodriguez, Bruner, Jangula, Reynolds, Haverfield, and Bower were present.

Mayor requested that agenda items 1-6.a and 1-6.d be pulled from the Consent Agenda and moved to Section 2 of the agenda for further discussion. Councilmember Rodriguez requested agenda item 1-4.c be moved to Section 2 for further discussion.

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

MOVED by Reynolds and **SECONDED** by Jangula to **Move items 1-4.c, 1-6.a and 1-6.d to Section 2 of the agenda and Approve the Consent Agenda as amended** which had the following items presented:

Item #1-1. - Minutes

- a. Regular Council Meeting – January 3, 2023
- b. Planning & Zoning Commission – December 13, 2022
- c. Commission on Aging – December 13, 2022
- d. Airport Commission – December 12, 2022

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. - Plat Approvals

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

Mokwa, representing Hayden Homes (SPF-00222-2022). Original concept: 41 single-family detached lots and 9 common lots.

Item #1-4. - Authorize Public Hearings

- a. Annexation and Zoning to BC (Community Business) zoning district for 4.69 acres addressed as 2522 & 2508 N Middleton Rd (Parcel #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 12.48 acres addressed as 2440 & 0 Karcher Rd, 2522 & 2508 N Middleton Rd (Parcel #R2445600700, #R24456007B1, #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), and potential development agreement for the Northwest Village development for Randy Haverfield, representing TV Holdings, LLC & Zion Ventures, LLC (ANN-00253-2022 & CUP-00295-2022). Original Concept: Mixed Use Development with 1 commercial building and 264 dwelling units in 11 apartment buildings. To be considered by City Council on February 6, 2023.

- b. **Expansion of the City's Area of Impact** to the west, bound approximately by Lake Ave, Lone Star Rd, Indiana Ave, Roosevelt Ave, and Lake Lowell Ave, including portions to the southwest bound approximately by Greenhurst Rd, Midland Blvd, and Lake Lowell; **Adoption of the State Highway 16 Specific Area Plan; Adoption of the Highway 20/26 Specific Area Plan; Comprehensive Plan Map Amendment** modifying the Agricultural land use setting to "Very Low Density Residential", modifying designations to reflect the State Highway 16 Specific Area Plan and the Highway 20/26 Specific Area Plan, and modifying designations in multiple areas throughout the impact area; and **Comprehensive Plan Text Amendment** to Chapter 5 including: a) Removal of grammatical errors, b) Cleanup of syntax to provide clarity, c) Further clarification on Nampa's four quadrants, d) Additional information on Canyon County's role in preserving agricultural land, d) The addition of Common and Qualified Open Space language, f) A revised definition of Density, g) Revised language on the allowance of commercial development in Medium and High-Density Residential land uses, h) The addition of a pre-annexation policy for subdivision development in the Area of City Impact on County parcels and proposed expansion of the City's Area of Impact boundaries, i) Additional residential mixed use definition including borrowed land uses, j) The addition of a ratio of land uses in the mixed use settings, k) The Agricultural land use setting changed to Very Low Density Residential, l) The addition of language to address development within ¼ mile from Agricultural and Low/Very Low-Density areas, m) The addition of a definition of Intelligent

Communities, n) Updates to the Education, Public Administration, Health Care and Other Institutions Designation, o) addition of language to encourage the protection of City trees; Chapter 6 update including additional corridors for planning purposes; and Chapter 15 updating the specific Plan areas and the addition of mid-level planning for the City of Nampa (CTA-00013-2022 and CMA-00054-2022). To be considered by City Council on February 6, 2023.

- c. Authorize advertisement of Monday, February 6, 2023, public hearing to present recommended fiscal year 2023 increase to irrigation water hookup fees, effective March 1, 2023.

MOVED TO SECTION 2 FOR DISCUSSION / ACTION.

- d. Authorize advertisement of Monday, February 6, 2023, public hearing to present recommended increase to 2023 irrigation rates, effective March 1, 2023.
- e. Authorize advertisement of Tuesday, February 21, 2023, public hearing to present recommended fiscal year 2023 new airport land lease fee.
- f. Authorization for Public Hearing confirming the assessment roll for Local Improvement District No. 160 for the installation of Sidewalk Improvements in Zone "B". To be considered by City Council on March 6, 2023.

Item #1-5. - Authorize to Proceed with Bidding Process

- a. Parks and Recreation requesting authorization to go out to bid for the Brandt Park Phase 3 construction. (Approved in FY23 Budget)
- b. Authorize Engineering to proceed with formal bid process for Traffic Materials Restock Fiscal Year 2023. (Approved in FY23 Budget)
- c. Authorize the Oak View Group to advertise and solicit bids for the construction of the Ford Idaho Center RV Park. (Approved in FY23 Budget) (Approved by Legal)

Item #1-6. - Authorization for Execution of Contracts and Agreements

- a. Authorize Finance Director to sign contract with Eide Bailly for Audit Services in the amount of \$62,750. (Approved in FY23 Budget)

MOVED TO SECTION 2 FOR DISCUSSION / ACTION.

- b. Authorize Mayor and Public Works Director to sign contract with Compass Minerals America for \$63,117.00 to deliver road salt for use during the rest of winter FY23 and for winter FY24. (Approved in FY23 Budget)

- c. Award bid to Thueson Construction, Inc. and authorize Mayor to sign contract for Crushed Aggregate for Chip Seal FY23 project in the amount of \$176,000.00. (Approved in FY23 Budget)
- d. Family Justice Center requesting approval to spend the National Children's Alliance Core Direct Services grant award- an extension to the current grant, originally awarded in April 2022. The total award is now \$89,351 (an increase of \$49,998) and extended to 12/31/23 (an extension from 12/31/22). (Approved in FY23 Budget)

MOVED TO SECTION 2 FOR DISCUSSION / ACTION.

- e. Authorize Mayor to sign Memorandum of Agreement between the City of Nampa and Idaho Transportation Department (ITD) to allow Nampa to install cameras on ITD infrastructure. (Approved by Legal)
- f. Authorize Mayor to sign the following: (1) Agreement to Waive First Right of Refusal and Terminate Lease with Rocky Teton, LLC. dated July 1, 2006; and (2) Nampa Municipal Airport Land Lease Agreement Corey Barton, effective January 18, 2023, for Lot 2314. (Approved by Legal)

Item #1-7. - Monthly Cash Report

- a. December 2022

Item #1-8. - Approval of Agenda

Mayor asked for a roll call vote with all Councilmembers present voting **YES** (Councilmember Haverfield abstaining).

MOTION CARRIED

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

- **Item #1-4.c - Authorize advertisement of Monday, February 6, 2023, public hearing to present recommended fiscal year 2023 increase to irrigation water hookup fees, effective March 1, 2023.**

Councilmember Rodriguez pulled the item to discuss postponing the public hearing due to a subdivision having a zoning issue. Tom Points, Public Works explained why the public hearing needed to move forward and described the issues if it was postponed.

MOVED by Bruner and **SECONDED** by Bower to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

- **Item #1-6.a - Authorize Finance Director to sign contract with Eide Bailly for Audit Services in the amount of \$62,750. (Approved in FY23 Budget)**

Doug Racine, Finance stated he had corrected the document in the agenda packet to clarify state jurisdiction. Todd Lakey, Legal provided more clarification on what was changed and the reasoning behind it.

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve the item with the corrected document**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

- **Item #1-6.d - Family Justice Center requesting approval to spend the National Children's Alliance Core Direct Services grant award- an extension to the current grant, originally awarded in April 2022. The total award is now \$89,351 (an increase of \$49,998) and extended to 12/31/23 (an extension from 12/31/22). (Approved in FY23 Budget)**

Mayor stated that staff requested clarifying language regarding signature authority and read into the record the new clarifying language added to the existing agenda text, which is shown in bold italics: “***Authorize the Family Justice Center Director to sign the extension and approval to spend...***”.

MOVED by Bruner and **SECONDED** by Haverfield to **Authorize the Family Justice Center Director to sign the extension and approval to spend the National Children's Alliance Core Direct Services grant award-** an extension to the current grant, originally awarded in April 2022. The total award is now \$89,351 (an increase of \$49,998) and extended to 12/31/23 (an extension from 12/31/22). Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

❖ **(3) Public Forum** ❖

- The following spoke on the need for a school zone at Flamingo and Midway (Nampa Christian School): Greg Wiles, 1812 W Rock Creek Ct, Nampa (provided a handout that is attached at the end of the minutes); Jim Eisentrager, 14510 N Presidio Loop, Nampa; Beth Kinzler, 3260 Ginger Lane, Nampa; and Brenda and Eden Dunstan, 8166 Swiftwater Dr, Nampa.
- Chris Ocker, 4655 Stamm Ln, Nampa spoke on the need for sharps disposal sites in Nampa.
- Christian Case, 435 Arrowhead Dr, Nampa spoke on the need to over-turn lies and deception in 2023.

❖ **(4) Proclamation** ❖

Item #4-1 – Human Trafficking Awareness Month

Jeannie Strohmeyer accepted the Proclamation and thanked the Council for their awareness of this issue. She recognized Taylor Numedahl, Tyler Cobb, and Detective Chad Benson for their tireless efforts and spoke on an upcoming training on how to recognize the signs of human trafficking.

Clerk's Note: Mayor announced that it was after 6:00 PM and Council would move to the Public Hearings portion of the agenda.

❖ **(5) Agency/External Communications** ❖

Item #5-1. – None

❖ **(6) Staff Communications** ❖

Item #6-1. – Mayor's Office Update – City of Nampa Website

Amy Bowman, Mayor's Office spoke on the upcoming website refresh that will be occurring later in the month.

Item #6-2. – Finance Staff Update – Health Trust Audit

Doug Racine, Finance spoke on the recent audit results.

Item #6-3. – Public Works Staff Report

Tom Points, Public Works spoke on the following items: (1) Snow events report; (2) Wastewater Plant construction update; and (3) Nampa Christian School request to be identified as a school zone and next steps.

❖ **(7) New Business** ❖

Item #7-1 – Approve the allocation of CDBG funding in the amount of \$191,353 to the Downtown Master Design Plan as recommended. (Approved in FY23 Budget)

MOVED by Bruner and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-2 – Authorize Mayor on behalf of the city to participate and execute Opioid Settlement Agreements with three chain pharmacies (Walmart, CVS, and Walgreens) and two opioid manufacturers (Teva Pharmaceutical Industries and Allergan) and authorize Mayor to sign any future Opioid Settlement opportunities. (Approved by Legal)

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-3 – Authorize Police Department to publish a Declaration and Notice of Intent to execute a sole source contract for the purchase of a Bearcat armored vehicle and related equipment from Lenco in the amount of \$377,469. (Approved by Legal)

Lt. Chad Shepard, Police presented the item to Council. Doug Racine, Finance responded to Council's questions on funding.

MOVED by Reynolds and **SECONDED** by Bower to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-4 – Authorize the Family Justice Center to apply for a one-year Edward Byrne Memorial Justice Assistance Grant (BJAG) through Idaho State Police for the Camp Hope program.

MOVED by Reynolds and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-5 – Authorize the Family Justice Center to apply for a one-year Edward Byrne Memorial Justice Assistance Grant (BJAG) through Idaho State Police for client services and staff training funds.

MOVED by Reynolds and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-6 – Authorize Mayor to sign First Amendment to the Contract Price Amendment for Nampa Wastewater Treatment Plant Phase II Upgrades Project Group F Progressive Design-Build Agreement with Jacobs in the amount of \$4,771,771 to construct the Recycled Pipeline. (Approved by Legal)

Jeff Barnes, Water responded to Council’s questions on the need for the amendment.

MOVED by Bruner and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-7 – Adopt the Ustick Corridor Study as presented and implement the plan as part of future corridor and intersection designs/improvements and adopt as an amendment to the Transportation Master Plan.

Clerk’s Note: Prior to the start of the meeting, Crystal Craig, Transportation provided hard copies of a PowerPoint presentation and they are attached at the end of the minutes. A presentation was not conducted for this item.

MOVED by Bruner and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-8 – Authorize Mayor to sign Task Order for attached Scope of Work (Exhibit A) with Parametrix to provide design services for the Franklin Boulevard and Karcher Road Intersection Improvements project in the amount of \$78,395.00. (Approved in FY23 Budget)

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with Councilmembers Bruner, Jangula, Reynolds, Haverfield and Bower voting **YES** and Councilmember Rodriguez voting **NO**.

MOTION CARRIED

Item #7-9 – Authorize Mayor to sign the Memorandum of Understanding with Northside Logistics Center, LLC for the Shannon Drive resurfacing on behalf of the City for a reimbursement amount equal to one-half of the actual cost, not to exceed \$350,000. (Approved by Legal)

Caleb Laclair, Engineering responded to Council’s questions on if the request was for a resurface or a rebuild.

MOVED by Reynolds and **SECONDED** by Haverfield to **Approve** the item **with clarification that it was for a rebuild**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-10 – Authorize Mayor to sign the Memorandum of Understanding with Hayden Homes Idaho, LLC for the Can Ada Road culvert extension resurfacing on behalf of the City for a reimbursement amount based on actual costs and agreed upon split, not to exceed \$140,000. (Approved by Legal)

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-11 – 1st reading of ordinance amending Title 4; Chapter 12; Vacant Building Registration; Section 1 – Definitions. (Approved by Legal)

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO AMENDING TITLE 4 CHAPTER 12 SECTION 1 OF THE NAMPA CITY CODE PERTAINING TO VACANT BUILDING REGISTRATION AND MAINTENANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH.

MOVED by Haverfield and **SECONDED** by Reynolds to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4704** and directed the Clerk to record it as required.

MOTION CARRIED

❖ (8) Public Hearings ❖

Item #8-1 – Vacation of 1.29' of the eastern edge of a drainage easement between lots 5 & 6, of Block 9 on the Sunnyvale Subdivision No. 4 recorded Final Plat; the portion to be vacated resides on a property addressed as 11310 W Harlington St. (a .185 acre parcel #R3143527900 located in the NE 1/4 of Section 18, T3N, R2W, BM) for Austin Edwards representing Sunnyvale Properties, LLC (VAC-00056-2022).

Mayor opened the public hearing.

Austin Edwards, Applicant Representative, 701 S Allen St, #104, Meridian presented the request.

Kristi Watkins, Planning & Zoning presented the item to Council.

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

MOVED by Haverfield and **SECONDED** by Jangula to **close the public hearing.** Mayor asked for a voice vote with all Councilmembers present voting **YES.**

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bower to **Approve** the Vacation of 1.29' of the eastern edge of a drainage easement between lots 5 & 6, of Block 9 on the Sunnyvale Subdivision No. 4 recorded Final Plat; the portion to be vacated resides on a property addressed as 11310 W Harlington St. for Austin Edwards representing Sunnyvale Properties, LLC (VAC-00056-2022) with recommended conditions and to adopt the proposed findings listed in the staff report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #8-2 – Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for four parcels totaling 35.86 acres addressed as 0 Ustick Rd (parcels #R3436101000, R3436101100, R3436101200, & R3436301000, located in the SW ¼ of Section 33, T4N, R2W, BM), for River Range Idaho LLC representing Dana Devlin and Hilda Devlin (ANN-00254-2022). Original Concept: Future industrial development. (Continued from January 3, 2023 meeting)

Mayor opened the public hearing.

Stephanie Hopkins, Applicant Representative, 5725 N Discovery Way, Boise presented the request. Louis Spiker, Applicant Representative, 199 N Capitol Blvd, Boise presented closing remarks.

Parker Bodily, Planning & Zoning presented the item to Council. Rodney Ashby, Planning & Zoning responded to Council's questions on communication with Caldwell due to the parcel's location. Caleb Leclair, Engineering responded to Council's questions on access management.

Angela Brinkman, 18439 Midland Blvd, Nampa spoke on traffic flow concerns.

Significant discussion ensued between staff, applicant representatives, and Council on requiring the same standards for berming and setbacks that had been placed on the contiguous parcel to the south as well as requiring the new Design standards that are still pending Council's approval.

MOVED by Haverfield and **SECONDED** by Rodriguez to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Rodriguez to **Approve** the Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for four parcels totaling 35.86 acres addressed as 0 Ustick Rd for River Range Idaho LLC representing Dana Devlin and Hilda Devlin (ANN-00254-2022) with all recommended conditions, as listed on page 395 of the council agenda packet, and adopt the proposed findings as listed in the staff report **in addition to including the conditions of approval tied to the other property to the south (setbacks, berming, land uses) and that they would adhere to the new Design standards as they are finalized.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.**

MOTION CARRIED

Item #8-3 – Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement for 506 N Middleton Rd (a .86 acre parcel #R310490000, located in the NW ¼ of Section 20, T3N, R2W, BM, Nampa), for Ramon Torres Patlan (ANN-00234-2022). Original Concept: Connect city pressurized irrigation service.

Mayor opened the public hearing.

Ramon Torres, Applicant Representative, 506 N Middleton Rd, Nampa presented the request on behalf of his father.

Rodney Ashby, Planning & Zoning presented the item to Council. Caleb Laclair, Engineering responded to Council's questions on water/sewer vs irrigation invoices.

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

MOVED by Reynolds and **SECONDED** by Haverfield to **close the public hearing.** Mayor asked for a voice vote with all Councilmembers present voting **YES.**

MOTION CARRIED

MOVED by Rodriguez and **SECONDED** by Bruner to **Approve** the Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement for 506 N Middleton Rd for Ramon Torres Patlan (ANN-00234-2022) with the recommended conditions and proposed findings. Mayor asked for a roll call vote with all Councilmembers present voting **YES.**

MOTION CARRIED

Item #8-4 – Vacation of an 80' x 256' (20,480 sq. ft.); 80' x 256' (20,480 sq. ft.); 10' x 60' (600 sq. ft.); 20' x 256' (5,120 sq. ft.) portions of the public utility easement at 215 & 307 E Hawaii Ave located in the NW 1/4 of Section 34, T3N, R2W, BM); for Brandon McDougald representing Pedcore Investments (VAC-00057-2022).

Mayor opened the public hearing.

Joe Dotson, Applicant Representative, 1100 W Idaho St, Ste 210, Boise presented the request. Patrick Stoffregen, Applicant Representative, 770 3rd Ave SW, Carmel, IN spoke on the reason for the request.

Parker Bodily, Planning & Zoning presented the item to Council. Rodney Ashby, Planning & Zoning clarified the new process for projects of this type.

During presentation, it was announced that one of the portions, 10' x 60' (600 sq. ft.), had already been vacated.

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

MOVED by Haverfield and **SECONDED** by Reynolds to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve** the Vacation of an 80' x 256' (20,480 sq. ft.); 80' x 256' (20,480 sq. ft.); 20' x 256' (5,120 sq. ft.) portions of the public utility easement at 215 & 307 E Hawaii Ave located in the NW 1/4 of Section 34, T3N, R2W, BM); for Brandon McDougald representing Pedcore Investments (VAC-00057-2022) with recommended conditions and to adopt the proposed findings listed in the staff report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: Mayor announced that the Public Hearings portion had concluded and Council would return to the regular agenda order, starting with Item #6-1.

❖ (9) Unfinished Business ❖

Item #9-1 – 1st reading of ordinance for the Annexation and Zoning to RS8.5 (Single-Family Residential) zoning district and potential development agreement for 2909 E Victory Rd (a 1.37 acre parcel #R2467400000, located in the NE ¼ of Section 26, T3N, R2W, BM, Nampa), for Olga Sumtsov (ANN-00257-2022). Original Concept: Connect existing residential property to pressurized irrigation service.

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 2909 E. VICTORY ROAD, NAMPA, IDAHO, (PARCEL NO. R2467400000) COMPRISING APPROXIMATELY 1.37 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED RS8.5 (SINGLE FAMILY RESIDENTIAL); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS RS8.5 (SINGLE FAMILY RESIDENTIAL) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK 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.

MOVED by Haverfield and **SECONDED** by Reynolds to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4705** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-2 – 1st reading of ordinance for the Annexation and Zoning to RML(Limited Multiple Family) zoning district and potential development agreement for 1112 Southside Blvd (a .56 acre parcel #R2216600000, located in the NW ¼ of Section 36, T3N, R2W, BM, Nampa), for Rodolfo Benitez (ANN-00263-2022). Original Concept: Connect to city sewer.

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 1112 SOUTHSIDE BLVD., NAMPA, IDAHO, (COUNTY PARCEL R2216600000) COMPRISING APPROXIMATELY .56 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED RML (LIMITED MULTIPLE FAMILY); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS RML (LIMITED MULTIPLE FAMILY) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HERewith; AND, DIRECTING THE CITY CLERK 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.

MOVED by Haverfield and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4706** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-3 – 1st reading of ordinance for the Annexation and Zoning to RS7 (Single-Family Residential) zoning district, potential development agreement, and Subdivision Preliminary Plat for La Paloma Blanca Subdivision at 87 S Happy Valley Rd, a 2.38 acre parcel #R24709012AO in the NE ¼ of Section 25, T3N, R2W, BM, for Oscar Diaz (ANN-00247-2022 & SPP-00111-2022). Original Concept: 8 single family detached dwelling units and 5 common lots.

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 87 S. HAPPY VALLEY RD., NAMPA, IDAHO, (PARCEL NUMBER R24709012AO) COMPRISING APPROXIMATELY 2.39 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED RS7 (SINGLE-FAMILY RESIDENTIAL); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS ZONED RS7 (SINGLE-FAMILY RESIDENTIAL) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; SUBJECT TO THE TERMS OF THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE APPLICANT AND THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK 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.

MOVED by Bower and **SECONDED** by Reynolds to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES**. Mayor declared the ordinance duly passed, numbered it **4707** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-4 – 1st reading of ordinance for the Vacation of a 97.29' x 1.4' x 97.30' x 1.4' portion of the public utility easement for water at the Big Storage site at 504 Caldwell Blvd (parcel #R31310 located in the NE 1/4 of the SW 1/4 of Section 16, T3N, R2W, BM) due to an encroachment of an office building 6 inches into the easement; for Big Storage Idaho representing Lafky Properties LLC (VAC-00055-2022).

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

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, VACATING A 97.29' x 1.4' x 97.30' x 1.4' PORTION THE PUBLIC UTILITY EASEMENT FOR WATER ON THE PROPERTY COMMONLY KNOW AS 504 CALDWELL BLVD. (COUNTY PARCEL R31310), IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 2 WEST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED BELOW, IN NAMPA, CANYON COUNTY, IDAHO, AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP AND OTHER APPLICABLE MAPS ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH.

MOVED by Reynolds and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4708** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-5 – 1st reading of ordinance for the Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for 16763 Madison Rd (a 3 acre parcel #R310480000, located in the NW ¼ of Section 10, T3N, R2W, BM, Nampa), for Viktor N. Polyakov (ANN-00256-2022). Original Concept: Connect existing personal storage/shop/warehouse to sewer service.

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 16763 MADISON RD., NAMPA, IDAHO, (COUNTY PARCEL R310480000) COMPRISING APPROXIMATELY 3 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED IL (LIGHT INDUSTRIAL); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS IL (LIGHT INDUSTRIAL) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK 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.

MOVED by Haverfield and **SECONDED** by Reynolds to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4709** and directed the Clerk to record it as required.

MOTION CARRIED

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

- 10-1. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) **(PH was 12-07-2020)** (with City Attorney for ordinance and DA)
- 10-2. Zoning Map Amendment from RS6 (Single Family Residential 6,000 sf) to RP (Residential Professional) zoning district; and potential development agreement, at 3 N Midland Blvd. - Parcel # R1613101000; (a .45 acre parcel located in the SE 1/4 of Section 20, T3N, R2W, BM) for Ronald J Pierce (ZMA 159-21). Original Concept: to allow the conversion of an existing home into a three- bedroom apartment upstairs and two office spaces downstairs **(PH was 02-22-2022)**
- 10-3. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement; at 0 & 16989 Madison Rd, (parcels #R3100900000 & R3104700000) totaling 21.09 acres and located in the N 1/2 of Section 10, T3N, R2W, BM) for William Juarez representing Jim Cox (ANN-00227-2021). Original Concept: A partially completed office industrial building at 16989 Madison and construction of a 4,800 sf shop with 3 overhead doors, an office, restroom, utility room and storage on the property addressed as 0 Madison Rd. **(PH was 04-18-2022)**
- 10-4. Annexation and Zoning to BC (Community Business) zoning district, potential development agreement, and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd (Parcel #'s R211430100 & R211430000, totaling 4 acres in the NW ¼ of Section 1, T2N, R2W, BM, Nampa), for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022). Original Concept: 84 unit apartments in 6 buildings. **(PH was 06-06-2022)**

- 10-5. Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district and potential development agreement at 2912 Caldwell Blvd (Parcel # R2046900000); a 35.88 acre parcel (located in the NE 1/4 of Section 7, T3N, R2W, BM) for Jeff Bower/Givens Pursley LLP representing Black Creek Ltd. Partnership & Pleasant Valley Ltd Partnership (ZMA-00167-2022). Original Concept: Development of a Class A industrial business park with two buildings totaling approximately 670,000 SF. (PH was 08-01-2022)
- 10-6. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sf) and RD (Two-Family Residential) zoning districts, potential development agreement, and Subdivision Preliminary Plat for Seven Maples Ranch Subdivision at 3000 Southside Boulevard, 0, 3204, and 3303 E Oklahoma Avenue (parcel #R2115700000, R2115600000, R2115800000, R2909300000, & R2115601000) totaling 43.05 acres in the SW ¼ of Section 01, T2N, R2W, BM, Canyon County), for Gem State Planning representing Charles Kunerth/Corey Barton (ANN-00252-2022 & SPP-00113-2022). Original Concept: 53 single-family attached townhouse dwelling units, 1 existing single-family detached home, 125 new single-family detached dwelling units, 8 common lots, and 20 qualified open space lots. (PH was 10-17-2022)
- 10-7. Annexation and Zoning to RD (Two-Family Duplex Residential) zoning district, development agreement, and Subdivision Preliminary Plat for Parker Estates Subdivision at 525 E Greenhurst Rd. (Parcel #R2016300000, a 2.90 acre parcel in NW ¼ of Section 3, T2N, R2W, BM), for Darin Taylor, Subdivision Maker LLC, representing Left Right Center LLC (ANN-00237-2022 & SPP-00106-2022). Original Concept: 20 townhouse units in 10 buildings, 8 single family detached homes, and 3 common lots, a gross density of 10.35. (PH was 11-21-2022)
- 10-8. Development Agreement Modification (Ord. 4582 - July 27, 2021) to specify land uses permitted in the IP (Industrial Professional) zoning district at date of this application, excepting those prohibited in the existing Development Agreement, for the Fuller 84 Business Park addressed as 5350 & 5300 E Franklin Rd (parcels #R3040600000 & R3040601300) totaling 61.62 acres (located in the SE 1/4 of Section 7, T3N, R1W, BM) for Givens Pursley LLP representing RE II Industrial V LLC and RE II Industrial VII LLC (DAMO-00057-2022). (PH was 12-19-2022)
- 10-9. Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement for three parcels totaling 7.84 acres, addressed as 0 E Railroad St (parcels R32395012, R32392011A & R32394010F, located in the SW ¼ of Section 36, T3N, R2W, BM), for KB Homes Idaho, LLC, Owner requested by the City of Nampa (ANN-00261-2022). (PH was 01-03-2023)

❖ (11) Executive Session ❖

Item #11-1 – Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)(f).

- Idaho Code 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

MOVED by Reynolds and **SECONDED** by Jangula to **Adjourn into Executive Session** at 7:59 p.m. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: Mayor announced a short recess prior to starting Executive Session.

MOVED by Bower and **SECONDED** by Jangula to **Adjourn out of Executive Session** at 8:20 p.m. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Reynolds and **SECONDED** by Haverfield to **Adjourn the meeting** at 8:21 p.m. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Passed this 6th day of February 2023.

MAYOR

ATTEST:

NAMPA CITY CLERK