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

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

Mayor Kling amended the agenda by removing item #5-2. From new business - authorize the installation of a No Parking zone along both sides of West Sanetta Drive between West Tacola Street and North Midland Boulevard.

❖ (1) Consent Agenda (Action Items) ❖

MOVED by Hogaboam and SECONDED by Rodriguez to approve the Consent Agenda with the above amendments; Regular Council Minutes of March 18, 2019; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes of March 6, 2019; Airport Commission Minutes; Planning & Zoning Commission Minutes of March 12, 2019; 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 and short plat approvals: 1) Final Plat Approval for Copper River Basin No. 8 near the southwest corner of W Roosevelt Ave and S Middleton Rd. (A portion of the SE ¼ Section 30 T3N R2W BM – 48 single family dwellings on 11.39 acres, for 4.21 lots per acre), for Kent Brown representing Challenger Development, Inc. (SPF-00085-2019; 2) Final Plat Approval for Carriage Hollow Subdivision at “0” W Iowa Ave. (A 9.06-acre parcel located in the NW ¼ of Section 31 T3N R2W BM, located between Midway Rd and Middleton Rd, south of Lake Lowell Ave – 24 Single Family Residential lots on 9.06 acres, or 2.65 lots/gross acre) for Engineering Solutions representing Toll Southwest, LLC. (SPF-00086-2018); 3) Short Plat Approval for Aquarius Subdivision in an RML (Limited Multiple Family) zoning district at 424 1st Ave N. (Three Single Family Attached lots on .195 acre for 15.38 lots per acre – A portion of Lot 12 Block 4 of Nampa City Acres Addition No. 2 located in the SW ¼ of Section 15 T3N R2W BM) for Aspen Engineering, representing Morgan Family Trust (SPS-00018-2019); Authorize Public Hearings: 1) Annexation and Zoning to RS-7 (Single Family Residential – 7,000 sq. ft), at 2704 E Amity Ave. (A .46 acre or 19,726 sq. ft portion of the SE ¼ of Section 26 T3N R2W BM and Tax 98951 less the South 40 ft) for Amulfo Romero for connection to City of Nampa water and sewer. (ANN-00113-2019); 2) Modification of Zoning Development Agreement between Moonlake Consulting, LLC and the City of Nampa recorded 11/06/2017 as Inst. No. 2017-048306, modifying the conceptual site and building plans to accommodate senior apartment living on a single-story arrangement for a 2.978 acre portion of the NW ¼ of Section 34 T3N R2W BM), for Joe Presher representing Douglas Petersen, Sky Ridge LP (DAMO-00029-2019); Authorize to Proceed with Bidding Process: 1) Authorization to proceed with bid process for Sidewalk LID 167; Authorization for execution of Contracts and Agreements: 1) Authorize immediate piggyback purchase of pavement marking Thermo Plastics from Flint Trading for Street Division; Monthly Cash Report: 1) None; Resolutions: 1) Disposal of Facilities development vehicle; License for 2019: 1) Mongolian Barbeque, 1123 Caldwell Boulevard, on-premise beer and wine; Pacific Sushi, 624 12th Avenue South, on-premise beer and wine; Miscellaneous Items: 1) None. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. Mayor Kling declared the MOTION CARRIED
Special Business

Swearing in of Kirk Carpenter as Fire Chief – Mayor Kling used the following language to swear the new Fire Chief in: I, Kirk Carpenter, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and the Laws therefore, and I will faithfully, honestly, and impartially discharge the duties of Fire Chief during my continuance therein, to the best of my ability, so help me God.

Former Chief Phil Roberts explained that this is the portion of the ceremony that the family is involved. The family is a big part of the fire service and always will be. They provide the comfort when we come back. Nicole is Kirk Carpenter’s wife. Kerry and Cindy Carpenter, Kirks mom and dad.

Nicole pined the chief badge on Kirk.

Chief Roberts said that Kirk is a friend and that he is going to tear this place up for the good. With the badge is the collar brass there are five bugles on this – 5 bugles represent the chief position. The deputy chief has 4 bugles, the division chief has 3 bugles, battalion chief has 2 cross bugles, and captains have 2 straight bugles. The bugles represented the fire services on making the calls, sending signals on and commands on a fire scene.

Kirk’s mom and dad pined the bugles to his collar.

The fire chief Kirk Carpenter addressed the Council and community in attendance.

(2) Proclamation

Item #2-1 – National Cleaning for a Reason Week

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

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

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

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

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

“National Cleaning for a Reason Week”

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

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

Renee Dickinson from Scrubbing Bubbles Cleaning said that she is honored to be a part of Cleaning for a reason. A few years ago, my mom got sick and passed away from cancer. Before that I had looked at Cleaning for A Reason and because it is out of Dallas, Texas I didn’t see any reason to get involved. I didn’t see how it could help Idaho. After mom got sick, during that time my cleaners would come and clean for my mom and it was such gift to have them come in. They would sneak in, they would clean the house give me a hug and they would sneak out and I was able to just focus on her. That was such a precious opportunity.

A lot of other people do not have a cleaning company so when I went back to work, I knew I had to another look at Cleaning for a Reason and since then we have been serving patients here in the area.

Item #2-1. – Child Abuse Prevention & Awareness Month

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

Whereas, Canyon County recognizes that children are the key to the county's future, success, prosperity and quality of life and while children are our most valuable resource, they are also our most vulnerable citizens; and
Whereas, every child deserves to grow up in a healthy, safe, nurturing environment and have an opportunity to thrive; and

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

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

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

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

This proclamation is in support of Canyon County.

❖ Mayor Kling asked if there was any Nampa Residents wishing to speak on any agenda item (5 persons limit):
❖
   • Nathan Roslam, 217 South Powerline Road – Panhandling and the due process of deciding to place the signs in Nampa
   • Judy Moore, 2609 Sunnybrook Drive – in favor of the panhandling signs
   • Carol Hoffman, 6470 Sunrise Avenue – in favor of the panhandling signs

❖ Mayor Kling asked if there was any Nampa Residents wishing to speak on any item that was not on the agenda (5 persons limit):
❖
   • Ben Campbell, 1118 W Peregrine Drive – World Skills Competition (Councilmember Bruner introduced)

❖ Mayor Kling’s and Council Comments ❖
   • Mayor – said that TVT is going to ask for a 4% increase from the City of Nampa
   • Councilmember Levi said that she was going to set up a meeting with Councilmember Clegg to discuss the subject of the increase
   • Councilmember Rodriguez talked about the 5th graders at Snake River Elementary
Councilmember Hogaboam gave a shout out to the Idaho Horseman (arena football)

(3) Agency/External Communications

Crosswalk and Safety Report – Snake River Elementary School – Kristina Clark, Tosha Johnson and we are 5th grade teachers and Snake River Elementary. In February we assigned a project for our students and we asked them to identify a problem or a need within our school or community. The students were required to research a solution based on that research and then create a visual representation of that project.

Emerson, Vavea, Sierra, Taylor presented a request for speed control that is needed on 11th Street North near Snake River Elementary. They showed the problem and presented an answer that they felt would work to help.

Councilmembers and Mayor asked questions and made comments.

(4) Staff Communications

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

Fiscal Year 2020 Capital Improvement Project Development – Public Works Department (PWD) staff is in the process of determining which projects will be selected for design and construction as well as how much money must be budgeted to complete the projects.

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

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

Each year all projects are identified within the specific zones utilizing the following:

- Masterplans
  - Airport
  - Bike and Pedestrian
  - Sewer
  - Transportation
  - Pressure Irrigation
  - Water
- Operations Data (field observations, calls, complaints, etc.)
Meetings are held with PWD staff from the following divisions:

- Engineering/GIS
- Environmental Compliance
- Public Works Administration (finance)
- Streets
- Wastewater
- Water

The initial meeting is to gather information with PWD representatives to list all potential projects. Budgets are not considered during this meeting.

After the initial meeting, the projects are placed on an interactive GIS map that allows division representatives to rank them based on a scoring matrix that considers the following items (see Exhibit B)

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

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

**2019 Pressurized Irrigation Season** - Water Division staff has been preparing the City’s municipal pressurized irrigation system for delivery of service to its customers. Irrigation water is anticipated to begin entering the canals from underlying irrigation districts the first week of April. Some customers will observe system pressure, but it will likely be intermittent as operators continue to test the system and find any damage that may have occurred over the winter or by accidental strikes during the off period. Full service is expected by mid-April.

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

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

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

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

Street, Fleet Services, and Airport Divisions Fiscal Year 2019 Five Year Workforce Plan – Attached for City Council review is the City of Nampa Public Works Department (Transportation) Fiscal Year 2020 Five-Year Workforce Plan for the Street, Airport, and Fleet Services Divisions (see Exhibit E). Also, the attached PowerPoint will be presented the same day as this staff report (see Exhibit F, Fiscal Year 2020 Workforce Plan).
5 YEAR STRATEGY FOR EXCELLENCE

1. Enhance Customer Service and Operational Productivity
2. Retain and Recruit Quality Employees, Decreasing Turnover
3. Addressing Immediate and Long-Term Facility Needs

STREETS

Goal 1 – Customer Service and Operational Efficiency
FLEET  
Goal 1 – Customer Service and Operational Efficiency  

- Salt and Salt Brine $40,000/Yr.  
- Chip Seal Innovations $120,000/Yr.  
- Intelligent Transportation System (ITS) $20,000/Yr.  

$180,000/Yr. Savings

AIRPORT  
Goal 1 – Customer Service and Operational Efficiency  

- Four Wheel Alignments $5,000/Yr.  
- Emissions Testing $5,000/Yr.  
- 100% Police and Fire Upfitting $63,000/Yr.  

$73,000/Yr. Savings

- Landscape and Wildlife Maintenance $14,000/Yr.  
- Grant Administration $6,000/Yr.  
- Growth Related Facility Maintenance $15,000/Yr.  

$35,000/Yr. Savings

Approximately $300,000 per year savings through innovation and operational efficiency.
Goal 2 – Retain and Recruit Quality Employees, Decreasing turnover.
- **Strive to be Leaders in the Industry; Fostering a Positive, Professional Work Culture**
- **Strategic Staff Planning Based on Growth Projections**
- **Offer Competitive Compensation**— Salaries are 3-19% lower than regional public entities

Goal 2 – Retain and Recruit Quality Employees, Decreasing turnover.
- Since 2011, Street Division has lost one person per year to other local agencies offering higher pay
- It takes approximately one year of salary to replace an experienced employee
- Equates to $400,000 loss since 2011

Goal 3 – Addressing Immediate and Long-Term Facility Needs
- Current space is at capacity
- Support Fiscal Year 2019 Citywide Facilities Master Plan underway
- Support Airport Master Plan facility expansion strategies (underway)

**Item #4-2. – Main Street Staff Report**

Communication Manager Amy Bowman presented the Main Street Approach

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

**MAIN STREET IMPACT**

- **Dollars Reinvested**:
  - $74.73 billion
- **Buildings Rehabilitated**:
  - 276,790
- **Net Gain in Jobs**:
  - 614,716
- **Net Gain in Businesses**:
  - 138,303
- **Reinvestment Ratio**:
  - 126.42:1
These estimates are based on cumulative statistics gathered from 1980 to December 31, 2017, for all designated Main Street communities nationwide.

* On February 14, 2019, three months after the HQ2 announcement, Amazon abandoned its plan to locate in NYC due to local opposition.
** Total reinvestment in physical improvements from public and private sources.
*** This number is not cumulative and represents investment and organization budgets from January 1, 2017, to December 31, 2017.

Since its inception, Main Street communities have seen almost $75 billion in new investment. What’s more, in 2017, every $1 of public money invested in Main Street communities leveraged over $26 of private investment. This is economic development as if return on investment (ROI) mattered.

Main Street’s wholistic, incremental approach to community revitalization works—this has been proven time and time again.
Item #6-1. - Mayor Kling opened a public hearing for Proposed Nampa City Code Text Amendments to Sections of Nampa City Code Titles 6, 7, 9 and 10 as follows: a) Amendment of Title 6, Chapter 2, Section 20, pertaining to Canine Licensing. b) Amendment of Title 7, Chapter 2, Section 16, pertaining to parking of vehicles in specified places. c) Amendment of Title 9, Chapter 1, Section 9, pertaining to the parking of an “unauthorized dwelling unit” on public rights-of-way(s). d) Amendment of Title 10, Chapter 1, Section 2: Definitions; adding and/or transferring to said section definitions of: “Appropriate Historic Hues”, “As Built Roof”, “Building Expansion”, “Congregate Residence”, “Early Twentieth Century Architecture”, “Façade Improvements”, “Foster Daily Care Home”, “Historic Storefront Pattern”, “Historic Structure”, “Original Architectural Character”, “Original Building”, “Pedestrian Amenities”, “Photometric Test Report”, “Recreational (Hobby) Vehicle/Trailer”, “Rehabilitation”, “Remodel”, “Residential Infill Subdivision”, “Story”, “Structure, Contributing”, “Structure Non-Contributing”, “Traditional Building Materials”, “Traditional Building Width”, “Transparency”, “Vision Clearance”. e) Amendment of Title 10, Chapter 1, Section 5, regarding conformance of projects to entitlements issued. f) Amendment of Title 10, Chapter 1, Section 18 regarding vision triangles. g) Amendment...
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of Title 10, Chapter 1, Section 19 refining existing standards for self/mini-storage projects in RP and BN Zones. h) Amendment of Title 10, Chapter 2, Section 10 regarding requests for reconsideration. i) Amendment of Title 10, Chapter 3, Section 2 regarding professional offices, medical/dental offices and non-professional/non-medical office types. j) Amendment of Title 10, Chapter 4, Section 5 correcting GB 2 Zone regulations for minimum property size relating to non-multiple family dwellings. k) Amendment to Title 10, Chapter 4, Section 9 clarifying required development improvements, landscaping requirements, and eliminating berming requirement and landscaping code relevant to the railroad in the GB 2 Zone. l) Amendment to Title 10, Chapter 4, Section 10 requiring enclosures for trash receptacles. m) Amendment of Title 10, Chapter 8, Section 5 to include a limited number of varying refinements. n) Amendment to Title 10, Chapter 8, Section 6 to add a RS4 zoning designation with associated standards. o) Amendment of Title 10, Chapter 15, Section 9 deleting definitions being moved to Title 10, Chapter 1, Section 2. p) Amendment of Title 10, Chapter 15, Section 6 deleting and revising references to definitions. q) Amendment of Title 10, Chapter 16, Section 11 regarding trash enclosure screening. r) Amendment of Title 10, Chapter 21, Section 3 pertaining to the number of dogs kept on a property in coordination with contemplated changes to Title 6, Chapter 2, Section 20. s) Amendment of Title 10, Chapter 22, Section 4 to clarify parking requirements for multi-structure developments. t) Amendment of Title 10, Chapter 22, Section 5 to clarify provisions pertaining to Site Improvement Permits. u) Amendment of Title 10, Chapter 22, Section 6 to clarify requirements appertaining to the P-2 parking district, single-family dwellings, two through multiple-family parking requirements, and offices. v) Amendment of Title 10, Chapter 22, Section 7 eliminating loading space [docks] unilateral installation requirement. w) Amendment of Title 10, Chapter 23, Section 2 to add definitions. x) Amendment of Title 10, Chapter 23, Section 8 to address abandonment of billboard signs. y) Amendment of Title 10, Chapter 23, Section 20 to allow two subdivision identification signs per entry. z) Amendment of Title 10, Chapter 24, Section 2 to improve grammar. aa) Amendment of Title 10, Chapter 25, Section 15 repealing and re-enacting the section to improve formatting and grammar, clarify scope and effect of modifications to CUP. bb) Amendment of Title 10, Chapter 27, Section 2 providing requirements for filing of applications to re-plat or convert common lots. cc) Amendment of Title 10, Chapter 27, Section 4 respecting master communities, infill developments, RS 4 developments, new requirements for infill and standard subdivisions (including in RS 4 Zones), qualifying regulations for “infill” subdivisions, short plat allowance and effectiveness clarifications. dd) Amendment of Title 10, Chapter 27, Section 6 path/bikeway inter and intra-connectivity requirements. ee) Amendment of Title 10, Chapter 27, Section 12 regarding correcting or amending plats including situations affecting common properties. ff) Amendment of Title 10, Chapter 29, Section 3 clarifying manufactured home dimension requirements and adjusting grammar. gg) Amendment of Title 10, Chapter 33, Section 4 to authorize the City of Nampa Forester to participate in and reviewing commercial plans submitted to the City of Nampa for permit(s); The Planning and Zoning Commission recommended approval of the preceding City Code Text Amendments with the following revisions to Amendments 1, 3, and 18:
Amendment 1: Title 6-2-20, Licensing: Canine licensing, which had been requested by a citizen of Nampa to change the number of dogs permitted in the City of Nampa to three (3). The Commission considered the number of dogs permitted on a property should remain at two (2).

Amendment 3: Title 9-1-9 Residing on a Public Right-Of-Way: stating it shall be unlawful for any person(s) to reside or stay more than twenty-four (24) hours in an “unauthorized dwelling unit” on public rights of way. The Commission considered that seventy-two (72) hours would be more appropriate.

Amendment 18: Title 10-21-3 pertaining to the number of dogs kept on a property, in coordination with requested change to Title 6-2-20. The Commission considered that section should coordinate with Section 6-2-20, and the number of dogs should remain at two (2).

Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for code amendments.

General Information

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommend to the City Council approval of City Code Text Amendments (ZTA 009-19) with the following revisions to Amendments 1, 3, and 18:

1) Amendment 1: Title 6-2-20, Licensing: Canine licensing, which had been requested by a citizen of Nampa, to change the number of dogs permitted in the City of Nampa to three (3). The Commission considered the number of dogs permitted on a property should remain at two (2).
2) Amendment 3: Title 9-1-9 Residing on a Public Right-Of-Way: stating it shall be unlawful for any person(s) to reside or stay more than twenty-four (24) hours in an “unauthorized dwelling unit” on public rights of way. The Commission considered that seventy-two (72) hours would be more appropriate.
3) Amendment 18: Title 10-21-3 pertaining to the number of dogs kept on a property, in coordination with requested change to Title 6-2-20. The Commission considered that section should coordinate with Section 6-2-20, and the number of dogs should remain at two (2).

The City of Nampa Council will need to determine whether they agree with the above recommended Planning and Zoning Commission revisions to Amendments 1, 3, and 18.

Correspondence: No opposing correspondence has been received from any interested parties regarding the proposed amendments.

Applicable Regulations: Section 10-2-3 D Conclusions of Law Pertinent to Proposed Zoning Ordinance Text Amendments: Before the commission recommends a text (content) amendment to
the zoning ordinance, and, before the City Council approves any proposed zoning code amendment(s), the Commission and the City Council must individually find and conclude: 1. That the proposed amendment(s) is, are or would be reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.

**Staff Recommended Findings**

The following findings are recommended by staff:

1) Section 10-2-3 D. of Nampa City Code provides the standards for amending the City’s zoning ordinance.
2) The proposed Ordinance Amendments are appropriate because they are “reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.” Nampa City Code § 10-2-3-D.
3) The proposed Ordinance Amendments are in harmony with the City’s comprehensive plan—Nampa 2035.
4) The proposed Nampa City Code Text Amendments would also help achieve Nampa 2035 Comprehensive Plan’s Land Use Goal 7: Update the City’s Land Use Ordinances, and Objective 13 and the associated 2 Strategies regarding amending the Zoning and Subdivision Ordinances.

**Staff Narrative on Amendments**

**Amendment 1:**

**6-2-20: LICENSING:**
This amendment comes from a citizen who pointed out that surrounding jurisdictions allow for the keeping of three dogs – that moving to Nampa is difficult for those pet owners who come from other areas with one too many pets that then have to be surrendered or a Conditional Use Permit obtained to allow for the animals to remain with their owners. Some have opposed the notion of allowing more dogs due to the potential for an “up-tick” in complaints regarding barking dogs, animals at large, etc. Staff included the request with our other amendments as a courtesy to the citizen.

**Amendment 2:**

**7-2-16: STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACE:**
These amendments propose the repeal of the word “stand” from paragraph A of the section per the police department’s request. Added, with their blessing, is a line (#18) that controls parking in front of (i.e., blocking) a mailbox.

**Amendment 3:**

**9-1-9: RESIDING ON A PUBLIC RIGHT-OF-WAY:**
The minor change to this section helps strengthen the disallowance of residing in vehicles on City of Nampa streets.

Amendment 4:

10-1-2: DEFINITIONS:
During drafting these code amendments, we noted that it would be “cleaner” to have varying definitions in other code sections all populated within the master zoning code definition listing in this section. A few redundant or replaceable definitions are also proposed for removal.

Amendment 5:

10-1-5: CONSTRUCTION AND USE TO BE STATED IN APPLICATIONS:
This amendment is intended to strengthen the requirement to conform a use or construction project to approved plans/certificates of occupancy.

Amendment 6:

10-1-18: Figures:
Engineering and P&Z Staff concur that the proposed change to the vision triangle standard is necessary. City Engineering some months ago met with Code Enforcement to review and educate their personnel regarding the proposed change(s). Code Enforcement staff agreed that the change could be readily enforced and would improve safety at varying intersections in town.

Amendment 7:

10-1-19: PROFESSIONAL, PUBLIC MINI-STORAGE FACILITY DESIGN REGULATIONS:
This amendment is to clarify and make reasonable the standards for mini-storage facilities in RP and BN Zones as presently constituted. In part, they reflect the City’s design review related practice applied to storage facilities whereby primary visual interest is given to those portions of buildings visible from a public right-of-way.

Amendment 8:

10-2-10: REQUESTS FOR RECONSIDERATION:
City of Nampa legal counsel concur with Staff that this amendment helps clarify and better control reconsideration proceedings.

Amendment 9:

10-3-2: SCHEDULE OF DISTRICT/ZONE LAND USE CONTROLS:
To eliminate confusion regarding the management of various office types, additional identification of their sub-types is proposed in the table with a recommendation as to which zoning districts, they should be best entertained as permitted or conditional uses.
Amendment 10:
**10-4-5: PROPERTY DIMENSIONAL AND BULK REQUIREMENTS:**
Closing a loophole that left undefined the minimum lot areas for single-unit to four-unit dwellings in the GB zones is the purpose behind the proposed amendment.

Amendment 11:
**10-4-9: LANDSCAPING:**
These amendments are intended to reflect the actual property development improvements (on most properties within the GB Zones) as well as to recognize that landscape code requirements in other areas of our zoning ordinance address landscaping on properties in the GB Zones outside of this section. The largest change is to eliminate what has become, effectually, an obsolete berming requirement and berm illustration.

Amendment 12:
**10-4-10: DESIGN STANDARDS:**
A restatement of the need for an enclosure for trash receptacles.

Amendment 13:
**10-8-5: DETACHED ACCESSORY STRUCTURES:**
Clean-up edits.

Amendment 14:
**10-8-6: PROPERTY AREA, WIDTH, DEPTH, FRONTAGE AND SETBACK REQUIREMENTS:**
Staff believes it is time to react to the need for infill housing with an eye towards allowing smaller lots sizes in appropriate locations. This does not pre-empt the construction of single-family homes of size and design commensurate with what is being built in standard subdivisions now. A set of infill enhancement allowances in Chapter 27, the subdivision chapter, are being proposed to be placed in coordination with the new RS4 Zone introduction (please notice the exception on page 16 for the introduction of RS4 subdivisions).

Amendment 15:
**10-15-6: DH DOWNTOWN HISTORIC SUBDISTRICT:**
Recognizes and reacts to the change in the location of definitions (from chapter 15 to chapter 1).

Amendment 16:
**10-15-9 DEFINITIONS:**
The definitions in the front of chapter 15 are being moved to chapter 1 to reside with the balance of zoning code definitions.
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Amendment 17:  
10-16-11: DESIGN STANDARDS:  
A simple iteration of the need for an enclosure for trash receptacles…

Amendment 18:  
10-21-3: AGRICULTURAL ANIMALS AS PETS:  
Proposed changes are reactionary to the possible allowance [number of dogs per household from two to three] sought for in 6-2-20 but without allowing for three (3) pot-bellied pigs.

Amendment 19:  
10-22-4: COMMON/SHARED PARKING FACILITIES FOR MIXED USES AND OFF-SITE PARKING ALLOWANCE:  
Adds a clarification.

Amendment 20:  
10-22-5: PARKING AREA IMPROVEMENTS AND PLANS:  
Adds a needed permit review time for Site Improvement Permits as well as an expression of their longevity; also gives RV parking areas the same off-paving allowance as that which exists for heavy equipment or high GVWR rated vehicles when in storage facilities or in commercial business ventures (e.g., sales lot areas devoted to RVs and similar).

Amendment 21:  
10-22-6: SPECIAL PARKING AND LANDSCAPE CORRIDOR DISTRICTS AND SPACES REQUIRED:  
The intent of a portion of the language is to reformat and clarify the language of the P-2 parking district. The other amendments found in the table are to reiterate (for dwellings) what is required in chapter 8 already respecting covered/enclosed parking, to also address ADA parking when associated with a shared parking arrangement, and, to revised office parking ratios to react to the apparent code deficiency in the number of spaces required for the same.

Amendment 22:  
10-22-7: LOADING SPACES:  
Rather than requiring loading docks for certain kinds of industries, Staff believes that the operations managers of the kinds of business types listed in the language proposed for deletion are fully capable of proposing loading docks for their buildings when needed.

Amendment 23:  
10-23-2: DEFINITIONS:  
A couple of needed sign code related definitions are proposed. Given the extent of sign code definitions and the regular handing out of our sign code chapter to companies, Staff believed it best to simply leave sign code definitions in chapter 23 instead of moving them to chapter 1.
Amendment 24:

**10-23-8: PROHIBITED SIGNS:**

The contemplated changes would strike an obsolete differentiation between “painted” and “poster” billboard signs and, more importantly, define when a billboard sign relocation permit is to be considered “abandoned” to circumvent the practice of one company trying to jump into the queue (given our cap and replace billboard inventory regulations) in order to obtain a permit to emplace a billboard when they learn another competitor is about to remove a billboard. This amendment has been reviewed and endorsed by legal counsel and comes on the heels of a case we dealt with in Nampa this past year or so [we were caught in the middle of two contending companies without having adequate regulations pertaining to the manner of handling transfers in such circumstances].

The allowance to have a private property owner pull a permit to transfer was an add-on request by a local business owner. Staff’s only concern with such an allowance [again, referring to the last sentence of paragraph 5 under section 8.J.] is whether there is a requirement that the sign permit only be “pulled” by a license sign contractor that would bear on the matter. Our code currently reads that way, but possibly that isn’t necessary if they don’t get authorization to do the work in the field themselves.

Amendment 25:

**Table 10-23-20(E) PERMANENT SIGNS PERMITTED IN THE GB1/GB2/GBE ZONES:**
Correcting illumination type for Wall, marquee, canopy or awning signs.

**Table 10-23-20(K) PERMANENT SIGNS PERMITTED IN THE RS6, RS7, RS8.8, RS12, RS15, RS18, RS22, RA and RD ZONES:**
Allowing two subdivision identification signs per entry.

Amendment 26:

**10-24-2: ACTIONS:**
Some grammatical tweak.

Amendment 27:

**10-25-15: CONDITIONAL USE EXPANSIONS AND MODIFICATIONS:**
This amendment includes primarily re-formatting and grammatical improvements. In addition, the percent of expansion to conditional uses and/or facilities requiring formal Planning Commission approval via a public hearing process has been reduced from those exceeding 25% to those exceeding 10%.

Amendment 28:

**10-27-2: PRELIMINARY PLAT APPLICATION FORM, CONTENT AND PROCESS:**
Reiterates the considerations necessary to convert common land to private and reiterates how the application is to be handled in such situations.

Amendment 29:

10-27-4: SPECIAL SUBDIVISIONS AND DEVELOPMENTs:
This amendment revises our current infill density bonuses (outside of PUD’s). The amendments intend to help meet a market demand for small lots that can house homes and help provide more housing opportunities for our local market and add a requirement to such subdivisions to provide open space.

A “short plat’s” approval time frame, formerly absent, is now proposed to be added as 18 months, along with a clarification of the number of lots that may be handled by that process.

Amendment 30:

10-27-6: GENERAL DEVELOPMENT AND IMPROVEMENTS REQUIREMENTS:
This amendment is intended to support Nampa’s interest in having bike paths and introduce a requirement that where possible intra/inter-connectivity of paths be provided between and inside subdivisions.

Amendment 31:

10-27-12: CORRECTING/VACATING/AMENDING PLATS:
A few corrections, and re-iteration of standards to be used when accepting any change to a plat where a substantive/material change to its contents is proposed – especially changes to common properties. The changes alluded to are beyond the reach of Affidavits of Correction or similar surveyors’ instruments to fix errors.

Amendment 32:

10-29-3: DEVELOPMENT STANDARDS:
This section has adjustments to manufactured home standards as seem appropriate to Staff. They are still being treated as the equivalent of “stick-built” homes as required by state law. In addition, the amendment changes references to the previously adopted “uniform building code” to the presently adopted “international building code”.

Amendment 33:

10-33-4: CORRIDOR LANDSCAPING REGULATIONS:
This amendment introduces the City Forester’s involvement in commercial plan review. Their expertise in matters of tree plantings is a necessity.

Those appearing with a request for revisions were: David Bills, 3400 So. Montego Way.

Those appearing in favor of the request were: Hubert Osborne, 4199 E. Switzer Way.
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No one appeared in opposition to the request.

Mayor and Councilmembers asked questions and made comments.

At a future date, the City Attorney will work on an amendment to the code for wording that will help subdivisions with the CCR’s.

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

MOTION CARRIED

MOVED by Skaug and SECONDED by Bruner to approve the amendments as presented with the commission recommendations amendment 1: Title 6-2-20, Licensing: Canine licensing, which had been requested by a citizen of Nampa to change the number of dogs permitted in the City of Nampa to three (3). The Commission considered the number of dogs permitted on a property should remain at two (2); Amendment 3: Title 9-1-9 Residing on a Public Right-Of-Way: stating it shall be unlawful for any person(s) to reside or stay more than twenty-four (24) hours in an “unauthorized dwelling unit” on public rights of way. The Commission considered that seventy-two (72) hours would be more appropriate; Amendment 18: Title 10-21-3 pertaining to the number of dogs kept on a property, in coordination with requested change to Title 6-2-20. The Commission considered that section should coordinate with Section 6-2-20, and the number of dogs should remain at two (2) and proposed addition: 10-27-4-b. e (4) Exceptions: an exception to open space requirements may be granted for residential infill subdivisions meeting any of the following criteria: a. Is bound by a public walk way, drain, canal, trail, or nonresidential improved property; b. Requires the installation of a sewer lift station; c. Has topography that inhibits its full use and platting; d. Is surrounded by properties or plats having no open space; e. Provides a benefit to the city such as providing for a continuity of utility services, street right of way or other benefit deemed needed; proposed revision: 10-27-4 B. e. (2) Qualifying (i.e., “Functional”) Open Space: Unless otherwise approved, not less than fifteen percent (15%) Five percent (5%) of the total gross area of any residential infill subdivision shall be retained as permanent, common open space privately held and maintained by the subdivision’s property owners. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-2. - Mayor Kling opened a public hearing for a vacation of the reserved utility easements in the previously vacated 80 ft by 340 ft section of Right-Of-Way of Locust St, located on the East side of Lots 7 – 12, Block 180, West of Block 179, and south of the center line of the Vacated Right-Of-Way of East Georgia Avenue, all in Kurtz Addition Subdivision, Nampa; and the Reserved Utility Easements in the 40 ft by 340 ft section of right-of-way of Juniper St, located West of the Vacated East 40 ft right-of-way of Juniper St, and south of the centerline of the Vacated
right-of-way of E Georgia Ave, on the East side of Block 179 of Kurtz Addition Subdivision, Nampa. All in Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County, for Douglas E Peterson, representing Sky Ridge Limited Partnership.

The applicant was not present.

Rodney Ashby presented the following staff report explaining that the request is for a vacation for the utility easements within the following previously vacated rights-of-way: 1) An eighty (80) foot by three hundred and forty (340) foot section of vacated right-of-way of Locust Street, located on the east side of Lots 7-12, Black 180, west of Block 179; and south of the centerline of the vacated right-of-way of E. Georgia Ave, all in Kurtz Addition Subdivision, Nampa; and, 2) A forty (40) foot by three hundred and forty (340) foot section of vacated right-of-way of Juniper Street, located west of the vacated east 40-foot right-of-way of Juniper Street, and south of the centerline of the vacated Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County, Idaho and are located within a RML (Residential Professional) zoning district for Sky Ridge Limited Partnership.

The Applicant(s) state they are requesting the easement vacations in order to construct two single-story senior living buildings…

**Applicable Regulations**

Respecting easement vacation requests, our code presently states that:

**10-27-12: CORRECTING/VACATING/AMENDING PLATS:**

... 

D. Correcting Plats:

3. Vacation to Erase Easement or Right-Of-Way: Vacation approval shall be required in order to either erase some or all or part of an easement or right-of-way. Vacation approval shall be required in order to move the location of all or part of an already platted and recorded right-of-way or easement. Processing of vacation requests for easements and/or rights-of-way shall be executed in accordance with provisions of Idaho State Code. Right-of-way vacations shall be done by ordinance of the City Council and approved first by the same during a public hearing. (Ord. 4340, 9-18-2017)

**General Information/Narrated Findings**
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The Applicant recently applied for a Development Agreement Modification to construct single story senior living apartments on the subject property at 412 E Hawaii Ave, Nampa. The public hearing before City Council for that modification is scheduled for May 6th, 2019.

The matter to be considered today is the applicant’s request to vacate RESERVED utility easements in the previously vacated Right-Of-Way as listed below:

- 80 foot by 340 ft section of Right-Of-Way of Locust Street, located on the East side of Lots 7-12, Block 180, West of Block 179, and south of the centerline of the Vacated Right-Of-Way of East Georgia Avenue, all in Kurtz Addition Subdivision, Nampa, Canyon County, Idaho
- 40 ft by 340 ft section of Right-Of-Way of Juniper Street, located West of the Vacated East 40 ft Right-Of-Way of Juniper Street, and South of the centerline of the Vacated Right-Of-Way of E. Georgia Ave on the East side of Block 179, of Kurtz Addition Subdivision, Nampa. All in Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County.

The subject easements were previously presumed to be vacated at the time of the Right-Of-Way vacations on September 6th, 2005, Ordinance No. 3483 (Exhibits 15-20). Though the public streets were vacated at that time, the utility easements were not. In order to develop the property, the Applicant seeks vacation of the RESERVED utility easements. The City Engineer has indicated that there are no utility services existing or planned within the proposed areas for vacation. Though a 1968 ordinance (no. 1117, Exhibits 7-14) appeared to show the vacation of the alley of block 179 on the exhibit, the ordinance excluded block 179 from the narrative. This may have been because of the sewer line and sewer easement running the length of the alley. The Applicant requested a title report and discovered the need to vacate the alley right-of-way. Both the city’s engineering office and Canyon County Assessor’s office confirmed this need. A 12” Sewer Main and associated easement runs north/south along what was platted as an alleyway on block 179. This sewer line and easement will remain on the property, and no building shall be built over the easement. The Applicant has applied to vacate the alley Right-Of-Way and the Public Hearing before City Council is likely to be held May 6th, 2019.

State law indicates that, “Easements shall be vacated in the same manner as streets.” (§ 50-1325). Idaho Code Section 50-1321 requires that in order to vacate a street, among other prerequisites, “the owner or owners of the property abutting said public street…have been served with notice of the proposed abandonment in the same manner and for the same time as is now or may hereafter be provide for the service of the summons in an action at law.” This appears distinct from a situation where a plat is being proposed for vacation and wherein lie one or more utility easements wherewith a different set of notification requirements appertain (I.C. § 50-1306 (A) (5)). Legal counsel has affirmed that convening a public hearing to publicly address a vacation address, especially in the matter of easement relinquishments, is satisfactory to lawfully communicate the applicant’s purpose.
No City of Nampa department, partnering agency, or citizen opposition to this application was received by 5:00 p.m. March 25, 2019 (see attached correspondence).

**Recommendation:** The proposed vacation is requested to facilitate construction of senior housing on a parcel that could be considered a candidate for in-fill development. The area is largely developed out and is serviced by utilities, public safety, parks, and other city services. The vacation of these easements is unlikely to have a negative consequence on servicing the area in the future. The City’s Comprehensive Plan outlines multiple benefits of infill development, including the fact that the city already has utilities and provides service to these areas without significant increased costs. Objectives and strategies in the Comprehensive Plan call for “placing a high priority on” infill development. The City Council may find that approval of the vacation would help facilitate achieving the objectives and strategies related to infill development in the Comprehensive Plan.

**Recommended Conditions of Approval**

Should the City Council vote to vacate the RESERVED utility easements associated with this application as described in the application and attached exhibit(s) and made a part of this record, then Staff recommends that the Council condition their approval to vacate on Applicant/application compliance with the following Conditions of Approval:

1. N/A

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

Councilmembers asked questions and made comments.

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

**MOTION CARRIED**

**MOVED** by Bruner and **SECONDED** by Rodriguez to **approve** the **vacation** of the Reserved Utility Easements in the previously Vacated 80 ft by 340 ft section of Right-Of-Way of Locust St, located on the East side of Lots 7 – 12, Block 180, West of Block 179, and south of the center line of the Vacated Right-Of-Way of East Georgia Avenue, all in Kurtz Addition Subdivision, Nampa; and the Reserved Utility Easements in the 40 ft by 340 ft section of right-of-way of Juniper St, located West of the Vacated East 40 ft right-of-way of Juniper St, and south of the centerline of the Vacated right-of-way of E Georgia Ave, on the East side of Block 179 of Kurtz Addition Subdivision, Nampa. All in Kurtz Addition, located in Book 2, Page 37 of Canyon County Plats, Canyon County, for Douglas E Peterson, representing Sky Ridge Limited Partnership with staff
conditions and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

**Item #6-3.** - Mayor Kling opened a **public hearing** for intention to **create Utility LID 163**.

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

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

All 12 properties voluntarily requested to be included in this LID.

These properties have already connected to the utilities they are assessed for.

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

Engineering has reviewed the requests and recommends creating the LID.

Mayor and Councilmembers asked questions and made comments.

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

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

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **authorize** the creation of Local Improvement District LID 163 for utilities and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

❖ **(5) New Business ❖

**Item #5-2.** - Mayor Kling presented the request to **authorize** the **installation** of a **No Parking zone** along both sides of **West Sanetta Drive** between **West Tacola Street** and North Midland Boulevard was removed from the agenda at the request of staff.
Item #5-3. - Mayor Kling presented the request to authorize the Mayor and Public Works Director to sign the Task Order for Professional Services between the City of Nampa and Paragon Consulting, Inc. for the Greenhurst Road, Sunnybrook Drive to Canyon Street Project. (Key Number 21999)

Tom Points presented a staff report explaining that the City of Nampa secured grant funding through the Local Highway Safety Improvement Program (LHSIP) funds, administered by the Local Highway Technical Assistance Council (LHTAC), to improve roadway safety along Greenhurst Road.

The state local agreement for the Greenhurst Road; Sunnybrook Drive to Canyon Street project was approved by Council on November 19, 2018.

The project is funded 92.66% with Local Highway Safety Improvement Program funds secured through COMPASS with the City of Nampa providing 7.34% match using streets funds. Total project cost is currently estimated at $1,121,000.

The project is currently programmed in COMPASS’ Transportation Improvement Program for design in FY2019 for $142,000 and construction in FY2021 for $979,000.

This Greenhurst Road, Sunnybrook Drive to Canyon Street project will incorporate the following improvements to reduce or eliminate fatal and serious injury accidents for roadway users (see Exhibit A):

- Install a traffic signal with pedestrian crossing facilities at the intersection of Greenhurst Road and Sunnybrook Drive
- Install a pedestrian activated flashing beacon crossing light at the intersection of Greenhurst Road and Canyon Street
- Install street lighting along Greenhurst Road in front South Middle School west of 12th Avenue South
- Install raised medians between 12th Avenue South and Sunnybrook Drive

Three consultant firms were requested to complete a Request for Information (RFI) process. Paragon Consulting, Inc., was selected to perform consultant services for the 21999 projects. Paragon Consulting, Inc. has provided a professional services agreement that includes a scope of work and labor estimate to provide design and bidding services, for the 21999 Project, in the amount of $85,000.00 (see Exhibit B).

Consultant design fees will be funded through the FY19 Streets Budget; as budgeted. Upon payment of consultant fees, reimbursement of 92.66% will be requested from ITD.
Engineering Division has reviewed the Scope of Work and Labor Estimate and recommends approval.

MOVED by Haverfield and SECONDED by Bruner to authorize the Mayor and Public Works Director to sign the Task Order for Professional Services between the City of Nampa and Paragon Consulting, Inc. for the Greenhurst Road, Sunnybrook Drive to Canyon Street Project (Key Number 21999) in the amount of $85,000.00 Time and Materials Not to Exceed. The Mayor asked for a roll call vote with Councilmembers Rodriguez, Hogaboam, Levi, Bruner, Haverfield voting YES. Councilmember Skaug was ABSENT. The Mayor declared the

MOTION CARRIED

Item #5-4. - Mayor Kling presented the request to authorize the Mayor and Council to sign a letter to the City of Star concerning the expansion of their impact area.

Principal Planner Rodney Ashby presented a staff report explaining that the following is the letter being sent to Star:

On July 27th, 2018, Mark Butler, representing the City of Star's comprehensive plan update, met with City of Nampa Planning & Zoning Director -Norm Holm, as well as the City Engineer - Daniel Badger. Mr. Butler indicated the desire for the City of Star to plan for servicing an area currently in Nampa's existing impact area. He claimed that this effort was in preparation for the City of Star to expand its Impact Area. As you may be aware, Title 67, Chapter 65 of Idaho's Local Land Use Planning Act states the following:

"Areas of city impact, together with plan and ordinance requirements, may cross county boundaries by agreement of the city and county concerned if the city is within three (3) miles of the adjoining county."

The City of Nampa's Impact Area has extended to the Boise River for close to two decades. The Canyon County commissioners recently reaffirmed their support of the impact area by approving amendments to the boundary on August 25, 2016.

Establishing this impact area boundary has allowed Nampa to dedicate resources toward more detailed planning for the area. Significant resources have been used to plan for land use, economic development, utilities, and transportation in that area.

After learning of Nampa's existing impact area and planning efforts already conducted, Mark Butler informed the City of Nampa of his intention to remove Nampa's impact area from Star's proposed planning/impact area. We greatly appreciated his careful consideration of Nampa's planning efforts and established boundaries. We recently learned that this area was still being
proposed to the public for City of Star's future impact area. We respectfully request that this area be removed from your proposed boundaries.

As mayor of a growing community, I'm sure you see the value of partnering with us to ensure the carefully planned growth in the valley. We are happy to meet with you and/or your staff to outline how we can coordinate our planning efforts where are boundaries touch. It has been said that "good fences make good neighbors." As your Respectfully submitted on behalf of the Nampa City Council, neighbor, we hope the established impact area boundary serves as a tool for partnership and relationship building. I appreciate your reasonable consideration of Nampa's position and look forward to receiving your response to our request to remove our existing Impact Area from your plans.

MOVED by Bruner and SECONDED by Haverfield to authorize the Mayor to sign the letter being sent to the City of Star concerning the expansion of their impact area. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-1. - Mayor Kling presented the request for discussion/decision of FY20 Budget Schedule.

Finance Director Doug Racine presented the following staff report:

As of last Friday we completed the City of Nampa annual financial audit and that was a great opportunity to take a breather.

Opinions
In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Nampa, Idaho, as of September 30, 2018, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

In the audit we did get a clean opinion there were two findings as they went through one was related to the timing of our bank reconciliations, they were delayed insignificant part because of the roll out of the Tyler accounting software. It took a while to reconcile and identify some of the software glitches that were maybe placing numbers in hard to find locations. It means that we have a little bit of work to do but it does not effect our clean finding.

We also had one other finding that had to do with the valuation of certain assets that was corrected during the audit process.
Other that those it was a very good audit and we are glad to have it done.

A budget is a financial tool designed to achieve a specific outcome. The better the budget the better the outcome. Designing a good process takes a little bit of time. I have heard mentioned here tonight from Tom Points group about the number of months that they have put in to find those $300,000 of savings was a significant amount of months, so it is something that we have to start now in order to get something moving. My approach for the budget process is to focus on finding savings, some of these savings will take longer than the budget process itself. We have to keep working even though you have finished the budget you look for savings. Also, to prioritize the review of any spending increases that come out of the budget. I told the directors today that whatever line item goes up we will review them and see if they are rational, do they need to go up. My expectation that I shared with directors, City Council and Mayor clear expectation, clear communications to what is going on during the budget process.

A budget can be a very challenging process, and finally I have seen very effective budgets help organizations grow and I have seen very bad budgets really tear organizations apart. The quality of budget makes a huge difference in how it is executed and how it is analyzed during the course of the year. My goal is to create a budget that has the best financial information that we can get so that we can analyze it more effectively in the course of the year and then make course corrections during the year as needed.

The first step of this is to create a budget calendar. There are two budget calendars. One is a little bit more aggressive out front but you will notice in each case the starting point and the ending point of both scenarios start essentially today and end on August 19th at the public hearing. What is happening in between those guardrails is one trying to achieve the budget a little faster and the other gives us a little more time to work more accurately.

Mayor and Council asked questions and made comments on the budget calendars.
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Council chose to have the council budget workshops on July 16th starting at 8:30 and July 17th starting at 10:00 a.m. The NDC meeting will have to be moved from July 16 to accommodate the budget workshop.

Councilmembers wanted to give the finance director and directors a goal to hit with a 2% budget increase rather than 3% or 1% with the understanding that we continue the process of 1% to streets so we keep our streets program going.

MOVED by Skaug and SECONDED by Haverfield to direct the Mayor, Finance Director, City Staff and Department Heads to present at a 2% increase or less with 1% of that designated to our street program. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

❖ (7) Unfinished Business ❖

Item #7-1. – The following Ordinance was read by title:
AN ORDINANCE ESTABLISHING AND CREATING LOCAL IMPROVEMENT DISTRICT NO. 167 FOR THE CITY OF NAMPA, CANYON COUNTY, IDAHO, FOR THE PURPOSE OF CONSTRUCTING IMPROVEMENTS TO THE CITY’S SIDEWALKS, PEDESTRIAN RAMPS, DRIVE APPROACHES, CURBS, GUTTERS AND OTHER RELATED STREET IMPROVEMENTS IN THE DISTRICT; PROVIDING THE KIND AND CHARACTER OF THE PROPOSED IMPROVEMENTS; PROVIDING THAT SAID DISTRICT SHALL BE CONSIDERED A MODIFIED DISTRICT PURSUANT TO SECTION 50-1705, IDAHO CODE; DESCRIBING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY THEREIN TO BE BENEFITED BY THE IMPROVEMENTS TO BE MADE; PROVIDING FOR THE TOTAL ESTIMATED COSTS AND EXPENSES OF IMPROVEMENTS TO BE LEVIED AND ASSESSED AGAINST THE SAID LOTS AND LANDS TO BE BENEFITED BY SAID IMPROVEMENTS; PROVIDING FOR THE ISSUANCE OF BONDS IN PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS ASSESSED AGAINST THE SAID LOTS AND LANDS; PROVIDING FOR THE APPOINTMENT OF THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS HEREBY ORDERED AND THE PREPARATION AND FILING OF AN ASSESSMENT ROLL AND A LOCAL IMPROVEMENT DISTRICT REPORT PURSUANT TO THE PROVISIONS OF SECTION 50-1712, IDAHO CODE; PROVIDING A PROCEDURE FOR THE FILING, CERTIFICATION, NOTICE OF HEARING AND CONFIRMATION OF SAID ASSESSMENT ROLL, AND FOR THE NOTICE AND PAYMENT OF ASSESSMENT INSTALLMENTS SO CONFIRMED; CREATING CERTAIN FUNDS AND DOCKETS; PROVIDING SEPARABILITY; AND PROVIDING AN EFFECTIVE DATE. (Applicant Engineering Department)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Haverfield and SECONDED by Bruner to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4425 and directed the Clerk to record it as required.

MOTION CARRIED

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

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS “0” CHERRY LANE, LYING TO THE WEST OF NORTHSIDE BOULEVARD, COMPRISING APPROXIMATELY 24.39 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE IL (LIGHT INDUSTRIAL) ZONE; DECLARING SAID LANDS BY
PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215.  (Applicant Richard Evans)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Haverfield and SECONDED by Rodriguez to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4426 and directed the Clerk to record it as required.

MOTION CARRIED

Item #7-3. – Mayor Kling presented the request for discussion on Panhandling.

Mayor Kling read the following letter:

My name is Kenton Lee, and I am a lifelong Nampa resident currently residing at 13317 Peaceful Way here in Nampa. I am writing this letter to share my disappointment with aspects around the process of the October decision to create and post 10 anti-panhandling signs around town.

I recognize that I disagree with the overall theory behind the anti-panhandling signs. And I know that with virtually every decision the city council makes there are people that will disagree with it. You can never please everybody, and I understand that. But I would like to share three areas of the process of this decision that I believe could be improved for future decisions - especially decisions that affect those challenged by poverty.

1) From conversations I had surrounding this issue - it appears to me that no actual panhandlers were interviewed about their use of donated dollars or why they were panhandling. I could be wrong about this. But from my vantage point, the main group involved in this issue - local panhandlers in Nampa - were not spoken to. I don't think that is best practice when making decisions. I would encourage the city council to take the time and effort to go to the source when trying to understand a difficult decision. With the number of daily panhandlers in Nampa being less than twenty or so (probably far less, from my experience) and very visible as they
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ask for money on the side of busy roads - I was disappointed that they were not contacted, surveyed, or interviewed concerning an issue that directly involved them.

2) I would also recommend that the city council take the time and effort to involve key stakeholders in areas of their expertise - especially when making actions that involve people challenged by poverty. Working with the poor can be extremely difficult, and even those in social work and nonprofit professions struggle to find success in helping the most vulnerable in our community. I was disappointed that the city council simply tasked Chief Huff and the Nampa PD (who do an amazing job with their law enforcement work) with figuring out the signs after they were approved. Couldn't a group of social workers and nonprofit leaders from around town be brought together to help with the communication of these signs? And possibly from the wealth of experience and knowledge from that kind of gathering - maybe even more helpful communication and additional solutions could have sprung forth? If something is worth doing- it is worth doing the right way. I would recommend that any time decisions are made that affect the most vulnerable - those who work with those populations should be consulted and involved in the process.

3) I believe it is fair to say that the legality around panhandling has been murky. At least from my vantage point, it does not seem clear whether someone is permitted to panhandle in the City of Nampa legally, or in what form, or in what areas. And I am disappointed that it took a citizen like myself to point this out and ask these questions. Why didn't the city council take more time to dig deeper into this issue to discover the legal nuances before making their decision? From an outsider's perspective, it seems like this all happened too quickly. I know the city council has many issues to decide on and a very busy agenda with many meetings going late into the night, but I would hope that future decisions can be given more time and attention to be fully understood - especially those decisions that deal with how our city treats those challenged by poverty.

Thank you for all the various chances to express my opinions on this issue. I love Nampa. I appreciate the work of the city council. I know I have learned a lot through the process with this specific issue. I hope we can all learn and grow so that we can be the best leaders possible to steward Nampa into the best future possible for all people in our community.

Mayor Kling made comments and asked Mark Hilty to explain the legal side of the panhandling signs.

City Attorney Mark Hilty presented the following report:

**City Code 6-1-1 Disorderly Conduct:**
It shall be unlawful for anyone to engage in disorderly conduct within the Nampa City limits. Every person is guilty of disorderly conduct when he or she:
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A. Solicits anyone to engage in, or engages in, lewd or dissolute conduct in any public place or in any place open to the public or exposed to public view; or

B. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms; or

C. Loiters in, about or upon any street, alley or other public way or public place, or in any place open to the public, without permission or invitation by the owner or the lawful occupants thereof, without lawful and legitimate business with the property owner or occupant thereof, creating or maintaining a hazardous or physically offensive condition detrimental to normal business done by the property owner or occupant thereof; or

D. Conducts himself in a lewd, wanton or lascivious manner in speech or behavior in any street, alley or other public way or public place, or in any place open to the public; or

E. Has in possession any instrument, tool or other implement for picking locks or pockets or any implement that is usually employed or that reasonably may be inferred to have been designed to be employed in the commission of any felony, misdemeanor or the violation of any ordinance, and who fails to account for the possession of same; or

F. Occupies, lodges or sleeps in any building, structure or place, whether public or private, or any automobile, truck, railroad car or other similar vehicles or equipment without the permission of the owner or person entitled to the possession or in control thereof; or

G. Loiters, prowls or wanders upon the private property of another, without visible or lawful business with the owner or occupants thereof; or

H. Loiters or remains, without a legitimate reason, in or about a school, not having any reason or relationship involving custody of or responsibility for a student. (Ord. 4345, 11-6-2017)

Idaho State Code 49-709 Pedestrians Soliciting rides or business. (2) No person shall stand on a highway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle, provided however, that a person may stand on a highway other than a state or federal highway to solicit contributions if authorized to do so in writing by the local authority having jurisdiction over the highway, and provided further, that any such authorization shall not be valid for more than one (1) year from the date of issuance.

Highway definition - A highway the entire width between the boundary lines of every publicly maintained when any part is open to the use of the public for vehicular travel with jurisdictionally
Mayor said that she was going to make a comment and that is if we need you to enforce that, I am going to ask you to enforce it.

Councilmembers made asked questions and made comments.

Police Chief Joe Huff explained that we gave some bad information to the Press Tribune that we had not issued any citations for panhandling in the last three years under the 6-1-1. I had the records division look up the state statute 49-709 (2) and just for clarification we have written 62 citations in the last three years for that code from January of 2016.

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

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

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

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

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

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

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

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

*(9) Executive Session*

Item #9-1. Mayor Kling presented the request to adjourn into Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (c) to acquire an interest in real property which is not owned by a public agency.

Item #9-2.- Mayor Kling presented the request to adjourn into Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (j) to consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code.

MOVED by Rodriguez and SECONDED by Haverfield to adjourn into executive session at 9:25 p.m. pursuant to Idaho Code 74-206 (1) (c) to acquire an interest in real property which is not owned by a public agency and Idaho Code 74-206 (1) (j) to consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code. The Mayor asked for a roll call vote with all councilmembers present voting YES. The Mayor declared the MOTION CARRIED

MOVED by Haverfield and SECONDED by Bruner to conclude the executive session at 9:50 p.m. during which discussion was held regarding Idaho Code 74-206 (1) (c) to acquire an interest in real property which is not owned by a public agency and Idaho Code 74-206 (1) (j) to consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED
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MOVED by Haverfield and SECONDED by Bruner to adjourn the meeting at 9:51 p.m. The Mayor declared the

MOTION CARRIED

Passed this 15th day of April 2019.

______________________________
MAYOR

ATTEST:

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CITY CLERK