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.

❖ (1) Consent Agenda (Action Items) ❖

MOVED by Haverfield and SECONDED by Bruner to approve the Consent Agenda as presented; Regular Council Minutes of April 15, 2019; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; Airport Commission Minutes; Council on Aging Minutes of February 11, 2019 and March 11, 2019; Planning & Zoning Commission Minutes of April 9, 2019 and April 15, 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 plat approvals: 1) Subdivision Final Plat Approval for Summit Ridge Subdivision No. 1 located on the south side of W Greenhurst Rd, west of S Midland Blvd on 22.28 acres of land, for 57 Single Family Residential Detached Lots and 8 Common Lots, within an RS-6 (Single Family Residential – 6000 sq. ft minimum lot size) zoning district. Situated in Government Lots 1 & 2 in the NE ¼ of Section 5 T2N R2W BM), for M3 Companies, Mark Tate; Authorize Public Hearings: 1) None; Authorize to Proceed with Bidding Process: 1) Authorize Engineering Division to proceed with the formal bidding process for the FY18 WATER IMPROVEMENT PROJECT – 11th Ave/2nd St & 11th Ave/4th St; Authorization for execution of Contracts and Agreements: 1) Authorize the Mayor to sign the Release of Non-Development Agreement (Exhibit A) for Lots 1 through 9, Block 2; Lots 5 through 9, Block 3; Lots 13 through 25, Block 4; and Lots 1 through 6, Block 5 of Pheasant Meadows Subdivision No. 1; 2) Award bid and authorize Mayor to sign contract for the Sidewalk Local Improvement District (LID) 167 project with Hess Construction, Inc. in the amount of $147,413.89; 3) Authorize the Mayor to sign a Memorandum of Understanding with Broadmoor RV Park LLC (Reviewed by Legal); Monthly Cash Report: 1) None; Resolutions: 1) Disposal of Nampa Recreation Center Property; License for 2019: 1) Aguilila, 324 11th Avenue North, on-premise beer and wine; Walgreens #12483, 932 Caldwell Boulevard, off-premise beer and wine; Walgreens #05648, 700 12th Avenue South, off-premise beer and wine; Walgreen #10672, 2219 12th Avenue Road, off-premise beer and wine; Mother Earth Brew, 1428 Madison Avenue, on-premise beer and wine; Tacos El Rey, 2707 Garrity Boulevard, on-premise beer and wine; Nampa Gusher, 324 3rd Street South, off-premise beer and wine; Redhawk Golf Course, 1225 South Hunters Drive, on-premise beer and wine; Airport Inn, 3111 Garrity Boulevard, on-premise beer and liquor; Denny’s, 607 Northside Boulevard, on-premise beer, wine and liquor; Nampa Elks Lodge, 1116 1st Street South, on-premise beer, wine and liquor; Albertson’s, 2400 12th Avenue Road, off-premise beer and wine; Albertson’s, 715 7th Avenue South, off-premise beer and wine; Hong Kong Restaurant, 117 12th Avenue South, on-premise beer, wine and liquor; Olive Garden, 16401 North Marketplace Boulevard, on-premise beer, wine and liquor; Howard’s Tackle Shop, 1707 Garrity Boulevard, off-premise beer and wine; 1918 Lounge, 10 13th Avenue South, on-premise beer and liquor; Pollos Y Mariscos, 1204 12th Avenue, on-premise beer, wine and liquor; Garrity 66, 4426 Garrity Boulevard, off-premise beer and wine; 2C Family Brewing, 1215 1st Street South, on-premise beer and wine; Prefunk Beer Bar, 1214 1st Street South, on-premise beer and wine; La Botanna, 1512 1st Street South, on-premise beer; Peppertree Inn, 205 3rd Street South, on-
premise beer, wine and liquor; **Slick’s Bar**, 525 East Karcher Road, on-premise beer, wine and liquor; **The Griddle**, 1124 Caldwell Boulevard, on-premise beer and wine; **Messenger**, 1224 1st Street South, on-premise beer and wine; **Chapala**, 525 Caldwell Boulevard, on-premise beer, wine and liquor; **Chapala**, 2117 12th Avenue Road, on-premise beer, wine and liquor; **Whiskey River**, 113 13th Avenue South, on-premise beer and liquor; **Nampa Bowl**, 485 Caldwell Boulevard, on-premise beer, wine and liquor; **Centennial Golf Course**, 2600 Centennial Drive, on-premise beer and wine; **Pantera Market #2**, 1802 Franklin Boulevard, off-premise beer and wine; **Mesa Downtown**, 1213 1st Street South, on-premise beer, wine and liquor; **Fred Meyer**, 50 2nd Street South, off-premise beer and wine; **Maverik**, 555 Northside Boulevard, off-premise beer and wine; **Maverik**, 2211 North Franklin Boulevard, off-premise beer and wine; **Maverik**, 2516 West Karcher Road, off-premise beer and wine; **Maverik**, 23 12th Avenue Road, off-premise beer and wine; **Jalapenos**, 1921 Caldwell Boulevard, on-premise beer, wine and liquor; **Miscellaneous Items**: 1) None. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. Mayor Kling declared the

**MOTION CARRIED**

❖ (2) **Proclamation** ❖

**Item #2-1. – Mental Health Month**

**Whereas**, mental health is essential to everyone’s overall health and well-being; and

**Whereas**, all Americans experience times of difficulty and stress in their lives; and

**Whereas**, prevention is an effective way to reduce the burden of mental health conditions; and

**Whereas**, there is a strong research that diet, exercise, sleep, and stress management can help all Americans protect their health and well-being; and

**Whereas**, mental health conditions are real and prevalent in our nation; and

**Whereas**, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

**Whereas**, each business, school, government agency, healthcare provider, organization and citizen share the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

**Now Therefore**, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim the month of May as
“MENTAL HEALTH MONTH”

in Nampa. As the Mayor, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in Nampa to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses at all levels.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 6th day of May in the year of our Lord two thousand nineteen.

Heather Taylor, Program Manager of Behavioral Health Division Department of Health and Welfare gave a scenario of a mental health issue.

Item #2-2. – Kids to Park Day

Whereas, May 18th, 2019 is the ninth Kids to Parks Day organized and launched by the National Park Trust, held annually on the third Saturday of May; and

Whereas, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks; and

Whereas, it is important to introduce a new generation to our nation’s parks; and

Whereas, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, Diabetes mellitus, hypertension and hypercholesterolemia; and

Whereas, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

Whereas, Kids to Parks Day will broaden children’s appreciation for nature and outdoors; and

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim May 18, 2019, in the City of Nampa as:

“Kids to Park Day”

And urge residents of Nampa to make time May 18th, 2019 to take the children in their lives to a neighborhood, state or national park.
Regular Council  
May 6, 2019

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 6th day of May in the year of our Lord two thousand nineteen.

Parks and Recreation Director Darrin Johnson said that we be inviting people to Midway Park on May 18th.

Item #2-3. – Nampa Bike and Walk Month

Whereas, the month of May is designated National Bike Month by the National Highway Traffic Safety Administration, the Center for Disease Control, and the League of American Bicyclists to promote bicycling and walking as a means of transportation, recreation and exercise; and

Whereas, bicycling and walking provide numerous benefits to our citizens' health including lowering obesity rates, risks of disease, and increased physical and mental fitness; and

Whereas, bicycling and walking provide a boost to our local economy by reducing transportation and traffic congestion costs for our citizens; and

Whereas, 50% of our daily trips are less than three miles from home but 70% of those trips are made by car; and

Whereas, bicycling and walking can replace driving for short trips, helping city meet the requirements of the Federal Clean Air Act, the CDC guidelines for weekly physical activity, and reduce traffic congestion in our growing city;

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim May 12-18, 2019, in the City of Nampa as

“Bike and Walk Month”

and encourage all citizens to participate by leaving their cars at home and bicycling or walking whenever possible.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 6th day of May in the year of our Lord two thousand nineteen.

LaRita Schandrof read the above proclamation and talked a bit about the Bike and Walk Month.

• May 13, Monday – Mayors Ride, 6 p.m. Lloyd Square
• May 14, Tuesday – Ladies Road Ride
• May 15, Wednesday – Ride of Silence, 6:30 p.m. Lloyd Square (wear white)
• May 16, Thursday – Walk to Lunch, 12 p.m. Library Square
Regular Council
May 6, 2019

- Thursday – Nampa Bicycle Project Open House, 6:30 – 8:30 p.m., 1510 1st Street South, refreshments
- May 17, Friday, Bike or Walk to Work Day
- May 18, Saturday, Group Rides for all abilities 10:00 a.m. Flying M
  - Saturday, Outdoor Fitness Event 8:30 a.m. to 10 a.m., Flying M
  - Saturday, Bike/Walk entry, Parade America, 10:00 a.m.

Item #2-4. – Building Safety Month

Whereas, the City of Nampa is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

Whereas, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas, these guardians are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, play, and;

Whereas, our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the world;

Whereas, these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; which, according to a FEMA-commissioned study by the National Institute of Building Sciences, provide $11 in future mitigation benefits for every dollar invested, and;

Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities’ largely unknown protectors of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to America’s prosperity, and;
Whereas, “No Code. No Confidence,” the theme for Building Safety Month 2019, encourages all Americans to raise awareness of the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2019 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses, and,

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim the month of May as

“Building Safety Month”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 6th day of May in the year of our Lord two thousand nineteen.

Building and Safety Director Patrick Sullivan gave the following dates for special activities for the month:

Week 1 – (May 1- May 5): Preparing for disasters: Build strong, Build smart
Week 2 – (May 6- May 12): Ensuring a safer future through training and education
Week 3 – (May 13- May 19): Securing clean, abundant water for all communities
Week 4 – (May 20- May 26): Construction professionals and homeowners: Partners in safety
Week 5– (May 27- May 31): Innovations in building safety

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

- Margy Potter, 1811 North Hubble Way, Salvation Army – discussing item #5-4 - authorize the Mayor to enter a Memorandum of Understanding with Salvation Army Nampa as a third-party administrator for Nampa Shares & Cares program.
- Marsha Yuapan, 1403 4th Street Nampa – Nampa Art Guild Spring Show at the Nampa Public Library on Monday May 13, 2019 thru Tuesday May 21, 2019.
Mayor Kling asked if there was any Nampa Residents wishing to speak on any item that was not on the agenda (5 persons limit):

- Joan Fraizer, 2016 5th Street South – using the donated money from Republic Service for the Train Station
- Amy Bowman, 1623 West Orchard Avenue, - item #5-5 Authorize Use of Republic Services donation to fund Nampa Shares & Cares program

Mayor Kling’s and Council Comments

- Councilmember Levi – volunteered with the Red Cross and learned different things concerning fire alarms and the time it should take to evacuate your house.

(3) Agency/External Communications

- None

(4) Staff Communications

Item #4-1. – Cemetery – Ryan Lancaster presented the following report on a concept plan for the scattering garden:

Our Nation is changing regarding the death of a loved one. In the 1980’s only about 10% of remains were cremated. The number of cremations has been growing and according to a study from the National Funeral Directors Association, 55% of families now choose to cremate their loved ones after death.

With a changing industry, the City of Nampa is considering a plan for a scattering garden. A scattering garden will address higher demand for cremations. Attached is a draft concept of a proposed scattering garden. The scattering garden would be constructed on a two-acre parcel of unused ground that is located at Nampa’s Kohlerlawn Cemetery.

Our plans are a result of listening to community feedback and recognizing the industry trends. As we plan, we are getting feedback from stake holders about the attached scattering garden concept. After we have compiled community feedback, we will come back to the Nampa City Council with a recommendation to approve a master concept plan.

At this time, funding for this project has not been identified. We hope to search for grants and partners as we move forward with planning.
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Item #4-2. – Finance Department – Doug Racine presented the following staff report:

**Essential FY2020 Budgeting Process Steps**

- Meet with Directors to Discuss FY2020 budget Process
- Meet with County Taxing authorities to discuss budgeting partnership and Revenue Timing
- Annualize Mid-Year financial results by Org Structure to create a directionally correct FY19 annual forecast.
- Create new reports to compare the annualized FY19 Forecast to the FY2020 budget to identify budgetary changes
- Build Revenue increase estimate:
  - Property taxes
  - State & County Shared Revenues
  - Fee Structures

**Property Tax Timing Map**

- Nearly 100% of budgeable revenues based on 6 months of actuals
  - AIC guidance on shared revenues is generally very conservative
  - Variances from Budget (Favorable & Unfavorable) are unavoidable. (2018 General Fund variances shown on next slide)
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- FY2018 Final Canyon Counting Prop Tax base published 3/25/19
  - Fiscal Year runs from 10/18 to 9/19 with tax payments to the city occurring semiannually in January and July
  - New Construction Values to be published 6/3/2019
- State/County shared revenue estimates published 4/25:
  - Sales Tax, Alcohol, Prop Tax Penalties, Highway Fees, Road & Bridge Tax
  - Gas, Cable, Electric Franchise fees, Court Revenues
  - Sanitation Fees – Internally generated based on UB history.
- 2% property tax lift, plus lift from New Construction

Revenue & Expense Variances

| General Fund Favorable Variance from Revenues | $774,429 |
| General Fund Favorable Variance from Expenses | $432,606 |
| Total Favorable General Fund Variance | $1,207,035 |

Budget Amendments

- Budget Amendments are typically needed only once yearly but can occur any time prior to year-end.
- Budget amendments have Two originators:
  - Rollovers from prior years unspent budgets
  - New spending not originally budgeted for
- Significant variations from Approved Budgets should be supported by budget amendments when the variation occurs
  - Purchase of the First Interstate Bank Building
- All known amendments will be presented in June
- Year-end adjustments, if needed will be completed in August

Fixed Asset Accounting

- Current Methodology:
  - Asset Purchases greater than $40,000 are capitalized
- Proposed Methodology
  - Asset Purchases greater than $10,000 will be capitalized
- Benefits
  - Improved Asset Tracking
  - Improved Internal Controls
  - Slight increase in work load to record
  - Effective 10/1/2019
- Socialized proposal with:
  - Auditors
  - Legal
  - Division & Department Leadership
Item #4-3. – Public Works Director Tom Points presented a staff report to update the council on current projects as follows:

**Bike and Pedestrian Master Plan Update** – A high quality non-motorized transportation network is the hallmark of a desirable community, making it a pleasant place to live, work and play. The City of Nampa Bike and Pedestrian Master Plan is a critical tool in realizing Nampa’s walking and biking potential.

Since its adoption in 2011, and spearheaded by the Nampa Bike and Pedestrian Committee, the Bike and Pedestrian Master Plan has been a catalyst to launch the following improvements:

- Established a Bike and Pedestrian Advisory Committee
- Helped secure $15 million in multimodal grant funding
- Installed more than five (5) miles of public pathway
- Student safety improvements at nine (9) Nampa schools
- Seven (7) HAWK pedestrian beacon crossings
- Ten (10) rapid flashing beacon crossings
- Lloyd’s Square downtown pathway improvements
- Frontage and pathway improvements to Nampa High School
- Five (5) miles of bike lanes
- Five (5) miles of shared use bike lanes
- Two (2) miles of sidewalk and hundreds of pedestrian ramps
- Lighting, signage and stripping improvements throughout Nampa

The Fiscal Year 2019 Bike and Pedestrian Master Plan Update is currently underway. The first steering committee meeting was held April 24, 2019, with participants from Alta Planning & Design, the school districts, irrigation districts, Safe Routes to School representatives, City staff, COMPASS, Idaho Transportation Department and local businesses.

Community input is an essential asset to creating a successful Bike and Pedestrian Master Plan for the City of Nampa. Through the month of May, an online survey and interactive web map link, located at https://nampa.altaplanning.cloud/#/, will be distributed citywide to gather public input. The data will be used to create a story map, showing the existing and proposed bike and pedestrian facilities.

A public open house will be held this summer to review the online public comments, draft plan and recommended projects. The plan will be finalized by October 2019.

**Wastewater Program Update** - The Nampa Wastewater Plant was recognized for multiple awards in the last few months and the Wastewater Program Management Team (WPMT) continues to progress on schedule. Active projects range from preliminary design to construction management. Projects include:
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To be complete in Spring 2019
- Basis of Design Report for the Phase II/III Upgrades

To be complete in Summer 2019
- Recycled Water Program Reuse Permit
- Fiscal Year 2020 Wastewater Rate Increases
- U.S. Bureau of Reclamation Grant for up to $20 million

To be complete in Fall 2019
- Phase I Construction
- Procurement of Design/Construction Services for Phase II

The Recycled Water Permit was submitted to the Idaho Department of Environmental Quality (IDEQ) on March 21, 2019. This marks the progression of Nampa’s development of a recycled water program to more efficiently use the City’s water resources. The City received notification on April 19, 2019, that the permit application had been deemed complete. DEQ is working to draft the recycled water permit and a preliminary decision by May 19, 2019. Also, in March 2019, IDEQ officially awarded the City the first installment of the $165M loan package in a $37M State Revolving Fund (SRF) loan allocation.

In late 2018, the U.S. Environmental Protection Agency (EPA) recognized Nampa with the Pisces Award (Honorable Mention Category) for excellence and innovation within the Clean Water State Revolving Fund (CWSRF) program. In April 2019 the City received the Project of the Year award from the American Public Works Association Rocky Mountain Chapter, and the 2019 Best Water/Stormwater Project by the American Council of Engineering Companies Idaho Chapter for Project Group A upgrades. This project was hailed a best-in-class solution in meeting nutrient removal and water quality requirements.

The WPMT assisted Public Works staff with regulatory issues related to the Waters of the United States (WOTUS). Comments were submitted on April 15 by the Public Works Director endorsing the revision to the definition of WOTUS.

Phase I Upgrades Construction Update

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

The $38 million Phase I Upgrades Projects is more than 88% complete. Project Group A - Liquid Stream Upgrades started in June 2015 and completed in summer 2018. Project Group B - Solids Handling Upgrades started in June 2017 and is scheduled for completion in fall 2019. Project
Group C - Primary Digester No. 4, started in October 2018 and scheduled for completion in fall 2019.

**Project Group B – Solid Handling Upgrades Status**

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

- Notice to Proceed issued June 19, 2017
- The Contract Time Completed is currently at 87%
- The Contract Work Completed is currently at 89%

Key activities and milestones achieved since the update to City Council on February 19, 2019, include:

- Successful completion of 30-day commissioning of the thickening system
- Completion of work replacing No. 4 Water (4W) pumps
- Certificate of Substantial Completion for thickening system and 4W system issued on April 16, 2019
- Continued miscellaneous building clean-up and work touching up paint, installations, handrails, etc.
- Continued electrical work on Mechanical Control Center (MCC) No. 7, including a successful power shutdown coordinated with Idaho Power and plant operators
- Submitted 579 technical submittals since the beginning of project. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 16 days

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

- Start-up of dewatering centrifuge system
- Continuation of electrical and instrumentation work on MCC No. 7 in the blower building
- Commissioning and testing of several construction components, including plant drain lift station, polymer and thickening systems, and dewatering system is slated for February through April 2019
- Punch list completion by contractor

The following photos show the progression of Project Group B:
Figure 1 – Thickened Waste Activated Sludge (TWAS) pumps and check valves

Figure 2 – Centrifuges placed on pedestals in Solids Handling Building
Project Group C – Primary Digester No. 4 Status

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

- Notice to Proceed issued October 15, 2018, for administrative activities. Construction Notice to Proceed issued November 12, 2018
- The Contract Time Completed is currently at 52%
- The Contract Work Completed is currently at 42%

Key activities and milestones achieved since the update to City Council on February 19, 2019, include:

- Continuation of contractor submittal process for construction work
- Completion of rebar and formwork for wall concrete pours
- Placement of three wall sections for Primary Digester No. 4. Three of the four planned concrete pours have occurred in these digester wall sections
- Submitted 77 technical submittals since the beginning of Project. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 18 days

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

- Completion of wall placement and concrete pouring
- Fabrication of the steel floating cover for Digester No. 4

The following photos show the progression of Project Group C:
Nampa WWTP Phase I Upgrades: Financial Report

The following table shows current financials for Phase I Upgrades:

<table>
<thead>
<tr>
<th>Contract</th>
<th>Original Budget</th>
<th>Current Budget</th>
<th>Change Order Rate</th>
<th>Spent</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Group A – Ewing*</td>
<td>$12,494,000</td>
<td>$14,071,194</td>
<td>11.2%</td>
<td>$14,071,194</td>
<td>100%</td>
</tr>
<tr>
<td>Project Group A Contingency</td>
<td>$1,500,000</td>
<td>-$771,194</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Project Group A Total</strong></td>
<td><strong>$13,994,000</strong></td>
<td><strong>$13,300,000</strong></td>
<td></td>
<td><strong>$14,071,194</strong></td>
<td><strong>101%</strong></td>
</tr>
<tr>
<td>Project Group B - JC</td>
<td>$11,255,000</td>
<td>$11,554,500</td>
<td>2.6%</td>
<td>$10,511,674</td>
<td>91%</td>
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<tr>
<td>Project Group B Contingency</td>
<td>$500,000</td>
<td>$200,500</td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Project Group B Total</strong></td>
<td><strong>$11,755,000</strong></td>
<td><strong>$11,755,000</strong></td>
<td></td>
<td><strong>$10,511,674</strong></td>
<td><strong>89%</strong></td>
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<tr>
<td>Project Group C – Ewing</td>
<td>$3,311,094</td>
<td>$3,215,085</td>
<td>-3.0%</td>
<td>$1,468,916</td>
<td>46%</td>
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<td>Project Group C Contingency</td>
<td>$150,000</td>
<td>$246,009</td>
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<tr>
<td><strong>Project Group C Total</strong></td>
<td><strong>$3,461,094</strong></td>
<td><strong>$3,461,094</strong></td>
<td></td>
<td><strong>$1,468,916</strong></td>
<td><strong>42%</strong></td>
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<tr>
<td><strong>PHASE I UPGRADES TOTAL</strong></td>
<td><strong>$29,210,094</strong></td>
<td><strong>$29,210,094</strong></td>
<td></td>
<td><strong>$26,051,783</strong></td>
<td><strong>89%</strong></td>
</tr>
</tbody>
</table>

*Overall project authorization was not exceeded. Savings in other contracts resulted in finishing under the original project budget of $18.5M.
Phase II/III Preliminary Design

City staff is providing a regular status update of the Nampa Wastewater Program Phase II and Phase III Upgrades Preliminary Design as requested by City Council.

Project Activities Update

The Phase II and Phase III Upgrades Preliminary Design project began in July 2018. Key activities and milestones achieved project kickoff include:

- Development of the draft Basis of Design Report which establishes project direction and serves as the basis for future design efforts. The Nampa Wastewater Technical Team has evaluated both liquid stream and solid stream processes including design objectives and product quality criteria, liquid stream process selection, solid stream process selection, solids mass balance, and hydraulic profile. This information was packaged in several technical memorandums which has been submitted to the City for review.
- Development of business case evaluations for select liquids and solids stream unit processes to identify recommended technologies and processes for preliminary design. The decisions on these items are noted in the decision log below.
- Development of recommended project packaging and delivery approach. This included an analysis of potential project delivery models, including traditional design-bid-build, construction manager/general contractor (CM/GC), progressive design-build, and fixed-price design-build. Several project packaging alternatives were also reviewed as part of this exercise. The final recommendations from this analysis will be presented at the May 6 Special City Council meeting, and May 20, 2019, City Council meeting.
- Started preliminary design activities for Project Group D (Primary Digester No. 5 and Flare Relocation) and Project Group E (Laboratory and Administration Building).
- Conducted seven meetings with the Nampa Wastewater Design Review Committee (DRC). The presentations at these meetings have covered a wide range of topics including baseline assumption, basis of design decisions, and project delivery approaches. The DRC provided key input to inform the Nampa Wastewater Technical Team’s design process.

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

- Completion of the Basis of Design Report
- Continuation of preliminary design activities for Project Group D and Project Group E
- Initiation of preliminary design activities for Project Group F (Blower Building, Aeration Basin No. 4, Final Clarifier No. 4, Digested Sludge Storage Tank, Return Activated Sludge (RAS) Pumps/Waste Activated Sludge (WAS) Pumps/Final Clarifier Mechanism Replacements, Side Development/ Yard Piping/ Demolition, MCC Replacements)
**Schedule Decision Log Status**

The following table shows the decision status for the decisions associated with the Basis of Design phase of the project:

<table>
<thead>
<tr>
<th>Decision</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Liquid Stream Decisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liquid Product Quality Design</td>
<td>Pending</td>
<td>Decision will be informed by Recycled Water Permit.</td>
</tr>
<tr>
<td>Criteria</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary Treatment Technology</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Primary Clarification Design</td>
<td>Pending</td>
<td>Repair and replacement projects to be further defined pending other decisions.</td>
</tr>
<tr>
<td>Approach</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tertiary Treatment Technology</td>
<td>Pending</td>
<td>Technology has been selected pending more information from Recycled Water Permit.</td>
</tr>
<tr>
<td>Blower Building Design Approach</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Headworks Screening Requirements</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Disinfection Technology</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Headwork Design Approach</td>
<td>Pending</td>
<td>Repair and replacement projects to be further defined pending other decisions.</td>
</tr>
<tr>
<td>Sidestream Treatment Technology</td>
<td>Pending</td>
<td>DRC recommended gathering more information to inform decision making. More information is currently being gathered.</td>
</tr>
<tr>
<td>Hydraulic Profile</td>
<td>Pending</td>
<td>Hydraulic profile to be confirmed.</td>
</tr>
<tr>
<td>Solid Stream Decisions</td>
<td></td>
<td></td>
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</table>
Item #6-1. - Mayor Kling opened a public hearing for a vacation of the alley Right-Of-Way in Block 179 of Kurtz Addition, Nampa, between Vacated E Georgia St on the north and E Hawaii Ave on the south, in the NW ¼ of Section 34 T3N R2W, within an RML (Limited Multiple Family Residential) zoning district, in order to develop the site into a 70 unit senior affordable housing development. A sewer easement will be retained in the vacated alley, for Sky Ridge Limited Partnership.

Brian Aydelotte and Doug Crowther, 2901 North Fry Street presented the request.

Principal Planer Rodney Ashby presented the following staff report explaining that the request is for a vacation of the Twenty (20) ft x three hundred forty (340) ft section of alley Right-Of-Way in Block 179 of Kurtz Addition, Nampa, between Vacated E Georgia St on the north and E Hawaii Ave on the south, in the NW ¼ of Section 34 T3N R2W, within an RML (Limited Multiple Family Residential) zoning district. A sewer easement will be retained in the vacated alley. The
Regular Council
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Applicant(s) state they are requesting the easement vacations in order to construct two single-story senior living buildings (70 units) …

**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**

City Council will be considering a development agreement modification for this property as a separate public hearing item on the May 6th agenda to construct single story senior living apartments on the subject property at 412 E Hawaii Ave, Nampa.

The matter to be considered today is the applicant’s request to vacate:

- Twenty (20) ft x three hundred forty (340) ft section of alley Right-Of-Way in Block 179 of Kurtz Addition, Nampa, between Vacated E Georgia Street on the north and East Hawaii Avenue on the south, the 20 ft x 340 ft sewer easement in said alley to be retained, located in the NW ¼ of Section 34 T3N R2WW, as found in Plat Book 2 of Canyon County.

In order to develop the property, the Applicant seeks vacation of the alley. 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, nor having applicant drawings and development agreements proposed buildings over the easement.
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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.

The City of Nampa’s Engineering Division has indicated support for the vacation of right-of-way with the condition that a utility easement in favor of the City of Nampa be retained for the entire twenty-foot (20-foot) width. The Nampa & Meridian Irrigation District also supported the vacation on condition that the development retain all surface drainage. No other city department, partnering agency, or citizen opposition to this application was received by 5:00 p.m. April 29, 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 alley right-of-way 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. The entire twenty-foot (20-foot) width to be vacated, be retained as a utility easement in favor of the City of Nampa.
2. All storm drainage be retained on-site or if any surface drainage leaves the site, a Land Use Change Application be submitted to Nampa & Meridian Irrigation District for review and approval before final platting.
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Councilmembers asked questions.

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

Doug Crowther answered questions from Councilmembers.

Wayne Ellis, 640 South Valley Drive asked questions concerning his property.

Rodney Ashby answered questions and concerns that were brought forward.

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

**MOTION CARRIED**

**MOVED** by Rodriguez and **SECONDED** by Levi to **approve** the **vacation** of the alley Right-Of-Way in Block 179 of Kurtz Addition, Nampa, between Vacated E Georgia St on the north and E Hawaii Ave on the south, in the NW ¼ of Section 34 T3N R2W, within an RML (Limited Multiple Family Residential) zoning district, in order to develop the site into a 70 unit senior affordable housing development 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 #6-2.** - Mayor Kling opened a **public hearing** for **modification** of **Zoning Development Agreement** between Moonlake Consulting, LLC and the City of Nampa recorded 11/06/2017 as Inst. No. 2001-048306 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.

Brian Aydelotte and Doug Crowther presented the request.

Rodney Ashby presented the following staff report explaining that the request is for modification of an annexation & zoning development agreement between Moonlake Consulting and the City of Nampa recorded 11/06/2017 as Instrument No. 2017-048306 (Ord. no. 4343) by amending the commitments/conditions/terms/parties thereof, and the conceptual site and building plans to accommodate senior apartment living on a single-story arrangement for Sky Ridge LP. (...Said application and its attendant build-out plan are hereinafter referred to as the “Project”; alternatively, the “Development” …)
Property Area and Location(s): A 2.978-acre land located in a Limited Multiple Family Residential (RML) Zone within a portion of the NW ¼ of Section 34, T3N, R2W, Boise Meridian, Canyon County, Nampa at 412 E Hawaii Ave. (hereinafter the “Property”) …

Abbreviated History and Commentary: In 2017 Moonlake Consulting LLC, representative of Nederend Farms, LLLP, the owner of the Property, applied for a rezone from Residential Professional (RP) zoning to Limited Multi Family Residential (RML) zoning. Moonlake Consulting LLC entered into a development agreement with the City of Nampa, in October 2017, to develop a series of two-story, multiple-family structures with associated site amenities (i.e. parking, landscaping, etc.) on the Property. Nampa Planning & Zoning Commission recommended approval of the zoning change and the development agreement and Nampa City Council approved both items on October 16, 2017. The development agreement was recorded on November 6, 2017 as Instrument No. 2017-048306 (Ord. no. 4343).


The applicant has requested a development agreement modification “to accommodate senior apartment living on a single-story arrangement.” This modification would result in a change of the party to the agreement as well as a change from developing two-story multiple family residential buildings, to developing single-story multiple family residential buildings.

The Nampa Planning & Zoning Commission, during their regularly scheduled public hearing of 3/26/2019, voted to recommend approval of the above referenced request, on conditions that the development follow all applicable City requirements and obtain appropriate permits.

Development Agreement Modification

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

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

The City’s Comprehensive Plan serves as a guide for development decisions. The Comprehensive Plan has limited discussion about senior housing, instead focusing on meeting the housing
demands of the changing demographics. The Comprehensive Plan emphasizes the need for diversifying our housing stock, stating – “The City of Nampa aims to foster diversity in housing within the community” (Nampa 2035 Comprehensive Plan 3.0). The following were listed as concerns over a lack of diverse housing:

- Sprawl
- Traffic congestion
- Deteriorating housing in concentrated areas

The Comprehensive Plan strongly emphasizes support for infill development. It highlights many benefits for infill development, including the cost savings associated with utilizing existing community services (sewer, water, streets, public safety, etc.), and its ability to help limit sprawl (3.15.1). The proposed development currently has primary city utility services and streets in the immediate vicinity. Though there is some potential for other infill in the area, the subject parcel is generally surrounded by suburban development, making it a good example of potential infill development. The proposed change from two-story town home structures to single-story senior living structures appears to meet the needs of a growing segment of our population, further diversifying the housing in the area.

Attached hereto is a copy of Ordinance no. 4343 -- the [original] Development Agreement. The basic nature of the amendments proposed to said Agreement are as noted above in the “Requested/Needful Actions Recommendation” section of this report.

Also attached is a copy of the applicant’s proposed Amended and Restated Development Agreement. Nampa’s legal counsel has reviewed this agreement and found it to be consistent with the request. If City Council should choose to approve the development agreement, the applicant has requested that the ordinance approving the agreement be considered and approved under the suspension of rules on May 6, 2019. Staff and legal counsel find this request appropriate and have prepared the ordinance for approval as a “Business Item” on the May 6th City Council agenda.

**Recommended Condition(s) of Approval**

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

**Development Agreement Modification/Rezone Based:**

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

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

Councilmembers asked questions and made comments.

Fire Chief Kirk Carpenter answered questions from Council.

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

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

MOTION CARRIED

MOVED by Levi and SECONDED by Rodriguez to approve the modification of Zoning Development Agreement between Moonlake Consulting, LLC and the City of Nampa recorded 11/06/2017 as Inst. No. 2001-048306 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 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 annexation and zoning to RS-7 (Single Family Residential – 7,000 sq. ft minimum lot size) 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 in the SE ¼ less the South 40 feet), for Arnulfo Romero for connection to City water and sewer.

Applicant was not in attendance for the request.

Rodney Ashby presented the following staff report explaining that the request is for annexation and zoning to RS-7 (Single Family Residential – 7,000 sq. ft) for the purpose of connecting to city water and sewer located at 2704 East Amity Avenue for Arnulfo Romero.

General Information
Planning and Zoning Commission Recommendation: The Nampa Planning & Zoning Commission, during their regularly scheduled public hearing of 3/26/2019, voted to recommend approval of the above referenced request. The Planning & Zoning Commission made their decision contingent upon Applicant/Development compliance with the following condition(s):

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

Specifically:
2. Abandonment of the existing septic system will be accomplished under the guidelines established by Southwest District Health Department.
3. Disconnection from the existing well to be verified by City Building Department Plumbing inspector with issuance and inspection of a City Building Department Plumbing permit.

Applicable History: The applicant has requested annexation and zoning to connect the enclaved rural residential property to city water and sewer service. As part of the Amity Widening project, City utilities were stubbed to the property for this purpose. Status of Applicant: Owner.
Annexation Location: 2704 E. Amity Ave. (A portion of the SE ¼ of Section 26, T3N, R2W, BM and Tax 98951 in the SE ¼ SE ¼ less the South 40 feet.) Proposed Zoning: RS 7 (Single Family Residential – 7,000 sq., ft.)
Total Size: Approximately .46 acre or 19,726 sf. Existing Zoning: County R1 (Single Family Residential) Comprehensive Plan Designation: Medium Density Residential. Surrounding Land Use and Zoning: North- Enclaved Single Family Residential, County- R1; South- Amity Road (BC)/Enclaved Single Family Residential, County – R1; East- Single Family Residential, City- RS 7; West- Enclaved Single Family Residential, County – R1. Applicable Regulations: In order for a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. The parcel connects with the city limits at its east and south boundaries. The parcel is part of a 10-parcel, 12.6-acre enclaved area. Existing Uses: Residential parcel with single family dwelling and landscaped yard.

Special Information
Staff Findings and Discussion

From a land use standpoint, the location is shown on the comprehensive plan “future land use map” as being compatible with the zoning that has been requested. If the Planning & Zoning Commission recommends approval of the requested annexation and zoning the following findings are suggested:

1) The requested annexation parcel connects with the city limits along its east and south boundaries. The parcel is part of a 10-parcel 13.5-acre enclaved area.

2) The area can reasonably be assumed to be available for the orderly development of the city with the city limits having grown into the area and the adjacent lands have been annexed and developed.

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

4) The property owner requested annexation and zoning to RS 7 to connect the property to city water and sewer service.

Recommended Conditions of Approval

Staff suggests the City Council approve the Annexation and Zoning subject to the following engineering required conditions of approval:

1) Abandonment of the existing septic system will be accomplished under the guidelines established by Southwest District Health Department.

2) Disconnection from the existing well to be verified by City Building Department Plumbing inspector with issuance and inspection of a City Building Department Plumbing permit.

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

Councilmember Levi asked questions.
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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 approve the annexation and zoning to RS-7 (Single Family Residential – 7000 sq. ft minimum lot size) 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 in the SE ¼ less the South 40 feet), for Arnulfo Romero for connection to City water and sewer 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 #6-4. - Mayor Kling opened a public hearing for a variance to City of Nampa Zoning Ordinance Section 10-18-6-C – Front Yard Setbacks, requiring a 25 ft setback from the front property line for structures. The property is located at 8100 E Executive Dr (Lot 7, Block 1 of Executive Park Subdivision, in the SE ¼ Section 10 T3N R2W), within an IP (Industrial Park) zoning district. The applicant states they are requesting the Setback Variance in order to allow a reduced front yard setback of 10 ft 7 inches for construction of a proposed new two-story 50 ft x 50 ft addition for a laboratory and office space. According to the applicant, the Variance is required because the existing space to the east is used for truck traffic and loading docks, and the area on the west side of the property is planned for future warehousing and production expansion.

Justin Holtis and Michael J. Thomas, 8100 East Executive Drive presented the request. Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for a variance to Section 10-18-6-C. Front Yard Setbacks, reducing the required setback from twenty five (25) ft. to ten (10) feet seven (7) inches for a building addition in front of the east end of the main building at 8100 East Executive Drive for Wyckoff Farms – Court Wycoff – Michael Jay Thompson

Purpose/Applicant Explanation: “Our proposed expansion of the building southward at 8100 E Executive is imperative to our company's growth at this facility. Our operation has grown rapidly over the past few years and the need for a new product development laboratory and additional office space is needed. With no room to expand to the North, truck traffic and loading docks to the East, and plans to expand warehousing and production to the West, this location on the South side of the building is our only feasible option for continued growth.

The building will not extend much beyond the existing office space and is designed to match the existing structure. If we are limited to the current setback or property line this expansion will not be viable in the given space.”
General Information

**Status of Applicant:** Owner. **Existing Zoning:** IP (Industrial Park) **Location:** 8100 E. Executive Drive, Nampa; also known as Parcel R31018106, located at the SE Quarter of Section 10, Township 3N, Range 2W, Boise-Meridian, Canyon County, Idaho. **Size of Property:** 6.07 acres or a 264,419 sq. ft. portion of Lot 7, Block 1, Executive Business Park. **Surrounding Land Use and Zoning:** North- Industrial, IL (Light Industrial) - South- Industrial, IP (Industrial Park) - East-Industrial, IP (Industrial Park) - West- Industrial, IL (Light Industrial). **Comprehensive Plan Designation:** Light Industrial

**History:** Currently surrounding buildings and property originally developed for industrial uses.

**Applicable Regulations:**

10-24-1: [Variance] **Purpose:**

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

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

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

10-24-2: **Actions:**

A. **Granting of Variance Permit:** The council may grant a variance permit with respect to requirements for fences and walls, site, area, width, frontage, depth, coverage, **front yard**, rear yard, side yards, outdoor living area, height of structures, distances between structures or landscaped areas as the variance was applied for or in modified form if, based on application, investigation and evidence submitted, the council concludes the following:
1. Literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.
2. There are extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.
3. Literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.
5. The granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

**10-18-6 Property Area, Coverage and Yard Requirements: (for the IP Zone)**

C. **Front Yard Setbacks:** In addition to the definition set forth in chapter 1 of this title, "front yard areas" are defined to include, but not be limited to, yard areas adjoining a freeway or a frontage road contiguous to a freeway. A minimum of twenty-five feet (25') is required for structures and fifteen feet (15') for parking areas.

**Special Information**

**Transportation/Access:** The subject property is accessed from N. Franklin Blvd., a principal arterial via E. Executive Dr., a local road.

**Environmental, Aesthetics/Landscaping:** The applicant states they are requesting the Variance in order to allow a reduced front yard setback of 10 feet 7 inches for construction of a proposed new two story 50-foot x 50-foot addition for a laboratory and additional office space. The addition is proposed to be constructed in front of the main building at the east end. The architecture of the addition appears to be compatible in appearance with the main building as well as other industrial buildings in the area off E. Executive Ave. However, the subject building addition is the only building along E. Executive Ave. that would extend to within 10 feet 7 inches of the right-of-way.

**Citizen Input:** At the time of the preparation of this staff report, no comments were received by property owners or nearby businesses and residents.

**Narrative/Comments**

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

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

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

The owner indicates that the proposed expansion of the building southward is imperative to their company's growth on the property. The operation has grown rapidly over the past few years and the need for a new product development laboratory and additional office space is required. With no room to expand to the North, truck traffic and loading docks to the East, and plans to expand warehousing and production to the West, the location on the South side of the building is the only feasible option. They also indicate that the building will not extend much beyond the existing office space and is designed to match the existing structure and that if a 25’ front setback is required the expansion will not be viable in the given space.

Staff recommends that If the City Council votes to grant this variance the approval be based on the required findings of Section 10-24-2 of the Nampa City Code. Staff agrees that there are unique site circumstances in relation to this location that justify approval of the variance:

1) This is the only feasible location where the necessary space can be constructed on the site.
2) Construction of the addition will not have any negative impact on other property owners or improvements in the vicinity.

**Recommended Conditions of Approval**

Should the City Council vote to approve the requested Variance, staff recommends the following condition be applied:

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

Councilmembers asked questions.

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

MOVED by Bruner and SECONDED by Hogaboam 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 Levi and SECONDED by Hogaboam to approve the variance to City of Nampa Zoning Ordinance Section 10-18-6-C – Front Yard Setbacks, requiring a 25 ft setback from the front property line for structures. The property is located at 8100 E Executive Dr (Lot 7, Block 1 of Executive Park Subdivision, in the SE ¼ Section 10 T3N R2W), within an IP (Industrial Park) zoning district. The applicant states they are requesting the Setback Variance in order to allow a reduced front yard setback of 10 ft 7 inches for construction of a proposed new two-story 50 ft x 50 ft addition for a laboratory and office space. According to the applicant, the Variance is required because the existing space to the east is used for truck traffic and loading docks, and the area on the west side of the property is planned for future warehousing and production expansion with staff conditions. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

❖ (5) New Business ❖

Item #5-1. - Mayor Kling presented the request to approve the appointment of Randy Haverfield to the Arts and Historic Preservation Commission.

Councilmember Levi made comments from the Arts and Historic Preservation Commission.

Chief of Staff Bobby Sanchez made comments.

MOVED by Skaug and SECONDED by Hogaboam to approve the appointment of Randy Haverfield to the Arts and Historic Preservation Commission. The Mayor asked for a roll call vote with Councilmembers Rodriguez, Bruner, Levi, Hogaboam, Skaug voting YES. Councilmember Haverfield ABSTAINED. The Mayor declared the

MOTION CARRIED
Item #5-2. - Mayor Kling presented the request to approve the appointment of Wayne Thiel to the Nampa Airport Commission.

MOVED by Haverfield and SECOND ED by Bruner to approve the appointment of Wayne Thiel to the Nampa Airport Commission. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-3. - Mayor Kling presented the request for approval of FY19 budget estimate for First Interstate Bank Building purchase tenant improvement, utilities, operations, maintenance, and custodial and authorize procurement of design services, construction services, equipment purchases, and related equipment installation services for the tenant improvement of First Interstate Bank building.

Building and Safety Director Patrick Sullivan presented a staff report explaining that the Background: The city of Nampa administrative offices has outgrown their space in multiple buildings. In October of 2018, the city of Nampa entered into an agreement with First Interstate Bank (FIB) to lease, and eventually purchase the property located at 500 12th Ave. S. in Nampa in 2019. After the purchase of the FIB Building on June 30, 2019; the second phase will be to remodel the first floor and basement to consolidate 6 service departments into the new “Nampa Development Services Center.” These department moves will free up space in in Fire Station 4, City Hall, 9 12th Ave South, and the basement of the Family Justice Center Building for both current and future office space needs.

Funding: The purchase of the building will be funded by the General Fund Reserve Balance. Facilities, Operations, and Maintenance costs for the building will be funded by the general fund. Design services, construction services, equipment purchases, and related equipment installation services will be funded by the Development Services Reserve Fund Balance. These items will be added to the FY19 Budget through a budget amendment in late summer of 2019.

Legal Review: The intent to purchase document signed in October of 2018 will be the basis for the purchase documents to be prepared by the City Attorney and the Seller’s Attorney. The closing documents will be reviewed and approved by Legal prior to closing. All required contracts and or task orders for work performed for the tenant improvement will be reviewed by the City Attorney. The design services task order in this action item has been reviewed by legal.

Authorize procurement of design services, construction services, equipment purchases, and related equipment installation services for the Remodel of First Interstate Bank Building.

Legal and Finance have reviewed this Action Item.

Purchase and Remodel Budget Recap

![Facilities Development Table]

Remodel Budget Recap

![Facilities Development Cost Projection Table]
Mayor and Councilmembers asked questions and made comments.

MOVED by Bruner and SECONDED by Skaug to approve the FY19 Budget Estimate for: the purchase, closing costs and fees; facilities, operations and maintenance costs; and tenant improvement and equipment costs for the First Interstate Bank Building located at 500 12th Avenue South and authorize the Economic Development Department, Facilities Development Department, and City Attorney to initiate and manage the purchase of the First Interstate Bank Building located at 500 12th Avenue South with a closing date scheduled on or before June 30, 2019 and authorize the Facilities Development Department to procure design services, construction services, equipment purchases, and related equipment installation services necessary to remodel the basement and first floor of the First Interstate Bank Building for occupancy by City of Nampa Departments based on the approved budget Recap and authorize Mayor Kling to sign a Work Task Order for Miscellaneous Professional Services, in the amount of $31,000 with JGT Architecture for the Development of bidding documents and plans for the Tenant Improvement of the First Interstate Bank Building located at 500 12th Avenue South. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-4. - Mayor Kling presented the request to authorize the Mayor to enter a Memorandum of Understanding with Salvation Army Nampa as a third-party administrator for Nampa Shares & Cares program.
City Treasurer Deborah Spille presented a staff report explaining that the current Nampa Cares and Shares Program (NSAC) was developed and adopted in April of 2012. I’ve attached the Nampa Cares and Shares established criteria and guidelines, the WICAP (3rd party administrator) MOU and the Ordinance to allow UB Unclaimed Funds to be utilized by NSAC. NSAC has assisted a total of 151 Nampa households totaling $10,750 in assistance since 2012, 12 households have benefited in the first six months of FY19.

Program Challenges:
- Eligibility requirements may be too stringent or cumbersome. For example, the guidelines stipulate the applicant's income level be equal to or below 125% of the Federal Poverty Level. Currently, $32,188 is 125% of the annual poverty level for a family of four.
- WICAP is in Caldwell, this makes transportation difficult and/or costly for citizens.
- Over 65% of UB customers pay through a variety of electronic payment options. Many of these options are not conducive to 'rounding up' the payment, thus low participation.
- The UB Statement accommodates adding a donation to the payment but we have less than 25% customers that pay by USPS, thus participation is low.
- We offer online or in-office enrollment in a recurring donation to NSAC, but we do not have many participants.

Enhancements and Considerations:
- Evaluate program requirements and revise to increase eligibility.
- Consider a 3rd party administrator in Nampa.
- Develop communications and campaigns that inform the public of donation and assistance opportunities.
- Make it easier to donate. We will be looking for opportunities with Tyler software.

Nampa Shares and Cares

The goal of Nampa Shares and Cares is to assist households who meet established criteria and guidelines with the following assistance for water/sewer service.
* Payment of a City of Nampa utility account billing of up to 2 months.
* Assistance per household not to exceed $150 in a 24-month period (2 years)
* Assistance will be in the form of a payment voucher to Nampa's Utility Billing on the applicant's account. No checks or cash will be issued directly to a customer.

Determining factors for assistance: Due to the limited total funds available assistance is not guaranteed, even to those applicants who meet the requirements for eligibility. Western Idaho Community Action Partnerships (WICAP) shall determine whether each applicant is eligible to receive assistance, based on the following criteria:
* The applicant's utility account must be in the name of the applicant.
* The applicant's income level must be equal to or below 125% of the poverty level.
* The applicant's utility account must be a non-commercial account with water service.
* The applicant's account must be clear of any meter pull penalties.
* The applicant must not have received assistance through Nampa Shares and Cares anytime during the previous 24 months.

In determining who shall receive a portion of the limited assistance available, as between applicants who otherwise meet the above enumerated criteria, WI CAP shall place special consideration upon those applicants who demonstrate any of the following factors, which are not listed in any order:
* Households that include persons aged 65 or older and/or children under the age of 18
* Households that include handicapped or disabled persons
* Hardship cases, including, but not limited to:
  - Involuntary unemployment
  - Medical crisis
  - Other family crisis such as death, desertion, or imprisonment

Note: The City reserves the right to void an approved application by WICAP should it be found that the applicant misled or provided false information on the application or were otherwise ineligible. The City will make the reversal decision known to the customer and WICAP. In addition, depending on the amount owed to the City, assistance does not guarantee that services will be restored to the customer.

Councilmembers asked questions.

MOVED by Skaug and SECONDED by Haverfield to authorize the Mayor to enter a Memorandum of Understanding with Salvation Army Nampa as a third-party administrator for Nampa Shares & Cares program. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-5. - Mayor Kling presented the request to authorize the use of Republic Services donation to fund Nampa Shares and Cares Program.

Mayor Kling gave a staff report on receiving the funds from Republic Services and where we would like the money to be donated for. Mayor Kling suggested to have it go to Nampa Shares and Cares Program.

MOVED by Bruner to authorize the use of Republic Services donation to fund Nampa Shares and Cares Program.

MOTION DIED FOR LACK OF SECOND

Page 37
Mayor and Councilmembers made comments.

MOVED by Bruner and SECONDED by Haverfield to authorize the use of Republic Services donation to fund Nampa Shares and Cares Programs for Seniors 62 and above. The Mayor asked for a roll call vote with all Councilmembers Rodriguez, Hogaboam, Levi, Haverfield, Bruner voting YES. Councilmember Skaug voting NO. The Mayor declared the
MOTION CARRIED

Item #5-6. - Mayor Kling presented the request to authorize the Mayor and Public Works Director to Sign Task Order for Scope of Work for Consultant Services with Parametrix for the North 39th Street Alternative Study for Airport Division. (Reviewed by Legal) (Approved in FY19 Budget)

Deputy Public Works Director Jeff Barnes presented a staff report explaining that the Airport-Overland Corridor Study, approved by City Council in 2012, explored two major questions:

1. Could Airport Road be extended eastward in the future to connect with Ada County’s Overland Road intersection at Ten Mile Road, thus providing increased regional east/west access?
2. What transportation consequences would ensue if the 2011 Airport Master Plan suggestion to extend the runway were implemented?

Question 1 concluded that this future connection was feasible and would terminate in Nampa at the intersection of North 39th Street and Garrity Boulevard rather than at Kings Road. This terminus was strongly recommended due to, (a) complexity of the Kings Road/Garrity Boulevard/Airport Road intersection at Ten Mile Road, thus providing increased regional east/west access?

Question 2, therefore, included recommendations for how to reduce stopped traffic at the intersection of Kings Road and Garrity Boulevard. One of its primary conclusions was to sever Airport Road’s access to Kings Road and improve North 39th Street as the future primary entrance to the Airport. A second recommendation from Question 2 was to complete Comstock Avenue from Kings Road to 39th Street, effectively enticing eastbound freight traffic from north of Garrity Boulevard to use this improved alignment (rather than standing in line within the RPZ to make a left turn at Kings Road)

A temporary traffic signal at the intersection of North 39th Street and Garrity Boulevard, and intersection realignment geometry, were both approved by City Council in 2015 as first steps in implementing RPZ related recommendations. A development agreement with Saint Alphonsus Hospital commits the City to construct North 39th Street north of Garrity Boulevard, up to and
including a roundabout at North 39th Street’s intersection with Comstock Avenue. Comstock Avenue, west of North 39th Street, is already subject to immediate development pressure.

Staff has negotiated a scope and fee with Parametrix for ongoing consultant services for the North 39th Street Alternative Study (see Exhibit A).

The scope simply builds on Parametrix’s prior work to complete a forward-looking concept plan for the entire alignment. The completed plan will guide City staff as they work with developers along the proposed alignment for Comstock Avenue. It will also provide a basis for subsequent City staff efforts to solicit funding. Funding sources include impact fees, the Federal Aviation Administration, Idaho Transportation Department freight funds, COMPASS’ Surface Transportation – Urban, among others.

Funding for the scope of work will be provided by Airport Division’s fiscal year 2019 budget.

City staff and Parametrix have agreed upon a scope and fee in the amount of $68,504.00 T&M NTE (time and material not to exceed).

Councilmembers asked questions.

MOVED by Bruner and SECONDED by Haverfield to authorize the Mayor and Public Works Director to sign task order for attached scope of work for consultant services with Parametrix for the North 39th Street Alternative Study in the amount of $68,504.00 (T&M NTE) for Airport Division. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #5-7. - Mayor Kling presented the request to authorize an all way stop at the Southside Boulevard and Locust Lane intersection.

City Engineer Daniel Badger presented a staff report explaining that the increased crashes at the intersection of Southside and Locust Lane prompted an engineering speed study on Southside between Locust Lane and the South City limits (See Exhibit A).

Between 2018 and 2014, there have been 23 total crashes
  - 5 Type A (Serious Injury)
  - 6 Type B (Evident Injury)
  - 3 Type C (Minor Injury)
  - 9 Property Damage
Paragon Consulting completed an intersection analysis that included a speed study, sign inventory and signal warrant analysis. (See Exhibit B).

The following improvements have been made:

- City staff coordinated with the Nampa Highway district to reduce the speed limit from 50MPH to 35MPH, on August 1, 2018.
- City staff installed flashing beacons at the stop signs along Locust Lane and along Southside Boulevard in advance of the intersection.
- City staff installed additional warning plaques on the backside of the stop sign poles at the intersection to help notify drivers of the stop at the intersection on March 14, 2019.

Since the speed limit reduction there have been 11 crashes at the intersection.

As a result of recent crashes Engineering staff completed a sight distance analysis and verified that there are no vision obstructions causing safety issues.

Engineering Division, Streets Division and Nampa Police have been discussing options to increase safety and recommend implementation of an all way stop at the Southside Boulevard and Locust Lane intersection.

The improvements will include the installation of new advanced warning and stop signs along Southside Boulevard. Existing signs will be retrofitted with illuminated rings around the signs to help improve awareness of roadway conditions. (See Exhibit C)

A level of service analysis based on the PM peak resulted in the following:

<table>
<thead>
<tr>
<th>Intersection Approach</th>
<th>Current Level of Service (Two Way Stop Control)</th>
<th>Proposed Level of Service (All Way Stop Control)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastbound Locust Lane</td>
<td>F</td>
<td>B</td>
</tr>
<tr>
<td>Westbound Locust Lane</td>
<td>E</td>
<td>B</td>
</tr>
<tr>
<td>Northbound Southside Boulevard</td>
<td>A</td>
<td>C</td>
</tr>
<tr>
<td>Southbound Southside Boulevard</td>
<td>A</td>
<td>C</td>
</tr>
</tbody>
</table>
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If approved, Streets Division will install the new signage and illuminated rings.

Councilmembers asked questions.

**MOVED** by Rodriguez and **SECONDED** by Haverfield to **authorize** an **all way stop** at the **Southside Boulevard** and **Locust Lane** intersection. The Mayor asked for a roll call vote with Councilmembers Hogaboam, Levi, Skaug, Haverfield, Rodriguez voting **YES**. Councilmember Bruner voting **NO**. The Mayor declared the **MOTION CARRIED**

**Item #5-8.** - Mayor Kling presented the request to **authorize staff** to proceed with **design** of the **new water tank façade**.

Tom Points presented a staff report explaining that the elevated 500,000-gallon water storage tank at 11th Avenue North and I-84 is nearing the end of its useful life. In addition, the City needs 1 million gallons of additional water storage to meet future needs.

Additional water storage allows for economic expansion, provides clean drinking water and adequate storage capacity to meet fire safety demands.

In June of 2018, Engineering presented three alternatives for the future of the elevated tank. Based on an Engineering study completed by Keller and Associates, and at the recommendation of staff, Council elected to demolish the existing elevated tank and replace it with a new tank at the existing location.

A part of Council action they directed staff to evaluate options for the façade treatment of the new tank.

Staff worked with Keller and Associates to have an architect prepare renderings of design options. In March an internal review group met to determine a preferred option.

Based on this group’s recommendation the attached concept (exhibit A) is the proposed façade for the new water tank.

The cost estimate for these improvements to the tank is $250,000-$275,000.

**MOVED** by Haverfield and **SECONDED** by Skaug to **authorize staff** to proceed with **design** of the **new water tank façade**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**
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Item #5-9. - Mayor Kling presented the request to authorize the Mayor to sign the cooperative agreement for Project No. A020(315), I-84, Karcher Interchange to Franklin Boulevard. (Reviewed by Legal)

Tom Points presented a staff report explaining that the Idaho Transportation Department (ITD) has programmed a construction project on I-84 from Karcher Interchange to Franklin Blvd., Nampa. The project includes reconstruction of the Northside Blvd. Interchange and modifications to the Franklin Blvd. Interchange, including beautification efforts within the interchanges. The project requires intermittent traffic detours onto adjacent City roads; detours will be minimized to the extent practical. The project will also relocate City waterlines. This agreement identifies roles and responsibilities of the parties regarding these matters.

Relocation of waterlines were added to the cooperative agreement. During design existing City waterlines were identified needing to be lowered to accommodate improvements to the interchange. Further investigation revealed the need to replace 1350 feet the water main due to the shallow bury depth of the existing City water main.

ITD has developed a cooperative agreement between the City and the State that will allow design of the water main and allow the City to reimburse design costs next fiscal year, October 2019. City’s legal counsel has reviewed the document and approved. (See Exhibit A).

ITD’s responsibilities include:

- Design and construction of the project.
- Provide construction and detour plans to the City for review.
- Notify City a week in advance of intermittent traffic detours onto City roads.
- Maintain complete accounts of all project funds received and dispersed to determine the City’s portion of actual contract costs to relocate City waterline.
- Upon acceptance of the waterline relocation work by the City, meet and reconcile actual costs compared to estimate. Reimburse the City prior to project close out if actual costs to complete the waterline relocation is less than the estimated costs.

City’s responsibilities include:

- Review and approve submitted construction plans and specifications for the interchange beautification, waterline relocation and detour plans.
- Pay ITD the estimated cost of $371,289.58 for the Northside Boulevard design, labor, materials and equipment associated with the waterline relocation.
- Within 60 days of acceptance of the waterline work and completion of cost reconciliation, pay ITD the additional amount owed for work if any.
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- Upon completion of construction of the project, assume ownership and responsibility for maintenance of the City’s waterline and all beautification efforts constructed on the project.

The estimated cost of $371,289.58 for the waterline replacement has been identified in the FY20 budget for projects.

Construction of the waterline is anticipated to begin in October 2019, ITD would like to receive payment prior to construction.

**MOVED** by Bruner and **SECONDED** by Hogaboam to **authorize** the **Mayor** to **sign** the cooperative agreement for Project No. A020(315), **184, Karcher Interchange** to **Franklin Boulevard**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

**MOTION CARRIED**

**Item #5-10.** – The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, **VACATING** THE TWENTY (20) FOOT WIDE ALLEY AND RIGHT-OF-WAY LOCATED IN BLOCK 179 OF THE KURTZ ADDITION, IN NAMPA, IDAHO, MORE PARTICULARLY DESCRIBED BELOW, AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH. (Applicant Sky Ridge Limited Partnership)

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 **4432** and directed the Clerk to record it as required.

**MOTION CARRIED**

**Item #5-11.** – The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, TO **MODIFY** THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT TO WHICH THAT CERTAIN REAL PROPERTY COMMONLY KNOWN AS 412 E. HAWAII AVENUE,
NAMPA, IDAHO, COMPRISING APPROXIMATELY 2.978 ACRES, MORE OR LESS, IS SUBJECT, DESCRIBED IN ORDINANCE NO. 4343, APPROVED ON OCTOBER 16, 2017, AND Recorded ON NOVEMBER 6, 2017, AS INSTRUMENT NO. 2017-048306, RECORDS OF CANYON COUNTY, IDAHO, IN CONNECTION WITH DEVELOPMENT OF SAID PROPERTY TO PROVIDE SENIOR HOUSING; DIRECTING THE CITY PLANNING DIRECTOR TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant “Sky Ridge Limited Partnership)

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 4433 and directed the Clerk to record it as required.

MOTION CARRIED

Item #5-12. – The following Ordinance was read by title:
AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL REPEALING TITLE 2, CHAPTERS 3 AND 4 OF THE NAMPA CITY CODE, RESERVING SAID CHAPTER 3 FOR FUTURE CODIFICATION AND ENACTING A NEW CHAPTER 4 PERTAINING TO APPOINTED OFFICIALS, AND DEPARTMENT AND DIVISION HEADS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant Mayors Office)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Skaug and SECONDED by Haverfield to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4434 and directed the Clerk to record it as required.

MOTION CARRIED

Item #5-13. – The following Ordinance was read by title:
AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 2704 E. AMITY AVENUE, COMPRISING APPROXIMATELY 0.46 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE RS 7 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 7,000 SQUARE FEET) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; 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 Arnulfo Romero)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Bruner and SECONDED by Rodriguez to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4435 and directed the Clerk to record it as required.

MOTION CARRIED

(7) Unfinished Business

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO TO PROVIDE HC (HEALTHCARE) ZONE DESIGNATION FOR CERTAIN LANDS, COMMONLY KNOWN AS 9850, 9860, AND 9870 ST. LUKE’S DRIVE AND TWO ADJACENT, UNADDRESSED PARCELS ON CHERRY LANE, IN NAMPA, IDAHO, COMPRISING APPROXIMATELY 33.08 ACRES, MORE OR LESS; DETERMINING THAT SAID ZONING IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF NAMPA, IDAHO; REZONING SAID PROPERTY FROM BC (COMMUNITY BUSINESS) TO HC (HEALTHCARE); PROVIDING FOR RECORDATION; INSTRUCTING THE CITY ENGINEER TO DESIGNATE SAID PROPERTY AS HC (HEALTHCARE) ON THE OFFICIAL
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ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH.  (Applicant the Land Group representing St. Luke’s Regional Medical Center LTD)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Haverfield and SECONDED by Hogaboam to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it 4436 and directed the Clerk to record it as required.

MOTION CARRIED

❖ (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 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)

8-5. 1st reading of ordinance for Annexation and Zoning to BC at 0 Star Rd (Parcel R3036301200) on the south side of Ustick Road, east of Star Road, for access to City utilities for a mixed-use development. (A 4.72-acre parcel situated in the NW ¼ Section 5 T3N R1W BM, Tax
99106 in Lot 4) for Matt Garner representing JABR, LLC (Justin Reynolds and Alan Bean). (ANN-00112-2019) (PH was 4-15-2019)

✈ (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) (e) to consider preliminary negations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

Item #9-2. - Mayor Kling presented the request to adjourn into Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

Item #9-3. - Mayor Kling presented the request to adjourn into Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student.

MOVED by Hogaboam and SECONDED by Haverfield to adjourn into executive session at 9:26 p.m. pursuant to Idaho Code 74-206 (1) (e) to consider preliminary negations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations; and Idaho Code 74-206 (1) (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general; and Idaho Code 74-206 (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student and The Mayor asked for a roll call vote with all councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

MOVED by Skaug and SECONDED by Rodriguez to conclude the executive session at 10:30 p.m. during which discussion was held regarding Idaho Code 74-206 (1) (e) to consider preliminary negations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations; and Idaho Code 74-206 (1) (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about
staffing needs in general; Idaho Code 74-206 (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

MOVED by Skaug and SECONDED by Rodriguez to adjourn the meeting at 10:31 p.m. The Mayor declared the

MOTION CARRIED

Passed this 20th day of May 2019.

________________________________________________________________________

MAYOR

ATTEST:

________________________________________________________________________

CITY CLERK