

NAMPA CITY COUNCIL REGULAR MEETING MINUTES
February 6, 2023

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

At 5:15 p.m., City Council celebrated Career and Technical Education Month with the Nampa School District Culinary Arts Group. **No Action Taken.**

Mayor Kling called the meeting to order at 5:32 p.m.

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

Mayor announced that Item #7-5, Appointment of Sandy Smith to the Airport Commission, had been removed from the agenda.

❖ **Adoption of the Agenda (Action Item)** ❖

MOVED by Haverfield and **SECONDED** by Reynolds to **Adopt the Agenda as amended.** Mayor asked for a voice vote with all Councilmembers present voting **YES.**

MOTION CARRIED

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

MOVED by Reynolds and **SECONDED** by Haverfield to **Approve the Consent Agenda** which had the following items presented:

Item #1-1. - Minutes

- a. Regular Council Meeting – January 17, 2023
- b. Special Council Meeting – January 19, 2023
- c. Special Council Meeting – January 27, 2023
- d. Planning & Zoning Commission – January 10, 2023
- e. Nampa Housing Authority Board of Commissioners – December 14, 2022
- f. Bicycle & Pedestrian Advisory Committee – September 9, 2022
- g. Venue Management Advisory Committee – September 15, 2022
- h. Venue Management Advisory Committee – October 20, 2022
- i. Venue Management Advisory Committee – December 15, 2022
- j. Design Review Committee – November 21, 2022
- k. Arts & Historic Preservation Commission – December 12, 2022
- l. Nampa Housing Authority – November 9, 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 Sweetwater Glen No. 5 Subdivision in a RS7 (Single-Family Residential) zoning district - a 14.84 acre parcel #R3437101000 at 0 Ustick Rd (located in the E 1/2 of the SW 1/4 of Section 34, T4N, R2W, BM) for Toll Southwest LLC, representing DRP ID 1, LLC (SPF-00221-2022). Original Concept: 43 single-family detached lots and 10 common lots.
- Subdivision Final Plat Approval of Lekeitio Village No. 4 Subdivision in a RS7 (Single-Family Residential) zoning district - a 11.31 acre parcel #R3039000000 at 17390 N CanAda Rd (located in the NE 1/4 of the SW 1/4 of Section 6, T3N, R1W, BM) for Tim Mokwa, representing Encore Lekeitio Village, LLC (SPF-00226-2022). Original Concept: 38 single-family detached lots and 7 common lots.

Item #1-4. - Authorize Public Hearings

- a. Annexation and Zoning to RD Townhouse (Residential Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Lady Bird Landing Subdivision at 3809 & 0 Greenhurst Rd (Parcels #R2909800000 & R909701200, totaling 3.333 acres in the NW ¼ of Section 1, T2N, R2W, BM), for Adam and Canada Bayne (ANN-00260-2022 & SPP-00118-2022). Revised Concept: 25 townhouse units in 9 buildings, 1 private shared road, and 6 common lots. To be considered by City Council on February 21, 2023.
- b. APPEAL of Planning & Zoning Commission Decision to Approve a Conditional Use Permit for a Multi-Family Building (6-plex) in a BC (Community Business) zoning district addressed as 1516 1st St N (a .22 acre parcel #R1690400000 located in the SE ¼ of Section 22, T3N, R2W, BM) for Simon Hernandez, Applicant/Owner - Appeal submitted by Beatriz Sandoval at 508 W Ustick Rd, Caldwell, ID (CUP-00277-2022 & APL-00017-2023). To be considered by City Council on February 21, 2023.
- c. Vacation of a .176 Acre (7,687 sq. ft.) portion of an existing water line easement as recorded September 21, 2009, under Inst.# 2009047968 at 1232 & 1250 N Galleria Rd. (parcels #R3049800000 & R3049801100) a 20' by approximately 309', and 20' by 75' easement described in detail in a legal description found at the Nampa Planning & Zoning office; located in the NE 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM); for Gardner Nampa Gateway LC (VAC-00058-2023). Original

concept: Vacate a portion of easement without a waterline currently located in that easement, in preparation for future development of the area. To be considered by City Council on February 21, 2023.

- d. Variance of NCC 10-8-5.C requiring a 5' minimum side and rear property structure and parking setback to allow an existing accessory structure that extends into the public ROW - alley, to be rebuilt in its current location at 503 10th Ave S. in the RS6 (Single-Family Residential) zoning district, a .16 acre parcel #R1384900000 (located in the SW 1/4 of Sec. 22, T3N, R2W, BM) for Cody Murray (VAR-00139-2023). To be considered by City Council on February 21, 2023.

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

- a. None Authorize the Engineering Division to proceed with formal bidding process for the ITS Infrastructure and TMC/IMC projects.
- b. Authorize advertisement to proceed with Request for Proposals for hangar development at the Nampa Municipal Airport. (Approved by Legal)

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

- a. Award sole source contract effective February 7, 2023 and authorize the Mayor to sign said contract for the purchase of a Bearcat armored vehicle and related equipment from Lenco in the amount of \$377,469. If objection is received prior to February 7, 2023, then this award and authorization are rescinded, and the matter is to be brought back before the City Council at a subsequent meeting for consideration. (Approved by Legal)
- b. Authorize the Police Department to apply for a Pre-Prosecution Diversion Grant through Idaho Department of Corrections, expiring on July 1, 2023, for reimbursement of expenses to supplement an existing program.
- c. Award bid and authorize Mayor to sign contract for the Pump Maintenance and Electrical Upgrades FY23 project with Layne of Idaho for \$327,842.29. (Approved in FY23 Budget)
- d. Authorize Engineering to proceed with negotiations for right-of-way acquisition required to construct the Franklin Blvd Waterline Upgrade project up to the estimated amount of \$90,000.00.
- e. Authorize Street Division to proceed with an immediate piggyback purchase of 6,000 gallons of traffic paint from the Ennis-Flint/ITD contract, BPO20221126, at an estimated cost of \$79,827.00. (Approved in FY23 Budget)

- f. Authorize Street Division to proceed with an immediate piggyback purchase of pavement marking thermo plastics from the Ennis-Flint/ITD contract, BPO20210476, at an estimated cost of \$30,000.00. (Approved in FY23 Budget)
- g. Request City Council to reject bid from Blue Sky Construction, LLC for the Manhole Replacement FY23 project.

Item #1-7. - Resolutions

- a. Public Works requesting disposal of Waterworks property (Yearly Miscellaneous Disposal of Scrap Metal) (Approved by Legal)
- b. Public Works requesting disposal of Wastewater property (Yearly Miscellaneous Disposal of Scrap Metal) (Approved by Legal)

Item #1-8. – Re-appointments to Boards and Commissions

- a. Confirm the re-appointment of June York to the Nampa Golf Commission for a five-year term expiring on February 28, 2028.
- b. Confirm the re-appointment of Sherri Boardman to the Venue Management Advisory Commission for a five-year term expiring on February 5, 2028.
- c. Confirm the re-appointment of Curtis Homer to the Venue Management Advisory Commission for a five-year term expiring on February 5, 2028.
- d. Confirm the re-appointment of Douglas Waterman to the Arts & Historic Preservation Commission for a five-year term expiring March 31, 2028.

Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

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

- None

❖ **(3) Proclamation** ❖

Item #3-1 – Career and Technical Education Month

Cindy Arnzen, Director of the Career and Technical School-Nampa School District accepted the Proclamation and voiced appreciation to the Mayor and Council for their support and spoke on the upcoming job shadowing. Hannah Johnson, Culinary Instructor introduced her students. Superintendent Gregg Russell, Nampa School District spoke about the program. Patrick Tanner, College of Western Idaho, thanked City Council for their support.

❖ **(4) Public Forum** ❖

- Deputy Chief Chris King and Captain John Turley, Nampa Fire Department recognized and awarded resident Paige Potratz for her lifesaving efforts on January 17, 2023.
- Christian Case, 435 Arrowhead Dr, Nampa spoke on deception by Satan.
- Kelli Rich, 2021 W Winterwood Ct, Nampa and Christy Whitaker (no address provided) spoke on the fatal pedestrian accident that occurred at the corner of Roosevelt and Midland in December 2020 which took the life of 4 year old Kyanne Jo Guest and the community's efforts to place a statue at that location representing all children. They were joined by Kyla Jo Guest, Kyanne's mother.

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

Item #5-1. – None

❖ **(6) Staff Communications** ❖

Item #6-1. – Nampa Police Department End of Year Statistical Update

Chief Joe Huff, Police spoke on their partnership with the City of Caldwell Police Department and introduced Chief Rex Ingram who commended Sergeant Jason Cantrell for his assistance in a recent situation.

Chief Huff introduced Ken Keene who presented the 2022 Year End Statistics.

Clerk's Note: Mayor announced that Item #6-2 would be heard after the Public Hearings section and that Council would now move to the New Business section, starting with Item #7-1.

Item #6-2. – Public Works Staff Report

Crystal Craig, Transportation provided updates on School Zones, Airport Grants, and Snow Events. She also announced that the intersection of Holly St and Hawaii Ave had been recommended for an all-way stop.

Daniel Badger, Engineering provided an update on the FY23 Capital Projects Plan.

❖ (7) New Business ❖

Item #7-1 – Appointment of Robert Nash as the Ridgcrest Liaison to the Nampa Golf Commission for a two-year term starting March 1, 2023 and expiring on February 28, 2025.

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

MOTION CARRIED

Item #7-2 – Appointment of Neal Murphy to an existing vacancy as the Centennial Liaison to the Nampa Golf Commission expiring on February 28, 2024.

MOVED by Rodriguez 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 – Appointment of Janice Kammler to an existing vacancy on the Arts & Historic Preservation Commission expiring on March 31, 2024.

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

MOTION CARRIED

Item #7-4 – Appointment of Anne Skoog to the Arts & Historic Preservation Commission for a five-year term expiring on March 31, 2028.

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 #7-5 – Appointment of Sandy Smith to the Airport Commission for a five-year term expiring on December 31, 2027.

Item was WITHDRAWN from agenda.

Item #7-6 – Authorization for consolidation of allocated FY23 capital project funding for the Ford Idaho Center to replace the FIC-Amphitheater floor lawn area with a permanent concrete surface and authorize Oakview Group to procure bids. Estimated cost: \$350,000. (Approved in FY23 Budget)

Doug Racine, Finance spoke on funding. Gary Heath, Ford Idaho Center Director of Operations responded to questions on storm water retention.

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

Clerk's Note: Mayor announced that Item #7-7 would be heard after the Public Hearings section and that Council would now move to the Public Hearings section, starting with Item #8-1.

Item #7-7 – Authorize Public Works Director to (1) sign the letter of objection for the Star Sewer and Water District's Wastewater Facility Planning Study and (2) invite the City of Middleton to sign the letter of objection jointly with the City of Nampa if they so choose. (Approved by Legal)

Tom Points, Public Works presented the item to Council and stated that the City of Middleton would now be preparing their own letter of objection that would be sent together with the letter of objection from the City of Nampa.

MOVED by Reynolds and **SECONDED** by Haverfield to **Authorize the Public Works Director to sign the letter of objection for the Star Sewer and Water District's Wastewater Facility Planning Study**. Council President asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: Prior to the start of the Public Hearings, the Mayor spoke on the public hearing format as well as the time limits.

❖ **(8) Public Hearings** ❖

Item #8-1 – Public hearing to present recommended fiscal year 2023 increase to irrigation water hookup fees and irrigation rates, effective March 1, 2023.

Mayor opened the public hearing.

Tom Points, Public Works and Dave Peterson, Board of Appraisers presented the item to Council. Daniel Badger, Engineering responded to Council's questions regarding City of Caldwell's pressurized irrigation system and the age of Nampa's pipes. Doug Racine, Finance spoke on inflation.

Nathan Cleaver, 965 Mollywood Dr, Nampa appeared in favor of the request.

The following appeared in opposition of the request: Hubert Osborne (handout), 4199 E Switzer Way, Nampa; Gino Dellalibera, 4185 E Switzer Way, Nampa; Jean Darlow, 4200 E Switzer Way, Nampa; Michael Darlow, 4200 E Switzer Way, Nampa; Gary Vanlier, 2881 S Bericia Way, Nampa; Doris Phillips, 220 S Ivy St, Nampa; Vince Lavorante, 4172 E Switzer Way, Nampa; and Lisa Hendricks, 323 Winther Blvd, Nampa.

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

MOTION CARRIED

Discussion ensued on the PPI West Calculation and Mayor announced that the motions for this item would be delayed until later in the evening to provide staff adequate time to answer Council's questions on that subject.

Clerk's Note: Council returned to this item after Item #8-3.

Tom Points, Public Works presented a PowerPoint slide with the PPI West Calculation (which is attached at the end of the minutes).

Item #8-1.a – Authorize Mayor to sign Resolution implementing an increase of 5.70% (Exhibit A), or 7.75% (Exhibit B), or 19.98% (Exhibit C) for 2023 Irrigation Water Hookup Fees, effective March 1, 2023 (as recommended by Board of Appraisers)

MOVED by Bruner and **SECONDED** by Bower to **Approve the Resolution implementing an increase of 19.98% for 2023 Irrigation Water Hookup Fees, effective March 1, 2023.** Council President asked for a roll call vote with Councilmembers Rodriguez, Bruner, Reynolds, and Bower voting **YES** and Councilmembers Jangula and Haverfield voting **NO**.

MOTION CARRIED

Item #8-1.b – Authorize Mayor to sign Resolution implementing an increase of 6.00% (Exhibit A), or 19.98% (Exhibit B), or 0.00% (Exhibit C) for 2023 Irrigation Rates, effective March 1, 2023 and Direct Pass Through of Underlying Irrigation Districts' Rates (as Recommended by Board of Appraisers)

MOVED by Bruner and **SECONDED** by Bower to **Approve the Resolution implementing an increase of 19.98% for 2023 Irrigation Rates, effective March 1, 2023.** Council President asked for a roll call vote with Councilmembers Rodriguez, Bruner, Reynolds, and Bower voting **YES** and Councilmembers Jangula and Haverfield voting **NO**.

MOTION CARRIED

Clerk's Note: Motions for Items #8.1.a and #8.1.b were made as one motion.

Clerk's Note: Council President announced that Council would now return to the regular order of the agenda, starting with Item #6-2.

Item #8-2 – 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.

Clerk's Note: At 7:16 p.m., Councilmember Haverfield recused himself from this item and left his seat on the dais in order to present the item as the Applicant Representative.

Mayor opened the public hearing.

Randy Haverfield, Applicant Representative, 1015 Heartland Dr, Nampa presented the request. (A copy of the PowerPoint presentation is provided at the end of the minutes).

Kristi Watkins, Planning & Zoning presented the item to Council. Daniel Badger, Engineering responded to Council's questions on turn lanes. Crystal Craig, Transportation responded to Council's questions regarding the intersection of Karcher Rd and Caldwell Blvd. Rodney Ashby, Planning & Zoning spoke on next steps if Council requested more information on traffic.

The following appeared in favor of the request: Jean Mutchie, 12294 Brunswick Way, Nampa; Margie Potter, 1811 W Cobble Way, Nampa; Riley Verver, 1307 E Lava Creek Dr, Eagle; John Bottles, 839 S Bridgeway Pl, Eagle; Liz White, 2610 N Middleton Rd, Nampa; and Emily Mueller, 839 S Bridgeway Pl, Eagle.

The following appeared in opposition of the request: Doris Phillips, 220 S Ivy St, Nampa; Susan Heithecker, 2706 N Middleton Rd, Nampa; Stephanie Peters (3 handouts), 2609 N Middleton Rd, Nampa; Nancy Higgins, 2511 Leo Dr, Nampa; Debra McCarver, 16159 Kootenai Pl, Nampa; Merilee Spath (handout), 11195 Hunt Ave, Nampa; Mike Ludwig (deferred time to Stephanie Peters), 11363 Hunt Ave, Nampa; Helen Baptiste, 4331 S Grandview Ln, Ontario, OR (owner of property located at 2519 N Middleton Rd, Nampa); Slobaden Stevanovic (traffic video, viewable on meeting recording), 11244 W Rosette Dr, Nampa; Karen Flower, 11328 W Hawkins Ave, Nampa; Belinda McBurney, 11914 Iowa Ave, Nampa; Cheryl Higley (handout), 12444 S Abbot Downing Way, Nampa; David McCarver, 16159 Kootenai Pl, Nampa; John Flower, 11328 W Hawkins Ave, Nampa; Terrance Cane, 11419 Hunt Ave, Nampa; Sid Spath, 11195 Hunt Ave, Nampa; Machele Hamilton, 16142 Kootenai Pl, Nampa; Bill Hamilton, 16142 Kootenai Pl, Nampa; Robert Aue, 16141 Kootenai Pl, Nampa; and Lloyd Rodgers, 2913 N Middleton Rd, Nampa.

Clerk's Note: Mayor announced a short recess at 8:04 p.m.

At the request of Councilmember Bruner, Mike Pena, 5700 E Franklin Rd, Nampa spoke on apartment vacancy rates.

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

MOTION CARRIED

During deliberations, Council spoke on concerns with current infrastructure and the need for good affordable housing.

MOVED by Bruner and **SECONDED** by Rodriguez to **Deny** the Annexation and Zoning to BC (Community Business) zoning district for 2522 & 2508 N Middleton Rd and Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 2440 & 0 Karcher Rd, 2522 & 2508 N Middleton Rd for the Northwest Village development for Randy Haverfield, representing TV Holdings, LLC & Zion Ventures, LLC (ANN-00253-2022 & CUP-00295-2022) **as the project fails to comply with the compatibility of the area and excess traffic.** Mayor asked for a roll call vote with Councilmembers Rodriguez, Bruner, and Jangula voting **YES** and Councilmembers Reynolds and Bower voting **NO**.

MOTION CARRIED

Clerk's Note: Councilmember Haverfield took his seat at the dais at 9:36 p.m.

Item #8-3 – 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).

Mayor opened the public hearing.

Doug Critchfield, Planning & Zoning presented the item to Council.

Diana Stanford, 10065 Deer Flat Rd, Nampa; George Crookham, 301 Warehouse St, Caldwell; and David Ferdinand, 2419 W Herron Loop, Nampa spoke on agriculture.

The following appeared in favor of the request: Natalie Sandoval, 446 Lake Lowell Ave, Nampa; Buddy Copher, Jr, 8825 Vic Ln, Middleton; Jean Mutchie on behalf of St. Luke's Nampa Medical Center, 9850 W St. Luke's Dr, Nampa; Margie Potter, 1811 W Cobble Way, Nampa; Peggy Paul, 16420 McDermott, Nampa; Mike Pena, 5700 E Franklin Rd, Nampa; David Anderson, PO Box 7, Caldwell; Erin Anderson, 3921 E Comstock Ave, Nampa; Doug Fowler, 877 W Main St, Boise; and Bill Clayton, 6622 Joplin, Nampa.

The following appeared in opposition of the request: Noreen Nunes, 6946 Ustick Rd, Nampa; Cheryl Higley (handout), 12444 S Abbot Downing Way, Nampa; Robert Montclair, 19721 Madison Rd, Nampa; Shelly Montclair, 19721 Madison Rd, Nampa; and DeRoy Bassett, 13971 Midway Rd, Nampa.

MOVED by Rodriguez 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 Rodriguez and **SECONDED** by Bruner to **Adopt the State Highway 16 Specific Area Plan and incorporate it into the Nampa 2040 Comprehensive Plan by reference; Adopt the Highway 20/26 Specific Area Plan and incorporate it into the Nampa 2040 Comprehensive Plan by reference; Expansion of the City's Area of Impact** to the west, bound approximately by Lake Ave, Lone Star Rd, one-half (½) mile west of Indiana Ave, Roosevelt Ave, and Lake Lowell Ave, including portions to the southwest bound approximately by Greenhurst Rd, Midland Blvd, and Lake Lowell; **Comprehensive Plan Map Amendment** modifying designations to reflect the State Highway 16 Specific Area Plan, 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, Chapter 6, and Chapter 15 with the findings and all conditions as presented in the staff report and presentation; and direct the Planning and Zoning Director and City Attorney to draft an ordinance for reading at a future City Council Meeting, for the City of Nampa (CTA-013-22 & CMA 052-22); **and provide direction to staff to prioritize the agriculture ground to the south and give "teeth" to the LDR**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: At 11:04 p.m., Mayor left her seat on the dais and Council President Haverfield became the Chair for the rest of the meeting.

Clerk's Note: Council President announced that Council would now return to Item 8-1.

❖ (9) Unfinished Business ❖

Item #9-1 – 1st reading of ordinance for 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).

Council President presented the request to pass the Ordinance under suspension of rules.

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, VACATING A PORTION OF A DRAINAGE EASEMENT LOCATED ON THE PROPERTY GENERALLY DESCRIBED AS 11310 W. HARLINGTON ST., NAMPA, IDAHO (PARCEL #R3143527900 CONSISTING OF APPROXIMATELY .185 ACRES LOCATED IN THE NE 1/4 OF SECTION 18, T3N, R2W, BM), SAID VACATION BEING 1.29 FEET THE EASTERN EDGE OF THE DRAINAGE EASEMENT BETWEEN LOTS 5 & 6, OF BLOCK 9 OF THE SUNNYVALE SUBDIVISION NO. 4 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 Bruner and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules.** Council President asked for a roll call vote with all Councilmembers present voting **YES**. Council President declared the ordinance duly passed, numbered it **4710** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-2 – 1st reading of ordinance for 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).

Council President presented the request to pass the Ordinance under suspension of rules.

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, VACATING A 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.) PORTION OF A PUBLIC UTILITY EASEMENT LOCATED ON THE PROPERTY GENERALLY DESCRIBED 215 & 307 E HAWAII AVE. (LOCATED IN THE NW 1/4 OF SECTION 34, T3N, R2W, BM), 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 Bruner and **SECONDED** by Reynolds to **Pass the Ordinance under suspension of rules.** Council President asked for a roll call vote with all Councilmembers present voting **YES.** Council President declared the ordinance duly passed, numbered it **4711** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-3 – 1st reading of ordinance for 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).

Council President 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 O E. RAILROAD ST., NAMPA, IDAHO, (COUNTY PARCELS R32395012, R32392011A AND R32394010F) COMPRISING APPROXIMATELY 6.20 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 RS6 (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 RS6 (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 Reynolds and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules**. Council President asked for a roll call vote with all Councilmembers present voting **YES**. Council President declared the ordinance duly passed, numbered it **4712** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-4 – 1st reading of ordinance for 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.

Council President 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 506 N. MIDDLETON RD., NAMPA, IDAHO, (COUNTY PARCEL R310490000) COMPRISING APPROXIMATELY .86 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 RS6 (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 RS6 (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 Reynolds and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules.** Council President asked for a roll call vote with all Councilmembers present voting **YES.** Council President declared the ordinance duly passed, numbered it **4713** and directed the Clerk to record it as required.

MOTION CARRIED

Item #9-5 – 1st reading of ordinance for 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.

Council President 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 525 E GREENHURST RD. (COUNTY PARCEL #R2016300000); COMPRISING APPROXIMATELY 2.9 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 RD (TWO FAMILY DUPLEX 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 RD (TWO FAMILY DUPLEX 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 Reynolds and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules.** Council President asked for a roll call vote with all Councilmembers present voting **YES.** Council President declared the ordinance duly passed, numbered it **4714** 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. 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)**
- 10-8. 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. **(PH was 01-17-2023)**

❖ (11) Executive Session ❖

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

- **Idaho Code 74-206 (1)(c) To acquire an interest in real property not owned by a public agency.**
- **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.**

Council President announced that Council would not go into Executive Session.

MOVED by Bower and **SECONDED** by Jangula to **Adjourn the meeting** at 11:47 p.m. Council President asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Passed this 21st day of February 2023.

MAYOR

ATTEST:

NAMPA CITY CLERK