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) ✧

Mayor Kling stated that the agenda would be amended by postponing item #6-3. Consider Project Packing and Delivery Approach for Phase II Upgrades at Nampa Wastewater Treatment Plant until June 3, 2019.

MOVED by Haverfield and SECONDED by Bruner to approve the Consent Agenda as presented; Regular Council Minutes of May 6, 2019 and Special Council Minutes of May 6, 2019; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; Airport Commission Minutes of January 14, 2019 and April 8, 2019; Golf Commission Minutes of April 16, 2019; Planning & Zoning Commission Minutes; Library Commission Minutes; Nampa Council on Aging Minute of April 8, 2019; The Nampa City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; final and preliminary plat approvals: 1) Carriage Hill West Subdivision No. 3, east of Midway Rd, between W Iowa Ave and Lake Lowell Ave. (A portion of the NW ¼ of Section 31 T3N R2W BM – 64 Single Family Residential lots on 25.03 acres, or 2.56 lots/gross acre) for Engineering Solutions, LLP, representing Toll Southwest, LLC (SPF-00088-2019); Authorize Public Hearings: 1) Zoning Map Amendment from RA (Suburban Residential) to RS-6 (Single Family Residential – 6000 sq. ft) for .7 acres or 30,368 sq. ft at 714 Smith Ave; Subdivision Short Plat approval for Smith Avenue Hideaway (2 single family detached lots and one duplex lot on .7 acre for 5.71 dwelling units per gross acre. A parcel of land being a portion of Lot 24 of Westview Subdivision, according to the plat filed in Book 4 at Page 31 recorded in the office of the Canyon County Recorder’s in the NW ¼ of Section 21 T3N R2W BM); and, Conditional Use Permit approval for 1 year, for a Duplex Dwelling at 714 Smith Avenue (An 80 ft x 120 ft or 9,525 sq. ft portion of the NW ¼ of Section 21 T3N R2W BM – proposed Lot 3, Block 1, Smith Avenue Hideaway), for Susan Schindler (ZMA-00105-2019, SPS-00019-2019, CUP-00133-2017); 2) Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) for a Towing Business at 3315 Caldwell Blvd. (A .9 acre or 39,204 sq. ft parcel being Tax 4-A in Block 1, Portner Subdivision, in the NW ¼ Section 7 T3N R2W BM); and Recommendation for a Conditional Use Permit for a towing/impound yard business at 3315 Caldwell Blvd, in the IL zoning district for Byron Healy (ZMA-00106-2019); Authorize to Proceed with Bidding Process: 1) None; Authorization for execution of Contracts and Agreements: 1) Sign Task Order and Contract for Professional Services between the City of Nampa and Keller Associates for the South Tank rehabilitation project in the amount $31,930.00, Time and Materials Not to Exceed; Monthly Cash Report: 1) April 2019; Resolutions: 1) None; License Renewals for 2019: 1) Craft Lounge, 320 11th Ave S, Beer, Wine, Liquor; Outback Steakhouse, 2011 W Karcher Rd, on-premise Beer, Wine, Liquor; Rocco’s Roadhouse, 1911 1st St N, on-premise Beer, Wine, Liquor; Brick 29, 320 11th Ave S, on-premise Beer, Wine, Liquor; Campos on Lonestar, 135 Lonestar, off-premise
(2) Proclamation

Item #2-1. – Buddy Poppies by the Veterans of Foreign Wars

Whereas, the annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and

Whereas, VFW Buddy Poppies are assembled by disabled veterans and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

Whereas, the basic purpose of the annual distribution of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to “Honor the Dead by Helping the Living.”

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim May 24, 25 and 26 as

“VFW Buddy Poppies Days”

In the City of Nampa. I urge the citizens of this community to recognize the merits of this cause by contributing to its support through your donations for Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead. I also urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 20th day of May in the year of our Lord two thousand nineteen.

3465 Nampa Auxiliary members explained that we have 2700 plus veterans in the state that all do Buddy Poppies fund raising.

Mayor Kling asked if there was any Nampa Residents wishing to speak on any agenda item were (5 persons limit): None
Mayor Kling asked if there was any Nampa Residents wishing to speak on any item that was not on the agenda (5 persons limit):

- Boy Scouts of America - Mr. Lynn Gunter – will reschedule later
- Lake Ridge Elementary 1st Graders – Bekah Graves – did a presentation on monarch butterflies and keeping the milk weed on the Nampa pathways to help preserve the monarch butterflies – the kids will be presenting at the school 2:30 to 3:30 at the school’s gymnasium
- Beth Ineck – We have been in contact with Rhino Development, they are a developer out of the Bay area of CA and have purchased Karcher Mall. They are looking at a complete rebuild of the project. They were at the International Council of Shopping Centers in Las Vegas this week and they have about 15 appointments with prospective tenants to go into Karcher Mall. They are looking at multi family housing to go on the back side – 10 acres that is parking lot

Mayor Kling’s and Council Comments

- Mayor Kling – U.S. Environmental Protection Agency (EPA) Idaho Operations Director Jim Werntz presented the prestigious PISCES Award to the City of Nampa for dedication to clean water infrastructure at a ceremony Mon., May 20, 2019 at Nampa’s Wastewater Treatment Plant.
- Mayor Kling gave a shout out to the Exchange Club for Parade America

(3) Agency/External Communications

Item #3-1. – Highway 16 Update - ITD - Amy Schroder

The Idaho Transportation Department has made a significant investment in the extension of Idaho 16 from Interstate 84 north to Idaho 44. This document provides background and an overview of the corridor study, and briefly describes the design refinements that are being advanced for public comment.

The Idaho Transportation Board will review these options at their regular business meeting Thursday, May 16, 2019 and determine what will be carried forward. This summary and the meeting presentation are informational in nature, no action is being requested by the Council.

1. Idaho 16, I-84 to ID 44 Corridor

The purpose of the Idaho 16 Corridor Project is to increase the transportation capacity of the Idaho state highway system within Ada and Canyon counties and to reduce north-south
travel times between I-84 and destinations north of the Boise River in the vicinity of the Idaho 16 and ID 44 intersection. The need for the project is related to three factors:

- Regional Growth. Proposed planned communities and rapid development in the communities of Emmett, Eagle, Star, Nampa, and Meridian are increasing travel demand on Idaho highways and surrounding regional roadways.
- Regional Mobility and Circulation. Current north-south routes connecting I-84 to ID 44 are not adequate to meet future travel demands of the Treasure Valley.
- Congestion on North-South Arterials. The limited number of river crossings between ID 44 and I-84 increases traffic congestion on the surrounding regional roadways.

The Idaho 16 project goals begin with providing solutions, which will help the Treasure Valley area accommodate its projected growth while balancing the area’s quality of life.

- Create a new state highway corridor that will be a component of enhancing the area’s transportation system to improve accessibility and connectivity to jobs, schools, and services; allow the efficient movement of people and goods.
- Establish a new state highway corridor providing new connectivity, while preserving the capacity of the regional roadway system.
- Develop a new state highway corridor that will enhance safety and security for its users.
- Create a new state highway corridor that will protect and preserve existing transportation systems and opportunities for expansion.
- Support economic development by providing a new state highway that aids in connecting communities, provides access to employment centers, and provides efficient movement of people, freight and services throughout the Treasure Valley.
- Contribute to improving the quality of life, through enhancing public health by developing a new state highway that will help lesson future environmental impacts, such as air quality.

In 2006, ITD began studying the segment of the Idaho 16 route from I-84 north to ID 44, Figure 1. A final environmental impact statement (EIS) was prepared in November 2010 and a record of decision (ROD) for this portion of the Idaho 16 corridor was approved by ITD and the Federal Highway Administration (FHWA) in April 2011. The new route begins at I-84 (MP 39.7), which is west of Ten Mile Interchange and east of Garrity Interchange. The new Idaho 16 route connects I-84 to ID 44, formulating the logical termini, and provides a new crossing over the Boise River. The selected alternative defined Idaho 16 as a limited access 4-lane divided highway (two lanes per direction) with full access interchanges at the following locations:
Accessibility to Idaho 16 will be prohibited for all other public or private access. Major east-west roadways will be grade-separated with Idaho 16. Access to properties disconnected by the new highway will be provided through a system of rural minor local roadways.

Construction of the Idaho 16 initial phase was completed in 2014. The initial phase provided 2.1 miles of new 4 lane highway between US 20/26 and ID 44, including a 1,730-foot-long bridge over the Boise River. This initial phase provided at-grade signalized intersections at US 20/26 and ID 44. The interchanges described in the EIS/ROD are planned for construction in a future phase of the Idaho 16 when travel demands warrant these improvements.

2. Idaho 16 Profile Alignment (Over versus Under)

The approved 2011 EIS/ROD proposed a preferred alternative for Idaho 16, in which the new highway's profile alignment would be grade separated with bridges at east-west routes including US 20/26, ID 44 and four local roadways (Franklin Road, Cherry Lane, Ustick Road, and McMillian Road). The EIS/ROD’s preferred alternative proposed these six east-west roadways would be elevated and have bridges crossing over the new Idaho 16 highway. Through value engineering and alternatives analysis, staff recommends modifying the
preferred alternative to have the new highway’s profile alignment grade separated over these six east-west roadways. Figure 2 and 3 provide an example of the modifications at one local roadway. The recommendation is based on the following potential benefits resulting from the proposed modification:

- The modification lessens the potential environmental impacts associated with the project by reducing the limits of improvements to east-west local roadways.
- Minimizes impacts to accessibility of the east-west local roadways by eliminating the need to raise the profile of the local roadways over the new Idaho 16. This would reduce the need for right-of-way and construction of local roadways to provide new access.
- A reduction in the project’s new right-of-way for constructing east-west roadways over the new Idaho 16 estimated to reduce approximately 26 acres, with an estimated savings ranging between $1.5 and $1.9 million.
- A reduction in project costs to construct the east-west local roadways over the new Idaho 16. It is estimated to reduce approximately 1.1 miles of local roadways, with an estimated savings range between $16 and $18 million.
- The project costs for the future interchange build-out of US 20/26 and ID 44 would be less costly due to reductions in earthwork and grading for the interchanges.
- Minimizes potential impacts to the public and enhances safety during construction by allowing for more efficient construction sequencing and less complicated traffic control measures.

Environmental considerations for elevating Idaho 16 over the east-west roadways versus elevating the local roadways over Idaho 16, which include potential visual quality and noise affects, will be analyzed as part of the project’s EIS Re-Evaluation process. Staff does not anticipate significant adverse effects to the environment caused by the modification of taking Idaho 16 over the east-west local roads and highways.
Regular Council
May 20, 2019

Figure 2 - Idaho 16 Under Local Road, EIS/ROD Preferred Alternative

Figure 3 - Idaho 16 Over Local Road, Modified Alternative
3. Potential Right-of-Way Reductions

The approved 2011 EIS/ROD proposed a preferred alternative for Idaho 16, with a planned right-of-way corridor to accommodate potential future needs. Through value engineering and alternatives analysis efforts, staff has identified locations and areas where the planned right-of-way can potentially be reduced. The potential reduction from the planned right-of-way estimated in the EIS/ROD is approximately 100 to 130 acres. Table 1 provides a summary comparison of the areas for the planned right-of-way limits between the EIS/ROD and the proposed modified alternative. This reduction can be attributed to modifications to the I-84 and Franklin Road interchange configurations, the Ustick Road interchange configuration, and Idaho 16 going over the local roads. With the reductions identified as part of the modified alternative, the acquisition of the remaining Idaho 16 right-of-way is estimated to range between $100 million and $135 million. The right-of-way costs include the land acquisition price, administrative settlements, improvements, relocations costs, and risk-based cost contingencies for potential damages and legal actions.

The right-of-way for the project between US 20/26 and ID 44 was purchased as part of the initial phase, which constructed the 2.1 miles connecting US 20/26 and ID 44 with the new Boise River bridge. This includes most of the right-of-way for the future interchanges at US 20/26 and ID 44.

Table 1. Right-of-Way Comparison (Includes Total Takes and Un-economic Remaïders)

<table>
<thead>
<tr>
<th>Planned Right-of-Way Limits (Estimated Area in Acres)</th>
<th>I-84 and Franklin Road interchange areas</th>
<th>UPRR to US 20/26 (including local roads)</th>
<th>Frontage/Backage Roads</th>
</tr>
</thead>
<tbody>
<tr>
<td>Idaho 16 EIS/ROD Alternative (Excludes Phase 1)</td>
<td>194</td>
<td>203</td>
<td>35</td>
</tr>
<tr>
<td>Proposed Modified Alternative I-84 Alternative 2</td>
<td>159</td>
<td>137</td>
<td>16</td>
</tr>
</tbody>
</table>

4. Interchange Type Analysis

Idaho 16 and ID 44 Interchange: The approved 2011 EIS/ROD proposed a preferred alternative for the Idaho 16 and ID 44 interchange consisting of folded diamond configuration with a loop ramp located in the northwest quadrant, as shown in Figure 4. The interchange was selected to accommodate the heavy westbound-to-southbound movement from ID 44. Through value engineering and alternatives analysis efforts, staff has validated this interchange configuration and recommends advancing it in the Re-Evaluation. The only modification is to elevate Idaho 16 over ID 44 to incorporate the benefits described in the Idaho 16 Profile Alignment (Over versus Under) section.
Idaho 16 and US 20/26 Interchange: The approved 2011 EIS/ROD proposed a preferred alternative for the Idaho 16 and US 20/26 interchange consisting of a folded diamond configuration with a loop ramp located in the southeast quadrant, as shown in Figure 5. The interchange was selected to accommodate the heavy eastbound-to-northbound movement from US 20/26. Through value engineering and alternatives analysis efforts, staff has validated this interchange configuration and recommends advancing it in the Re-Evaluation. The only modification is to elevate Idaho 16 over US 20/26 to incorporate the benefits described in the Idaho 16 Profile Alignment (Over versus Under) section.
Idaho 16 and Ustick Road Interchange: The approved 2011 EIS/ROD proposed a preferred alternative for the Idaho 16 and Ustick Road interchange consisting of a folded diamond configuration with the loop ramp located in the southeast quadrant, as shown in Figure 6. The interchange was configured in such a manner to minimize impacts to a historic property located northwest of Ustick and McDermott Roads. Through value engineering and alternatives analysis efforts, staff recommends modifying the interchange configuration to a tight diamond configuration, as shown in Figure 7. The tight diamond configuration minimizes impact to the historic property like the EIS/ROD alternative, provides acceptable traffic operations, enhances safety and reduces needed right-of-way by approximately 30 acres. The tight diamond configuration also provides better opportunities for interim project phasing. The proposed modified alternative will elevate Idaho 16 over Ustick Road providing the benefits described in the Idaho 16 Profile Alignment (Over versus Under) section.
5. Idaho 16/I-84 Interchange and Franklin Interchange Options
The Idaho 16 and I-84 systems interchange is near the Franklin Road interchange. Providing access to each of the routes results in close spacing of entrance and exits, which may degrade traffic operations and poses adverse safety situations. To help resolve these issues a system of ramp configurations that either avoid weaving issues via braided ramps or accommodate weaving through appropriately designed ramp segments is necessary. The approved 2011 EIS/ROD preferred alternative for the Idaho 16 and I-84 system interchange and the Franklin Road interchange consist of direct connecting ramps from Idaho 16 to I-84 and access to and from Franklin Road through a combination of loop ramps, as shown in Figure 8. The EIS/ROD preferred alternative also did not preclude a future southerly local road connection that would be part of a separate study.
Through value engineering and alternatives analysis efforts, staff's objective has been to identify alternative interchange configurations that maintain Franklin Road in its current location, provide full access between Idaho 16 and I-84/Franklin Road, and not precluding a future southerly connection. Staff has developed, compared and ranked multiple alternatives for this location. The top two ranked alternatives are shown in Figure 9 and 10 below. Staff is continuing to analyze traffic operations and safety elements associated with these two alternatives. The top-ranking alternative will be carried forward for public comment and incorporated into the EIS Re-Evaluation.

Figure 4 – Idaho 16 and I-84/Franklin Road Interchange, EIS/ROD Preferred Alternative
As described above in the section titled “Potential Right-of-Way Reductions”, a potential reduction in the planned right-of-way needed for the project is approximately 55 acres as a result of either of these modified alternatives for the Idaho 16/I-84 Interchange and Franklin Interchange. The two alternatives under consideration are estimated to require less capital investment as compared to the EIS/ROD preferred alternative. The initial construction cost can be reduced between 15 and 50 percent from the EIS/ROD preferred alternative as a result of the modified alternative for the Idaho 16/I-84 Interchange and Franklin Interchange. The two alternative configurations also provide better opportunities for interim project phasing.

Figure 9 – ID 16 and I-84/Franklin Road Interchange, Alternative 2
Mayor and Council asked questions and made comments.

Fire Chief Kirk Carpenter read a letter from a fire department giving a shout out to Councilmember Rick Hogaboam for his help at a fire that burned a portion of Ashley Manor Memory Care center on May 10, 2019. He also gave a shout out for the assistance that the Nampa Police Department did in assisting with the situation.

I had the honor and privilege of promoting two new positions within our Fire Department replacing myself and Richard Davies. Battalion Chief Chris King was promoted to our Deputy Chief of Operations and Nick Adams will be mentoring with Chief Davies. We had multiple promotions today for company officer and battalion chief.

I think as a fire department take for granted our partnership with the PD, that is not normal to have police officers to do stuff like that for the fire department so that relationship I have the privilege of being a part of, but I think that I take that for granted. Thank you, Chief Huff, I appreciate your leadership, I appreciate the guys that put themselves at risk to make sure that our community is safe.
Item #4-1. – Planning and Zoning Principal Planner Rodney Ashby presented the staff update to Council concerning storage units:

Zoning Code Amendments

- Clarify the Zoning Code:
  - Nampa Citizens and Developers
  - Nampa Planning & Zoning Staff
  - P&Z Commission
  - Mayor & City Council

- Update Content of the Zoning Code:
  - Storage Unit Standards
  - Alternative Residential Housing (mobile home parks, shipping container housing, tiny houses, etc.)
  - Mixed Use Development
  - In-fill Development
  - & others

Storage Units

- Increased Market Demand
- Concerns:
  - Visual impact on major Nampa Roads (arterials)
  - Consumption of designated industrial land
  - Limited economic benefit to community
Storage Unit Visual Impact on Arterials

- Long stretches of blank walls / Building materials

Nampa’s Design Standards:
- RP & BN Zones
- Setbacks
- Landscaping

Consumption of Designated Industrial Land
Mayor and Council asked questions and made comments.

◆ (6) Public Hearings ◆

**Item #6-1.** - Mayor Kling opened a public hearing for recommended increases to Wastewater Rates and Fees of 16.75%, Effective October 1, 2019 AND

**Item #6-2.** - Mayor Kling opened a public hearing for recommended increases to Wastewater Hookup Fees by Producer Price Index West (PPI-West) Index of 6.09%, Effective October 1, 2019.

Public Works Director Tom Points and Budget Analyst Jake Allen presented the following staff report:

**FY 20 Wastewater Rate Increases**
Commitment to our Customers

The City of Nampa's WWTP Goal is to:

- Provide exceptional service to our customers
- Preserve current infrastructure as the community continues to grow and provide economic opportunities
- Fund wastewater operations, maintenance, and infrastructure
- Remain transparent and offer cost-effective solutions
- Hold Nampa City's water to the highest standard in quality and safety
- Minimize our environmental footprint while working with our community to protect and enhance our water resource

Historical Review – Following the Facility Plan

- Which revenue strategy does the Council prefer?
  - Scenario A: 15.5% Annual Increases
  - Scenario B: 16.75% Annual Increases* Board of Appraisers recommendation

- Staff recommendation: Scenario B
Mitigates risk of not receiving all anticipated SRF loan funding (annual appropriations)

**Rate Increase Forecast**

<table>
<thead>
<tr>
<th>FY18</th>
<th>FY19</th>
<th>FY20</th>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
<th>FY24</th>
<th>FY25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Rate Increase</td>
<td>0.00%</td>
<td>16.75%</td>
<td>16.75%</td>
<td>16.75%</td>
<td>16.75%</td>
<td>16.75%</td>
<td>8.28%</td>
</tr>
<tr>
<td>Average Monthly Residential Bill(^1)</td>
<td>$24.47</td>
<td>$28.54</td>
<td>$33.31</td>
<td>$38.90</td>
<td>$45.40</td>
<td>$53.02</td>
<td>$61.87</td>
</tr>
<tr>
<td>1.5% Median Monthly Household Income(^2)</td>
<td>$51.51</td>
<td>$51.51</td>
<td>$51.51</td>
<td>$51.51</td>
<td>$51.51</td>
<td>$51.51</td>
<td>$51.51</td>
</tr>
</tbody>
</table>

\(^1\)Bills shown do not reflect findings from the cost-of-service analysis.
\(^2\)Based on 2016 MHI of $41,210.

**Combined Monthly Water/Sewer Bills Comparison (2019)**

<table>
<thead>
<tr>
<th>City/Suffix</th>
<th>Water</th>
<th>Sewer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bend</td>
<td>$36.21</td>
<td>$59.89</td>
</tr>
<tr>
<td>SUEZ Water/Boise</td>
<td>$23.10</td>
<td>$35.64</td>
</tr>
<tr>
<td>Meridian</td>
<td>$15.44</td>
<td>$41.41</td>
</tr>
<tr>
<td>Pocatello (Metered)</td>
<td>$22.59</td>
<td>$30.55</td>
</tr>
<tr>
<td>Coeur d'Alene</td>
<td>$13.40</td>
<td>$37.98</td>
</tr>
<tr>
<td>Caldwell</td>
<td>$14.25</td>
<td>$34.88</td>
</tr>
<tr>
<td>Idaho Falls (Metered)</td>
<td>$31.12</td>
<td>$14.39</td>
</tr>
<tr>
<td>Nampa (FY19, BOA Rec.)</td>
<td>$15.36</td>
<td>$28.54</td>
</tr>
</tbody>
</table>
Cost of Service Shift

Cost of Service Historical Review

- How should the City of Nampa implement the COSA findings?
  - No phasing (move to full cost of service)
  - 2-year phase-in (50% of COS adjustment)
  - 5-year phase-in (20% of COS adjustment) * Board of Appraisers recommendation

Customer Class Definitions

<table>
<thead>
<tr>
<th>Customer Class</th>
<th>Example Customer Types</th>
<th># of Accounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE1 (BOD: 0 – 200 mg/L)</td>
<td>Laundromats &amp; car washes</td>
<td>29</td>
</tr>
<tr>
<td>SE2 (BOD: 200 – 400 mg/L)</td>
<td>Residential &amp; retail stores</td>
<td>27,302</td>
</tr>
<tr>
<td>SE3 (BOD: 400 – 600 mg/L)</td>
<td>Hospitals and daycares</td>
<td>66</td>
</tr>
<tr>
<td>SE4 (BOD: 600 – 800 mg/L)</td>
<td>Restaurants</td>
<td>155</td>
</tr>
<tr>
<td>SE5 (BOD: 800 – 1,000 mg/L)</td>
<td>Other non-residential</td>
<td></td>
</tr>
<tr>
<td>SE6 (BOD: 1,000 – 1,500 mg/L)</td>
<td>None currently</td>
<td>None</td>
</tr>
<tr>
<td>SE7 (BOD: 1,500 – 2,000 mg/L)</td>
<td>Special permit</td>
<td>None</td>
</tr>
<tr>
<td>Industrial</td>
<td>Large industrial users</td>
<td>9</td>
</tr>
</tbody>
</table>

FY19 Cost of Service Shift
Hookup Fee Historical Review

- How often should the City of Nampa update its hookup fees?
  - Annually? * Board of Appraisers recommendation
  - As part of system planning cycles?
  - Some other frequency?
- Should the City of Nampa adjust hookup fees annually for inflation between updates?

Wastewater Hookup Fees

<table>
<thead>
<tr>
<th>Non-Industrial Hookup Fees</th>
<th>Current Fees (Eff. 10/1/18)</th>
<th>Proposed Fees (Eff. 10/1/19)</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collection Fee</td>
<td>$1,613</td>
<td>$1,711</td>
<td>+6.08%</td>
</tr>
<tr>
<td>Treatment Fee</td>
<td>$497</td>
<td>$527</td>
<td>+6.04%</td>
</tr>
<tr>
<td>SE1 (BOD: 0 – 200 mg/L)</td>
<td>$1,144</td>
<td>$1,214</td>
<td>+6.12%</td>
</tr>
<tr>
<td>SE2 (BOD: 200 – 400 mg/L)</td>
<td>$1,608</td>
<td>$1,706</td>
<td>+6.09%</td>
</tr>
<tr>
<td>SE3 (BOD: 400 – 600 mg/L)</td>
<td>$2,071</td>
<td>$2,197</td>
<td>+6.08%</td>
</tr>
<tr>
<td>SE4 (BOD: 600 – 800 mg/L)</td>
<td>$2,946</td>
<td>$3,125</td>
<td>+6.08%</td>
</tr>
<tr>
<td>SE5 (BOD: 800 – 1,000 mg/L)</td>
<td>$3,757</td>
<td>$3,986</td>
<td>+6.10%</td>
</tr>
<tr>
<td>SE6 (BOD: 1,000 – 1,500 mg/L)</td>
<td>$4,917</td>
<td>$5,217</td>
<td>+6.10%</td>
</tr>
<tr>
<td>SE7 (BOD: 1,500 – 2,000 mg/L)</td>
<td>$5,769,214</td>
<td>$6,120,559</td>
<td>+6.09%</td>
</tr>
</tbody>
</table>

Reflects 6.09% change in the PPI-West Construction Cost Index from Oct 2017 – Oct 2018

<table>
<thead>
<tr>
<th>Industrial Hookup Fees</th>
<th>per Million Gallons of Flow</th>
<th>$5,769,214</th>
<th>$6,120,559</th>
<th>+6.09%</th>
</tr>
</thead>
<tbody>
<tr>
<td>per Pound of BOD</td>
<td>$441</td>
<td>$468</td>
<td>+6.12%</td>
<td></td>
</tr>
<tr>
<td>per Pound of TSS</td>
<td>$505</td>
<td>$536</td>
<td>+6.14%</td>
<td></td>
</tr>
<tr>
<td>per Pound of TKN</td>
<td>$3,683</td>
<td>$3,907</td>
<td>+6.08%</td>
<td></td>
</tr>
<tr>
<td>per Pound of TP</td>
<td>$164</td>
<td>$174</td>
<td>+6.10%</td>
<td></td>
</tr>
</tbody>
</table>

Fund Projection
Minimizing Impacts

- Asking for additional rate increases is a difficult decision
- We have challenged the wastewater team to evaluate potential savings
- Design Review Committee actively engaged in identifying savings
- Today’s estimated savings $17 million to $25 million

Finding Efficiencies

The following are some potential cost savings from the original facility plan:

- Reuse requires less filtration
- Repurpose existing building instead of creating a new lab
- Inflationary savings by moving digester forward
- Co-thickening in existing build instead of new
## FY20 Rate Increases

<table>
<thead>
<tr>
<th></th>
<th>Existing Rates (2019)</th>
<th>2 of 5-Year Phase-In</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Customers Except Industrial Users:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monthly Base Rate (per Account)</td>
<td>$8.81</td>
<td>$10.22</td>
<td>15.96%</td>
</tr>
<tr>
<td>Volume Rates (per ccf of Water Use)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SE1 (BOD: 0 – 200 mg/L)</td>
<td>$2.32</td>
<td>$2.77</td>
<td>19.36%</td>
</tr>
<tr>
<td>SE2 (BOD: 200 – 400 mg/L)</td>
<td>$2.79</td>
<td>$3.24</td>
<td>16.12%</td>
</tr>
<tr>
<td>SE3 (BOD: 400 – 600 mg/L)</td>
<td>$3.77</td>
<td>$4.56</td>
<td>20.91%</td>
</tr>
<tr>
<td>SE4 (BOD: 600 – 800 mg/L)</td>
<td>$4.43</td>
<td>$5.35</td>
<td>20.68%</td>
</tr>
<tr>
<td>SE5 (BOD: 800 – 1,000 mg/L)</td>
<td>$5.54</td>
<td>$6.77</td>
<td>22.18%</td>
</tr>
<tr>
<td>SE6 (BOD: 1,000 – 1,500 mg/L)</td>
<td>$6.71</td>
<td>$8.25</td>
<td>22.92%</td>
</tr>
<tr>
<td>SE7 (BOD: 1,500 – 2,000 mg/L)</td>
<td>$8.13</td>
<td>$10.05</td>
<td>23.62%</td>
</tr>
<tr>
<td><strong>Industrial User Rates:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>per Million Gallons of Flow</td>
<td>$2,714.55</td>
<td>$3,101.22</td>
<td>14.24%</td>
</tr>
<tr>
<td>per Pound of BOD</td>
<td>$0.261</td>
<td>$0.323</td>
<td>23.69%</td>
</tr>
<tr>
<td>per Pound of TSS</td>
<td>$0.216</td>
<td>$0.273</td>
<td>26.30%</td>
</tr>
<tr>
<td>per Pound of TKN</td>
<td>$1.808</td>
<td>$2.246</td>
<td>24.23%</td>
</tr>
<tr>
<td>per Pound of TP</td>
<td>$0.341</td>
<td>$0.591</td>
<td>73.26%</td>
</tr>
<tr>
<td>Tran Code</td>
<td>Description - WASTEWATER Rates &amp; Fees</td>
<td>Current Rate</td>
<td>Proposed Rate</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------------------------</td>
<td>--------------</td>
<td>---------------</td>
</tr>
<tr>
<td></td>
<td>User Fees (per ccf of water use*)</td>
<td>$17.61</td>
<td>$20.42</td>
</tr>
<tr>
<td>SE1</td>
<td>No Sewer Only, Bi-monthly Rate Per Account</td>
<td>$2.32</td>
<td>$2.77</td>
</tr>
<tr>
<td>SE2</td>
<td>No Waste Strength BOD mg/l (0000-0200)*</td>
<td>$2.79</td>
<td>$3.24</td>
</tr>
<tr>
<td>SE3</td>
<td>No Waste Strength BOD mg/l (0400-0600)*</td>
<td>$3.77</td>
<td>$4.56</td>
</tr>
<tr>
<td>SE4</td>
<td>No Waste Strength BOD mg/l (0600-0800)*</td>
<td>$4.43</td>
<td>$5.35</td>
</tr>
<tr>
<td>SE5</td>
<td>No Waste Strength BOD mg/l (0800-1000)*</td>
<td>$5.54</td>
<td>$6.77</td>
</tr>
<tr>
<td>SE6</td>
<td>No Waste Strength BOD mg/l (1000-1500)*</td>
<td>$6.71</td>
<td>$8.25</td>
</tr>
<tr>
<td>SE7</td>
<td>No Waste Strength BOD mg/l (1500-2000)*</td>
<td>$8.13</td>
<td>$10.05</td>
</tr>
<tr>
<td></td>
<td>Industrial Rates</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>No Industrial Flow (per million gallons)</td>
<td>$2,714.55</td>
<td>$3,101.22</td>
</tr>
<tr>
<td></td>
<td>No Industrial BOD (per pound)</td>
<td>$0.251</td>
<td>$0.323</td>
</tr>
<tr>
<td></td>
<td>No Industrial TSS (per pound)</td>
<td>$0.216</td>
<td>$0.273</td>
</tr>
<tr>
<td></td>
<td>No Industrial TKN (per pound)</td>
<td>$1.808</td>
<td>$2.246</td>
</tr>
<tr>
<td></td>
<td>No Industrial TP (per pound)</td>
<td>$0.341</td>
<td>$0.591</td>
</tr>
<tr>
<td></td>
<td>Industrial Capacity Optimization Fee</td>
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</tr>
<tr>
<td></td>
<td>No Industrial Flow (per million gal. of unused capacity)</td>
<td>$444.67</td>
<td>$444.67</td>
</tr>
<tr>
<td></td>
<td>No Industrial BOD (per pound of unused capacity)</td>
<td>$0.044</td>
<td>$0.044</td>
</tr>
<tr>
<td></td>
<td>No Industrial TSS (per pound of unused capacity)</td>
<td>$0.036</td>
<td>$0.036</td>
</tr>
<tr>
<td></td>
<td>No Industrial TKN (per pound of unused capacity)</td>
<td>$0.329</td>
<td>$0.329</td>
</tr>
<tr>
<td></td>
<td>No Industrial TP (per pound of unused capacity)</td>
<td>$0.076</td>
<td>$0.076</td>
</tr>
<tr>
<td></td>
<td>Flat Sewer Rate User Fees (Note #1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SE1</td>
<td>No Waste Strength BOD mg/l (0000-0200)</td>
<td>$1,334.40</td>
<td>$1,592.17</td>
</tr>
<tr>
<td>SE2</td>
<td>No Waste Strength BOD mg/l (0200-0400)</td>
<td>$62.10</td>
<td>$72.08</td>
</tr>
<tr>
<td>SE3</td>
<td>No Waste Strength BOD mg/l (0400-0600)</td>
<td>$608.57</td>
<td>$734.95</td>
</tr>
<tr>
<td>SE4</td>
<td>No Waste Strength BOD mg/l (0600-0800)</td>
<td>$585.80</td>
<td>$706.09</td>
</tr>
<tr>
<td>SE5</td>
<td>No Waste Strength BOD mg/l (0800-1000)</td>
<td>$2,316.99</td>
<td>$2,829.69</td>
</tr>
<tr>
<td>SE6</td>
<td>No Waste Strength BOD mg/l (1000-1500)</td>
<td>Note #2</td>
<td>Note #2</td>
</tr>
<tr>
<td>SE7</td>
<td>No Waste Strength BOD mg/l (1500-2000)</td>
<td>Note #2</td>
<td>Note #2</td>
</tr>
<tr>
<td></td>
<td>Other Fees</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>No Birch Service Area Latecomer Fee</td>
<td>$636.00</td>
<td>$635.00</td>
</tr>
<tr>
<td></td>
<td>No Septic Haulers (per 1000 gal - full load only)</td>
<td>$135.00</td>
<td>$135.00</td>
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<tr>
<td></td>
<td>No Septic Hauler License Fee (first truck)</td>
<td>$13.00</td>
<td>$13.00</td>
</tr>
<tr>
<td></td>
<td>No Septic Hauler License Fee (each additional truck)</td>
<td>$13.00</td>
<td>$13.00</td>
</tr>
</tbody>
</table>
Customer Class Allocation

Current analysis indicates a shift in cost recovery from SE2 (residential/retail) to non-residential/industrial users

Hookup Fee Methodology

Calculate fee “by dividing the net system replacement value by the number of users the system can support.”  Loomis v. City of Hailey

Features:
- Simple, straightforward
- Requires less information
- Likely under-recovers future costs (regulatory changes, capacity expansion)
- Protects developers from wish lists

Sample 2019 Monthly Bill Impacts
Mayor and Council asked question and made comments.

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

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

**MOTION CARRIED**

MOVED by Skaug and SECONDED by Hogaboam to approve (item #6-1) the increases to Wastewater Rates and Fees of 16.75%, Effective October 1, 2019 AND (item #6-2) increases to Wastewater Hookup Fees by Producer Price Index West (PPI-West) Index of 6.09%, Effective October 1, 2019. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

**MOTION CARRIED**

**Item #3-3.** - Mayor Kling request that the public hearing for Wastewater Upgrades Phase 2 Project Delivery Method be continued to a date certain which would be June 3, 2019 at 7:00 p.m. in the Council Chambers.
MOVED by Rodriguez and SECONDED by Skaug to continue the public hearing to a date certain which would be June 3, 2019 at 7:00 p.m. in the Council Chambers. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. Mayor Kling declared the MOTION CARRIED

Item #6-4. - Mayor Kling opened a public hearing for Brownstone Estates Subdivision at 12203 W Karcher Rd. (14 Fourplex lots for a total of 56 multiple family dwelling units on 6.63 acres for 8.8 units per gross acre, and 94 single family detached dwellings on 24.36 acres for 3.85 units per gross acre – An approximate 30.8-acre parcel of land located in the NE ¼ Section 13 T3N R2W BM, Nampa), for Kent Brown, representing Providence Properties, LLC. (DAMO-00028-2019 and SPP-00039-2019).

a. zoning map amendment from RS-8.5 to RS-7 for approximately 25 acres, and zoning map amendment from RS-8.5 to RP for approximately 2 acres at 12203 W Karcher Rd (for land located in the NE ¼ Section 13 T3N R2W BM), for Kent Brown representing Providence Properties, LLC. (ZMA-00104-2019) AND

b. modification of annexation and zoning development agreements between Quantum Investments Realty, LLC and the City of Nampa, Recorded 02/08/2008 as Inst. No. 2008006946 and Inst. No.2008006947, for property located at 12203 W Karcher Rd, modifying Exhibit A – Legal descriptions, Exhibit B – Conceptual Plans, and Exhibit C – Conditions of Approval, to match a new site design and layout.

Kent Brown, 3161 East Springwood, Meridian presented the request.

Councilmembers asked the applicant questions.

Senior Planner Kristi Watkins presented the following staff report explaining that the request is for a rezone of a portion of land from RS-8.5 to RS-7 and expand the existing RP zone and Modification of a Development Agreement (land use contract) of Ordinance 3771 recorded on February 8, 2008 as Instrument# 2008006946 and Ordinance 3772 recorded on February 8, 2008 as Instrument# 2008006947 replacing with new Recitals, Conditions, Elevations and Preliminary Plat to convert the originally approved RP and RS 8.5 zoned development to RP & RS 7 zoned development for Providence Properties as applicant/Kent Brown pertaining to on parcel of land located at 12203 Karcher Road totaling some 30.53 acres, positioned in the NE ¼ of the NE¼ of Section 13, T3N, R3W, Boise Meridian, Canyon County, Nampa, also referred to as Parcel #R3279600000.

History:
Regular Council
May 20, 2019

2/3/2008 - Comprehensive Plan Amendment, Rezone from RA to RS 8.5, (Ord. 3772, 07.5-07167), Rezone from RA to RP, (Ord. 3771, 07.5-07167), Development Agreement based on a concept plan for professional offices in the RP zone and single-family residential lots in the RS8.5 zone, Preliminary Plat for Carrington Place Subdivision (P&Z Approved January 2008), for Quantum Investments.

5/5/2008 - Carrington Place Subdivision - 29 lots on 8.02 acres, Final Plat approval.

5/5/10 - Carrington Place Subdivision - Final Plat extension Request

Re-Zoning Conclusions of Law

10-2-3 (C) Annexations and/or Rezones/Zoning assignments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and agree with the adopted Comprehensive Plan for the neighborhood.

Re-Zoning Findings of Fact

PERTAINING TO THE APPROXIMATELY 6.36 ACRES OF LAND REQUESTED TO BE ZONED TO RP AND THE 24.86 ACRES OF LAND REQUESTED TO BE ZONED TO RS7:

Zoning: Regarding Applicant’s Proposed/Desired Annexation and Zoning Assignment Request Staff finds:

1. Current Jurisdiction/Status:
The Property is currently within Nampa City, Property appears from aerial imagery to be clear of structures and to be relatively flat open ground; Property is either owned or optioned by the Applicant(s); and,

2. Surrounding Zoning:
North: Canyon County - AG - (Caldwell Impact Area - Residential Estates [Low Density Residential = 2 d.u./acre])
South: RS6 PUD (Single Family Residential - 6,000 sq. ft minimum lot size)
East: Canyon County - AG
West: Canyon County - AG

3. Immediately Surrounding Land Uses:
Generally: All areas immediately adjacent to this property are currently used for agricultural purposes. The two (2) properties to the northeast across Karcher and across the Karcher/Midway intersection are the Brown Bus, bus terminal and a Chevron Convenience Store/Fuel Station.

4. Proposed Zoning:

**Pertaining to the RP Zoning expansion request:**
The original RP zoned area was 3.55 acres and is requested to be expanded to 6.36 acres in and around the original location as it fronts Karcher Rd. This RP (Residential Professional) district is designed to accommodate residential (including multi-unit structures/projects) uses, and professional office developments. It is intended to be a less intensive land use district than a standard commercial zone and may be used as a buffer between the same and single-family residential areas; and,

**Pertaining to the RS 7 Re-Zoning Request:**
The original RS 8.5 area was 27.02 acres and is requested that 24.86 acres be rezoned to the RS 7 (Single Family Residential - 7,000 sq. ft minimum lot size) district. This RS 7 district is designed to accommodate medium density single-family developments, 7,000 square foot lot sizes, and varied lot sizes with an average of 8,000 square feet allowing for some smaller infill lots; and,

5. Reasonable:
That it may be variously argued that consideration for [re]zoning the Property is reasonable given that: a) the City of Nampa has received an application to rezone the Property by amending its official zoning map by the Property owner or an Applicant having a valid, legal interest in the same; and, b) rezoning is a legally recognized legislative act long sanctioned under American administrative law; and, c) within the City of Nampa, zoning assignment is a long standing (and law sanctioned) practice; and, d) other lands in the vicinity of the Property have been zoned in such a way as to provide a transitional arrangement between commercial and single-family residential - whether viewed north south or east to west; and, e) the Property is eligible by law for consideration for rezoning; and, f) that the Applicant intends to develop the Property; and, g) city utility services are available to the Property (see aerial photo with utility lines displayed); and, h) emergency services are available to the Property; and,

6. Public Interest:
That Nampa has determined that it is in the public interest to provide multi use development opportunities and diverse land use types within its confines. Expressions of that policy are published in Nampa’s adopted Comprehensive/Master Plan, as well as embodied in its decisions to date regarding similar applications. Engineering has not called for a traffic impact study (TIS) to date for this proposal. The Applicant has presented argument(s) that a
market need exists for the land use product they are seeking to develop on the Property (see Applicant’s narrative attached hereto); and,

7. **Promotion of Zoning Purpose(s):**
That among the general (and Nampa endorsed) purposes of zoning is to promote orderly, systematic development and patterns thereof which preserve and/or enhance public health, safety and welfare. Included in our residential zoning regulations, therefore, are standards governing commercial development which pertain to allowable land uses, building setbacks, building aesthetics, provision of parking and service drives, property landscaping, etc. While a preliminary plat was included with the application, Staff notes that any site development will be regulated by, and through, the building permit review process and will force application of zoning laws [including those iterated in Section 10-1-19 of Nampa’s zoning ordinance which, which together with other zoning statutes govern building heights, setbacks, landscaping, parking lot layout and striping, lighting and design of buildings and the parking area, etc.] against any construction on the Property; and,

8. **Services:**
That utility and emergency services are/can be made available to the Property (see aerial photo with utility lines displayed and City of Nampa Engineering memorandum hereto attached); and,

**Note:**
The preceding general statements are offered as possible [preliminary] positive oriented findings and are not intended to be all inclusive or inarguable. They are simply provided to the Commission if the requested entitlements are recommended to Council for approval.

In summary, the Property may be zoned RP and RS 7, but nothing will [ultimately] force the Council to do so as it acts in its quasi-judicial capacity to decide on the proper land use zone/district to assign to the Property. Given the findings noted above, however, the expansion of the RP zoning and the rezone from RS 8.5 to RS 7 is certainly an "entertainable" request and is recommended for this property...

**Development Agreement Modification**
Criteria to guide the Commission in making a recommendation to Council regarding a proposed Development Agreement Modification, and to subsequently guide the Council in deciding/decision whether to allow a Development Agreement Modification, are absent from state statute or city ordinance. Thus, approving -- or not -- this application becomes a purely discretionary matter/decision on the part of the City of Nampa in reaction to this DA contract modification application. In other words, whether to recommend favorably to
the Nampa City Council that the change(s), as contemplated by the application that instigated this report, be approved or approved with some alterations is thus a subjective decision for the Commission to make.

Attached, is a copy of Ordinance 3771 recorded on February 8, 2008 as Instrument #2008006946 and Ordinance 3772 recorded on February 8, 2008 as Instrument# 2008006947 which has, as a part thereof, the Development Agreement referenced by this report. The request is to replace the two (2) previous Development Agreements in their entirety with a newly formed Development Agreement more applicable to the proposed zones and development.

As the process of rezoning and Development Agreement modification is a two-step endeavor, the applicant will prepare a new Development Agreement document for Council’s review prior to the reading of the ordinance that will/would enact the Development Agreement Modification.

An approved Development Agreement, associated with an approved development plan, building style and type, and, density is already assigned to the Property (Ord. # 3771 & 3772). That entitlement runs [still] with the land. The present application before the Council proposes a change to the original Agreement, including replacing the approved concept site plan (i.e., parking lot and building layout, building design) with the four-plex layout (as shown in the preliminary plat) for the RP zoned portion of the property and elevations and minimum lot size requirements for the RS 7 zoned portion of the property.

Agency Comments regarding the Rezone, Development Agreement Modification and Preliminary Plat

1. An April 4, 2019, memorandum from the Nampa City Engineering Division, authored by Caleb LeClair indicates:
   a. License Agreements shall be obtained for improvements within Irrigation District Easements prior to construction drawing approval; and,
   b. A ROW permit shall be obtained from ITD for work within State HWY 55 ROW; and,
   c. A ROW permit shall be obtained from the City of Nampa for work within the Midland ROW; and,
d. An Erosion & Sediment Control Permit shall be obtained from the City of Nampa prior to construction; and,
e. Plat, access, drainage, water, sewer and pressure irrigation comments shall be addressed to obtain approval of construction drawings; and,

2. Submit the Traffic Impact Study to the Idaho Transportation Department for review; and,

3. Submit Idaho Transportation Department Traffic Impact Study comments to the City of Nampa Engineering Department and the Canyon Highway District #4 at the time of civil plan review; and,

4. ITD ROW Permit 3-18-380, applied for by the previous owner/applicant, was approved by Erika Bowen on May 26, 2016 for Karcher Rd and Midway Rd for a property zoned Commercial and Residential; and,

5. A March 8, 2019 memorandum from the Nampa City Engineering Division, GIS Section, authored by Alex Main indicating that there is a list of addressing/street naming comments/corrections required for the proposed Project; and,

6. A March 14, 2019 memorandum from the Nampa City Planner, Doug Critchfield regarding the landscape plan with the following comments:
   a. Page L2.0- Note #14 - Change 'City of Caldwell' to 'City of Nampa';
   b. Page L2.0 - Add Note: "Builder Contractor shall obtain a fencing permit from the Nampa Building Department prior to construction of any fencing."

7. A March 12, 2019 email printout from the Nampa City Forestry Department authored by Carolynn Murray with the following comments:
   a. Please submit a plant list
   b. Class 1 trees shall be planted within 20’ center of center power poles
   c. No evergreens on public ROW including entrances to subdivisions; and,

8. A March 12, 2019 letter from the Nampa & Meridian Irrigation District authored by David Duvall indicating that they have no comment on the Project; and,

9. A March 11, 2019 memorandum from the Canyon Highway District #4 authored by Chris Hopper, P.E., regarding access and traffic impacts on HWY 55 and the
request to review comments from ITD as it pertains to improvement of/along HWY 55; and,

10. A March 29, 2019 letter from Idaho Transportation Department, authored by Sarah Arjona, Development Services Coordinator indicating the following:

   a. At full build out the access point on SH-55 will be restricted to right-in, right-out.
   b. The proposed spacing for unsignalized intersections, does not currently meet IDAPA requirements.
   c. The Traffic Impact Study needs to provide justification for access onto the State Highway System.
   d. ITD reserves the right to make further comment upon review of the Traffic Impact Study, which had not been submitted to ITD at the time of this letter.
   e. Applicant shall contact ITD to determine if the current TIS addresses all access and traffic concerns.
   f. Idaho Code does not allow advertising with the ROW of any State Highway; and,

11. On February 27, 2019, Neil Jones with the Nampa Building Department made a note in the EnerGov permitting program indicating they will require a top of foundation wall or finish floor elevation, on the construction plans before the final plat will be approved; and,

12. Staff has not received commentary from any surrounding property owners or neighbors either supporting or opposing this request.

**Recommended Conditions of Approval**

Should the Commission vote to approve the Preliminary Plat request and recommend to the Nampa City Council that they approve the requested Rezone proposal and Development Agreement Modification(s) application, Staff would recommend that the Commission consider imposing the following Condition(s) of Approval against the requests/Applicant(s):

1. Provide a new Development Agreement document, to include RECITALS, CONDITIONS and EXHIBITS:
   a. Total Area to be zone RP and RS 7, legal descriptions,
   b. Intent for development layout, density, etc.,
   c. Elevations of Four Plex and Single-Family residential structures; and,
2. Provide revised street names as per memo from Alex Main; and,

3. Provide revised landscape plans as per memos from Planning and Forestry Departments; and,

4. Provide top of foundation wall or finish floor elevation, on the construction plans prior to final plat approval; and,

5. Provide Irrigation District License Agreements; and,

6. Apply for ROW and Erosion Control Permits with the City of Nampa; and,

7. Provide an approved ROW permit from ITD; and,

8. <Any other condition(s) as the Commission concludes befit(s) the application package.

Councilmembers asked questions and made comments.

No one appeared in favor of the request.

Fire Chief Carpenter answered questions on response time.

Those appearing in opposition to the request were: Nancy Neuwelt, 12537 Deerbrush Court; Gayle Simmons, 16357 Meander Creek Way; Deborah Manning, 12573 Meander Creek Way; Erica Tremayne, 12536 Dakota Crossing Street; Emilee Douglas, 12572 Dakota Crossing Street; Carol Knemer, 12548 Dakota Crossing Street; David Manning, 12573 Deerbrush Court; Michael Hardin, 11947 Bonnie Lane; Dallas Budden, 12624 Slatestone Way; Edwin Budden, 12624 Slatestone Way; Matthew Tremayne, 12536 Dakota Crossing Street; Anthony Daniello, 12538 Deerbrush Court; Colleen George Osteanout, 12543 Toketee Street; Richard Hal, 1614 Arduce Avenue; Marilyn Dennis, 16137 Meander Creek Way; Erica Molendo, 12588 Algonquin Street.

Councilmembers asked questions and made comments.

Tom Points answered questions and made comments concerning the time frame for the upgrades to the highway in questions and impact fees.

City of Nampa Engineer, Daniel Badger, made comments on traffic.

Mayor and Councilmembers asked question of Fire Chief Carpenter.
Regular Council  
May 20, 2019

The applicant presented a rebuttal to questions and comments made.

**MOVED** by Rodriguez 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 Skaug and **SECONDED** by Haverfield to **approve the zoning map amendment** from RS-8.5 to RS-7 for approximately 25 acres, and zoning map amendment from RS-8.5 to RP for approximately 2 acres at **12203 W Karcher Rd** (for land located in the NE ¼ Section 13 T3N R2W BM), for **Kent Brown** representing **Providence Properties, LLC**. (ZMA-00104-2019) **AND modification of annexation and zoning development agreements** between Quantum Investments Realty, LLC and the City of Nampa, Recorded 02/08/2008 as Inst. No. 2008006946 and Inst. No.2008006947, for property located at 12203 W Karcher Rd, modifying Exhibit A – Legal descriptions, Exhibit B – Conceptual Plans, and Exhibit C – Conditions of Approval, to match a new site design and layout with staff recommendation and authorize the City of Nampa Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with Councilmembers Bruner, Hogaboam, Haverfield, Skaug voting **YES**. Councilmember Rodriguez, Levi voting **NO**. The Mayor declared the

**MOTION CARRIED**

**Item #6-5.** - Mayor Kling opened a public hearing for annexation and zoning to RS – 6 at **904 W Greenhurst Rd.** (A 1.92 acre or 80,376 sq. ft portion of the SW ¼ of Section 33 T3N R2W BM), for **Blake Wolf** for connection to city utilities and construction of single-family housing. (ANN-00114-2019).

Blake Wolf, 843 West Horizon Way presented the request.

Rodney Ashby presented the following staff report explaining that the request is for annexation and zoning to RS-6 (Single Family Residential – 6,000 sq. ft) for property located at 904 West Greenhurst Road for Wolf Building Co – Blake Wolf for connection to City of Nampa water and sewer services.

**General Information**

**Planning and Zoning History:** The applicant has requested annexation and zoning to connect the enclaved property to city water and sewer services in order to build multiple houses on the property. The Planning & Zoning Commission recommended approval of the annexation and zoning as applied, at their regularly scheduled public meeting on April 9,
2019. (see attached Action Letter). **Status of Applicant:** Owner. **Annexation Location:** 904 W Greenhurst and unnamed right-of-way (A portion of the SW ¼ of Section 33, T3N, R2W, BM). **Proposed Zoning:** RS 6 (Single Family Residential – 6,000 sq., ft.). **Total Size:** Approximately 1.92 acres or 80,376 sf. **Existing Zoning:** County R1 (Single Family Residential). **Comprehensive Plan Designation:** Medium Density Residential. **Surrounding Land Use and Zoning:** North - Herron Lateral; Enclaved Single Family Residential, County - R1; South - Enclaved Single Family Residential, County – R1; East- Enclaved Single Family Residential, County- R1; West- Single Family Residential, City- RA. **Applicable Regulations:** In order for a property to be annexed it must be contiguous with the city limits or be enclosed by other properties so annexed. The parcel connects with the city limits at its west and south boundaries. The parcel is part of a 13-parcel, 22.5-acre enclaved area. **Existing Uses:** Rural residential parcel with single family dwelling, outbuildings, and landscaped yard.

**Special Information**

**Public Utilities:** 12” water main in W Greenhurst Rd; 8” sewer main in W Greenhurst Rd just east of the property; 12” irrigation main in W Greenhurst Rd. **Public Services:** Police and fire already service city incorporated areas near the location. **Physical Site Characteristics:** Existing rural residential parcel with single family residence and landscaped yard.

**Transportation:** For the property to be developed, the unnamed right-of-way to the east of the property, will need to be developed as a city roadway with 44’ of right-of-way. City of Nampa Engineering has indicated the need for 2’ of additional right-of-way on the east side of the property to be able to access the property from W Greenhurst Rd.

**Correspondence:** Nampa & Meridian Irrigation District had no comment regarding annexation but cautioned that additional conditions will be necessary to protect the Heron Lateral at time of development (Exhibit/Page 8). No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to RS 6.

**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 Nampa City Council approves of the requested annexation and zoning the following findings are suggested:
1) The requested annexation parcel connects with the city limits along its west and south boundaries. The parcel is part of a 13-parcel 22.5-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 6 to connect the property to city water and sewer service.

**Recommended Conditions of Approval**

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

1) Dedication of 50 ft of right-of-way starting from the centerline of W Greenhurst Rd for the entire W Greenhurst Rd frontage.

2) Dedication of 2 ft of approximately 355’ of unnamed right-of-way, running north from W Greenhurst Rd along the eastern property line.

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

MOVED by Hogaboam 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 Bruner and SECONDED by Hogaboam to approve the annexation and zoning to RS – 6 at 904 W Greenhurst Rd. (A 1.92 acre or 80,376 sq. ft portion of the SW ¼ of Section 33 T3N R2W BM), for Blake Wolf for connection to city utilities and construction of single-family housing with staff conditions and authorize the Nampa 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
Regular Council  
May 20, 2019

**Item #6-6.** - Mayor Kling opened a **public hearing** for **annexation and zoning** to RS-7 at **2700 E Amity Ave.** (A .5 acre or 21,737 sq. ft portion of the SE ¼ of Section 26 T3N R2W BM and Tax 98110) for **Ricardo Reyes** for connection to City of Nampa utilities. (ANN-00115-2019).

Applicant was not in attendance

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 property located at 2700 East Amity Avenue for Ricardo Reyes to have connection to city water and sewer services.

**General Information**

**Planning and Zoning 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. The Planning & Zoning Commission at their regularly scheduled public meeting recommended approval of annexation and zoning of this property (see attached Action Letter). **Status of Applicant:** Owner. **Annexation Location:** 2700 E. Amity Ave. (A portion of the SE ¼ of Section 26, T3N, R2W, BM and Tax 98110). **Proposed Zoning:** RS 7 (Single Family Residential – 7,000 sq., ft.). **Total Size:** Approximately .50 acre or 21,737 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- Enclaved Single Family Residential, County – R1 (2704 Amity) requested annexation and zoning to RS 7; 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 enclosed 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**

**Public Utilities:** 12” water main in E. Amity Ave. 8” sewer main in E. Amity Ave. 12” irrigation main in E. Amity Ave. **Public Services:** Police and fire already service city incorporated areas near the location. **Physical Site Characteristics:** Existing rural residential parcel with single family residence and landscaped yard. **Transportation:** Access to the property is from E. Amity Ave. on a private drive. **Correspondence:** No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to RS 7.
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 Nampa City Council approves 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 Nampa City Council approve 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) The City of Nampa shall be responsible for connecting meter to the existing stub and applicant’s plumber shall be responsible for connecting water and sewer services.

3) Standard connection fees for water and sewer services shall be paid prior to connecting to the city services.

4) With issuance of the plumbing permits, the residence will be disconnected from the existing shared well. Owners will retain the shared well for irrigation purposes.

No one appeared in favor of or in opposition to the request.
MOVED by Hogaboam and SECONDED by Haverfield to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the

MOTION CARRIED

MOVED by Hogaboam and SECONDED by Haverfield to approve for annexation and zoning to RS-7 at 2700 E Amity Ave. (A .5 acre or 21,737 sq. ft portion of the SE ¼ of Section 26 T3N R2W BM and Tax 98110) for Ricardo Reyes for connection to City of Nampa utilities with staff conditions and authorize the Nampa 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 #6-7. - Mayor Kling opened a public hearing for annexation and zoning to RD at 3500 E Greenhurst Rd. (A 1.33 acre or 57,913 sq. ft portion of the SW ¼ of Section 36 T3N R2W BM, in the SE ¼ of Section 26 T3N R2W BM) for Roberta Konzek (ANN-00117-2019).

Roberta Konzek, 723 Southside Boulevard presented the request.

Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for annexation and zoning to RD (Two-Family Residential) for property located at 3500 East Greenhurst Road for the purpose of splitting the parcel into 2 lots with the front .3-acre lot for a single-family dwelling and the back 1-acre lot for possible multiple family dwellings for Roberta Konzek.

General Information

Zoning & Planning History: The applicant purchased the property in 2007. It was zoned AG in the County. She converted the front single-family dwelling into a veterinary clinic via a CUP from the Canyon County and rented out the back manufactured home. She is requesting annexation to RD for the purpose previously stated. Status of Applicant: Owner. Annexation Location: 3500 E. Greenhurst Rd. (A 1.33 acre or 57,913 sq. ft. portion of the S ½ of the SW ¼ of Section 36, T3N, R2W, BMSE ¼ SE ¼ of Section 26, T3N, R2W, BM). Proposed Zoning: RD (Two-Family Residential – 6,000 sq., ft.). Total Size: Approximately .95 acre or 41,491 sq. ft. Existing Zoning: County R2 (Medium Density Residential). Comprehensive Plan Designation: Medium Density Residential. Surrounding Land Use and Zoning: North- Multiple and Single Family Residential; City RD, Enclaved County AG; South- Single Family Residential; City RS6, Enclaved County AG; East- Rural Residential; Enclaved County AG; West- Rural Residential; Roadway RD, Enclaved County AG. Applicable Regulations: 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 on its west (S. Lexis Way) and south (E. Greenhurst Rd.) The parcel is part of a 4-parcel approximate 3.5-acre enclaved area. **Existing Uses:** Rural residential parcel with single family dwelling (former veterinarian office use) and manufactured home.

**Special Information**

**Public Utilities:** 12” water main in E. Greenhurst Rd. 12” sewer main in E. Greenhurst Rd. 8” irrigation main in E. Greenhurst Rd. and S. Marcum Way near the parcel. **Public Services:** Police and fire already service city incorporated areas near the location. **Physical Site Characteristics:** Rural residential parcel with single family dwelling (former veterinarian office use) and manufactured home. **Transportation:** Access to the property is from E. Greenhurst Rd. **Correspondence:** No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to RD.

**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 on its west (S. Lexis Way) and south (E. Greenhurst Rd.) property lines. The parcel is part of a 4-parcel approximate 3.5-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 RD to split the parcel into 2 lots with the front .3-acre lot for a single-family dwelling and the back 1-acre lot for possible multiple family dwellings.

**Recommended Conditions of Approval**
Regular Council  
May 20, 2019

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

1) Annexation will include 50 feet of right-of-way dedication along the E. Greenhurst Rd. frontage.

2) A cross access and utility easement will be necessary for the shared access and underground utilities running across the multiple properties easterly side.

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

Those appearing with questions and concerns were: Ruben Santos, 3425 East Greenhurst Road.

The applicant presented a rebuttal to the concerns.

Mayor and Councilmembers asked questions.

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

MOTION CARRIED

MOVED by Rodriguez and SECONDED by Bruner to approve the annexation and zoning to RD at 3500 E Greenhurst Rd. (A 1.33 acre or 57,913 sq. ft portion of the SW ¼ of Section 36 T3N R2W BM, in the SE ¼ of Section 26 T3N R2W BM) for Roberta Konzek with staff conditions and authorize communication to the fence owner and authorize the Nampa City Attorney 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 #6-8. - Mayor Kling opened a public hearing for a variance to City of Nampa Zoning Ordinance Chapter 10-11-5-D.1. requiring 20 ft front yard setbacks in the RML (Limited Multiple Family Residential) zoning district for lots within the Timbercreek Subdivision No. 2, located west of S Powerline Rd and north of E Iowa Ave, within the RML zoning district. The applicants are requesting a Variance on the setbacks for the following lots: Lot 13A reduce the front setback from 20 ft to 10 ft; Lots 14A, 14B, 14C and 14D reduce the front setbacks from 20 ft to 6 ft; Lots16A, 16B, 16C and 16D – reduce the front setbacks from 20 ft to 11.79 ft; and, Lots 17A, 17B, 17C and 17D – reduce the front setbacks from 20 ft to 11.79 ft. The applicants state they are requesting the Variance in order to maintain the character
of the buildings as laid out in the amended and approved Concept Plan – because all infrastructure and easements are already in place, for Timbercreek Partners, LLC. (VAR-00071-2019)

Dennis Fermayne, 6382 Stateline Road, Freedom, Wyoming, presented the request.

Norm Holm presented the following staff report explaining that the request is for a Variance of Section 10-11-5 D. allowing a Front Yard Setback of 10’ for Lot 13A, a Front Yard Setback of 6’ for Lots 14A, 14B, 14C, and 14D, and a Front Yard Setback of 11.79’ for Lots 16A, 16B, 16C, 16D, 17A, 17B, 17C, and 17D rather than the required 20’ Front Yard Setback for the purpose/applicant explanation - The owner/applicant states they are requesting the variances in order to maintain the character of the buildings as laid out in the amended and approved concept plan, and not utilize a different building plan or reduce the number of units, because all infrastructure and easements are already in place located in the Timbercreek Subdivision No. 2 for Timbercreek Partners LLC.

General Information

Status of Applicant: Owner. Existing Zoning: RML (Limited Multiple-Family Residential). Location: West of S. Powerline Road and north of E. Iowa Avenue, Timbercreek Subdivision No. 2 (Lot 15, Block 1 of Timbercreek Subdivision No. 1 Amended, book 46, page 24 and a portion of the NE ¼ of Section 34, T3N, R2W, BM). Size of Properties: Size of each lot is as shown on the approved final Plat for Timbercreek Subdivision No. 2. Surrounding Land Use and Zoning: North- Residential, RD (Two Family Residential); South- Residential, RML (Limited Multiple-Family Residential); East- Residential, RML (Limited Multiple-Family Residential); Residential, RD (Two Family Residential). Comprehensive Plan Designation: High Density Residential

Applicable Regulations

10-24-1: [Variance] Purpose:

The Nampa 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; amd. 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 or unique 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.

10-11-5: PROPERTY AREA, WIDTH AND YARD REQUIREMENTS: (RML Zone)
D. Minimum Property Structure and Parking Front Yard (Setback): Shall be twenty feet (20') wide/ deep...

**Special Information**

**Transportation/Access:** Each parcel has direct access on the common drive/parking areas with subdivision access from the South Powerline road arterial.

**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 Nampa 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 Nampa City Council must determine if this request qualifies as a unique site circumstance providing the required justification for approval. The Nampa 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.

Staff supports the applicants requested setback variances based on maintaining the character of the buildings as laid out in the amended and approved concept plan, and not utilizing a different building plan or reduce the number of units, because all infrastructure and easements are already in place, and that this constitutes a unique site circumstance and recommends that if the Nampa City Council votes to approve the front setback variances for the affected lots it be based upon the required findings of Section 10-24-2 of the Nampa City Code.

**Recommended Conditions of Approval**

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

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

Councilmembers asked questions.

No one appeared in favor of or in opposition to the request.
Applicant presented a rebuttal.

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

MOTION CARRIED

MOVED by Hogaboam and SECONDED by Rodriguez to approve the variance to City of Nampa Zoning Ordinance Chapter 10-11-5-D.1. requiring 20 ft front yard setbacks in the RML (Limited Multiple Family Residential) zoning district for lots within the Timbercreek Subdivision No. 2, located west of S Powerline Rd and north of E Iowa Ave, within the RML zoning district. The applicants are requesting a Variance on the setbacks for the following lots: Lot 13A reduce the front setback from 20 ft to 10 ft; Lots 14A, 14B, 14C and 14D reduce the front setbacks from 20 ft to 6 ft; Lots16A, 16B, 16C and 16D – reduce the front setbacks from 20 ft to 11.79 ft; and, Lots 17A, 17B, 17C and 17D – reduce the front setbacks from 20 ft to 11.79 ft. The applicants state they are requesting the Variance in order to maintain the character of the buildings as laid out in the amended and approved Concept Plan – because all infrastructure and easements are already in place, for Timbercreek Partners, LLC with staff conditions. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

(2) Proclamation

Item #2-2. – National Public Works Week

Whereas, public works professionals focus on infrastructure, facilities, and service that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Nampa; and

Whereas, these infrastructure, facilities and services could not be provided without the dedication efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

Whereas, it is in the public interest for the citizens, civic leaders and children in the City of Nampa to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and
Whereas, the year 2019 marks the 59th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now.

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim the week of May 19-25, 2019 as “National Public Works Week”

I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Nampa to be affixed this 20th day of May in the year of our Lord two thousand nineteen.

(4) Staff Communications

Item #4-2. – Public Works Director Tom Points presented a staff report to update the council on current projects as follows:

National Public Works Week – This year, and since 1960, National Public Works Week will be celebrated by cities nationwide the week of May 19. The City of Nampa will be calling attention to the importance of Nampa’s unique, full-service Public Works Department (PWD). Staff have planned a week of scheduled events that include a hands-on activities fair for 166 Nampa students at the Street Division yard on Thursday, May 23, as well as a coloring and drawing contest for all Nampa students. A PWD employee appreciation picnic is also scheduled for Tuesday, May 21, from 11:30 a.m. to 1:00 p.m. at the Lions Park picnic shelter. The Mayor and Nampa City Council members, as crucial leaders in our community, are personally invited to the staff picnic to celebrate PWD’s continued dedication to the City of Nampa.

Indian and Mason Creeks Floodplain Study - West Consultants, Inc., (WEST) is proceeding with the Nampa City’s requested Indian and Mason Creeks Floodplain Study, which is currently about 20 percent complete, to evaluate the Indian and Mason Creeks drainage basins. Site visits are also being scheduled with Nampa’s underlying irrigation districts for WEST and city staff to review canal/drain operations and how they impact flows in Indian and Mason Creeks. The site visits are anticipated to occur in early June. Additionally, staff is coordinating meetings with adjacent jurisdictions to identify information and/or studies that could benefit the city and to hopefully develop partnerships to further advance the
reduction of the floodplain through our communities. Staff has also begun evaluating and collecting data on the Indian and Mason Creeks drainage above the New York Canal.

The schedule of events in the Indian and Mason Creeks Floodplain Study is as follows:
- Fiscal Year 2019: Data collection, concept report, and culvert restriction analysis
- Fiscal Year 2020: Drainage basin hydrologic modeling
- Fiscal Years 2020-2021: Request Federal Emergency Management Agency (FEMA) map revision, FEMA public comment, open house, and final determination

Street Division Chip Sealing Campaign - The Nampa City’s Street Division will begin its annual chip sealing campaign in Zone D on June 3. A press release was issued on May 13 notifying Nampa citizens. A list of affected roadways and a map was included (see Exhibit A). The Street Division website will be updated with work progress, along with any weather-related delays. Crews will hang door hangers to notify individual property owners when chipping is to occur on their street. With mild weather and a little luck, Street staff hopes to complete chipping, fog sealing, paint and thermoplastic applications by early August.

Funding Plan Presentation to Canyon County Highway District –
- The future of Nampa’s transportation system is at a critical juncture with an estimated $17 million-dollar annual deficit for transportation funding

- Public Works created a multiphase transportation funding strategy to:
  - **Improve Safety, System Reliability and Economic Vitality by Funding the Transportation Capital Improvement Plan (CIP) in 10-15 Years:** This plan will fund the priority capital projects identified in the Draft 2019 Transportation Master Plan that will widen lanes, expand intersections and enhance safety. The improvements support a Level of Service (LOS) D on major roadways and intersections (LOS A-No Congestion; LOS F-Gridlock). If no action is taken, major intersections will deteriorate to a LOS F by 2035, impacting congestion, freight and public safety
  - **Improve Overall Roadway Condition by Funding the Pavement Management Program in 10-15 Years:** This plan is a first step in improving the overall pavement condition of city streets. The average state of Nampa’s asphalt streets will be in a failed condition by 2030 if no funding changes are made. Funding the Pavement Management Program will apply lower cost maintenance treatments to extend the usable life of roadways and make the best use of limited maintenance and repair resources
This plan provides a roadmap to fund transportation improvements which will reduce congestion, improve maintenance, enhance safety and contribute to the economic prosperity of our city. The goals of this plan are outlined below:

- Phase I started with increasing growth-related impact fees (approved by Council in March fiscal year 2019) and requesting a 1% incremental tax increase
- Phase II requires regional support to implement vehicle registration fees in Canyon County. The plan requires approval by a county-wide majority vote and agreement between highway districts and cities. A yes vote could yield nearly $2.5 million annually to Nampa
- Public Works staff presented the plan at the April 18, 2019, meeting of the Canyon County Highway Districts. In attendance were representatives of Nampa Highway District No. 1, Notus Parma Highway District No. 3, Golden Gate Highway District, and Canyon Highway District No. 4
- Next steps will be to negotiate a memorandum of understanding between highway districts and cities within Canyon County, defining the amount and distribution of proposed registration fee increases. This plan is designed to:
  - **Provide Hope**: The plan is attainable and can be accomplished within 10-15 years without depleting resources for other critical city needs
  - **Be Equitable**: Multiple funding options are proposed, sharing responsibility amongst all those using the system
  - **Be Incremental**: Funding increases will be steady and affordable over a 10-15-year period, minimizing impacts to taxpayers. Once funding levels are achieved, smaller increases will commence to maintain the system

**Library Square Traffic Update (Fiscal Year 2019)** - In 2010, transportation planners and engineers from consulting agencies, Idaho Transportation Department (ITD), and the City of Nampa began examining ways to improve traffic safety and congestion problems around a one-block area, now referred to as the Library Square Block.

The primary challenge is moving two state highways through a downtown business corridor; (1) State Highway 45 (27,000 cars per day), and (2) I-84 Business Loop (16,000 cars per day)

In 2013, URS Engineering, Horrocks Engineers, and Nampa City staff recommended a one-way alternative be constructed along with the Library Square Block improvements. Council authorized the one-way traffic pattern.
In 2017, Nampa City staff, in partnership with Paragon Consulting, conducted a follow-up analysis to determine the effectiveness of the one-way design. The analysis recommended traffic striping changes on northbound 12th Avenue (between 2nd and 3rd Streets South) which has since led to improved efficiency and safety.

Some suggestions were proposed in 2018 to improve efficiency around the Library Square Block. Staff conducted a traffic update which evaluated the current crash data, signal timing, and striping configurations. Short-term and long-term improvements are outlined in the attached Library Square Traffic Update (FY19) PowerPoint presentation.
Why One-way Option?
- Most efficient to move large state highway traffic volumes through one block offset
- Offers decreased congestion for SH-45 through traffic
- Capacity for higher volumes as growth occurs
- Reduced impact points and less severe accidents
Why One-way Option?
Reduced Impact Points

11th Ave & 2nd St

Two-way - 20 Vehicle Conflicts

One-way - 7 Vehicle Conflicts

Why One-way Option?
Reduced Travel Times Compared to Two-way Streets

Challenges-Citizen Concerns

- Designed as a throughway for State Highway Traffic, not a downtown retail corridor
- Intersection at 12th Ave & 2nd St constrained
- Driver Confusion/Navigation Challenges
  - 2nd & 3rd St. S. traffic must navigate around the block to go north or south.

Crash History Comparison
Four Short-term Efficiency Adjustments

1. Restripe southbound 11th Avenue at 1st Street
   a. Reduce congestion and lane navigation challenges

2. Allow right hand turns (yield) on red from 11th Avenue South northbound to 3rd Street South eastbound
   a. Change red arrow bulbs to solid red
b. Add signage

Four Short-term Efficiency Adjustments

3. Add second right turn lane on 3rd Street South
   a. Reduce delay for southbound SH 45 through traffic
   b. The City of Nampa owns ROW
Four Short-term Efficiency Adjustments

4. Signal Timing Update
   a. Current plan based on 2012 data
   b. Budget for 2020

Short-term Efficiency Improvements Cost Estimate

- Design for Options 1-4: $36,600
- To NDC on 5/21/19 to request design funding
- Construction and Signal Timing Estimate $200,000-$250,000
  - Seek funding from multiple sources including ITD, NDC and PWD Street Division maintenance. ITD may participate in design or signal timing on state route.

Long-term Options
Regular Council  
May 20, 2019

To reduce freight and regional traffic through the downtown corridor...  
• Downtown Traffic Alternatives Analysis adopted by Nampa Development Corporation in 2011.  
• Subsequent SH-45 Realignment Concept Plan authorized by Council in 2012.  
• Realignment Benefit Cost Study beginning in FY19.

◊ (5) New Business ◊

Item #5-1. – The following Resolution was presented:

Fire Chief Kirk Carpenter presented a staff report explaining that the Nampa Fire department was approved to replace the SCBA Air Compressor and fill station that is located at Fire Station 1 in the 2018-19 budget year. This replacement took place in Feb. and the old compressor was moved down to our training center and was installed in place of our oldest compressor that we no longer have use for. Current value of the compressor is approx. $2500 - $3000.

We are requesting to donate the compressor removed from our Training Center to the Horseshoe Bend Fire Department. The department received new packs through a grant several years ago, and currently cannot fill their Air Packs to the designed capacity due to the condition and age of their current compressor.

We have arraigned with the vendor who sold us our new compressor system to also help Horseshoe Bend Fire and they have committed to moving the system, installing it, and provide an initial maintenance at no cost to assist with our efforts in "Paying it Forward".

A RESOLUTION OF THE MAYOR AND NAMPA CITY COUNCIL, A MUNICIPAL CORPORATION OF IDAHO, AUTHORIZING THE DISPOSITION OF CERTAIN CITY PROPERTY. (Fire Department)

MOVED by Skaug and SECONDED by Rodriguez to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 24-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-2. - Mayor Kling presented the request to authorize the Mayor to sign a contract with CenturyLink for Text to 911 service.

Dispatch Supervisor Carmen Boeger presented a staff report explaining that the Viper Phone System in Nampa Dispatch is a stand-alone system that delivers 911 calls, along with the
address and phone number of the landline calls. The phone system also delivers longitude/latitude information for 911 calls from cell phone. Non-emergency calls connect to dispatch through the Data Tel phone system, through the HNPSB phone tree, into the Viper.

The Viper System was installed new when we moved into the PSB in 2012. Because of age and our need for Text-to-911, it is due for a major upgrade and this was anticipated. The total amount necessary for the upgrade was not known at the time of the budgeting process, but we've been working with the industry partners and Nampa I.T. for several months for the best fit, eliminating anything unnecessary. Additionally, we worked with Nampa City Attorney, Marin Erickson, and the contract was returned with her approval.

This purchase request is for a phone system upgrade, which will then allow the addition of Text-to-911, which is also included in the total cost. Text-to-911 is a feature we do not currently have in Nampa. With the Viper upgrade, the Text-to-911 will deliver through our phone system, not an additional, unattached device that dispatchers would have to learn and manage. Making this extra work relatively seamless was a consideration in this decision. Our hope of having the new feature included in the phone system the dispatchers already know, a straightforward, easier addition.

The total upgrade cost will be approximately $230,000 out of our $736,000 fund balance.

MOVED by Bruner and SECONDED by Rodriguez to authorize the Mayor to sign a contract with CenturyLink for Text to 911 service. 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 to allow use of on-lot individual septic systems for the subject property with the following conditions: 1. The subdivision is limited to six (6) total buildable lots, including the two existing home sites, with a minimum allowable lot size of 1-acre. 2. All new homes hook up to available city water and pressure irrigation. 3. Septic systems are located to provide required separation to any existing and new city water infrastructure.

Tom Points presented a staff report explaining that the property owners of 700 and 701 W. Mariah Avenue, Nampa, Idaho have made a request to the City of Nampa Engineering Division to allow the use of on-lot individual septic systems for a subdivision of land consisting of six (6) total buildable lots on approximately 7.5 acres (Parcels R2299401000, R22994010A0, & R2299500000). The following facts are associated with this request.
The subject property is bounded by Nampa City limits on the north, east, and west sides. City of Nampa utility services are available directly adjacent to the property (See Exhibit A).

- 8” water main along the west boundary in Mariah Ave and Miranda Ave.
- 3” and 6” pressure irrigation main along the north, east, and west boundaries.
- 8” sewer main along the west boundary in Mariah Ave and Miranda Ave. The existing sewer main in both streets is very shallow (less than 3’ deep) making gravity connection infeasible.

The property owners split the property in 2017 to create the three existing parcels for the purpose of constructing two home sites. At that time, the Nampa Engineering Division staff informed the property owners that additional subdivision would not be supported without annexation into the City of Nampa. Two houses have since been constructed with individual well and septic.

On April 12, 2019, the Nampa Engineering Division received a notice from Canyon County Development services to review Preliminary and Final Plat application for the subject property (Promised Land Subdivision), since the property is in the City of Nampa Impact Area. The proposed subdivision consists of six (6) buildable lots, including the two existing homes, with a minimum lot size of 1.01 acres. Nampa Engineering Division staff responded on April 26, 2019 recommending the property annex into the City of Nampa and connect to available utilities instead of subdividing through the County (see Exhibit B).

On May 3, 2019, Mr. Nicholas Babak, one of the property owners, met with Nampa Engineering Division staff to discuss options to move forward with the subdivision within the City of Nampa given the sewer constraints. Three options for providing sewer service were presented:

1. Utilize individual lot grinder pumps and force mains to pump sewer to the gravity manholes in Mariah Ave and Miranda Ave.
2. Extend sewer from Woodland Drive to the east via a directional bore between two lots. The sewer is approximately 9-feet deep in this location.
3. Given the proposed lots are all greater than 1-acre in size, and the Southwest District Health Department has already approved individual septic for the proposed subdivision (see Exhibit C), request Nampa City Council to allow the development to use on-lot individual septic systems within city limits.

The property owner requested the Nampa Engineering Division pursue Nampa City Council approval for the use of on-lot individual septic systems.

The Nampa Engineering Division does not oppose the use of on-lot individual septic systems given the following facts and conditions:

1. All proposed lots are greater than 1-acre in size.
2. Southwest District Health has reviewed the proposed subdivision and approved the use of individual septic systems (Exhibit C).
3. Direct gravity connection to the adjacent city sewer to the west is not feasible due to the shallow depth.

MOVED by Bruner and SECONDED by Rodriguez for approval to allow use of on-lot individual septic systems for the subject property with the following conditions: the subdivision is limited to six (6) total buildable lots, including the two existing home sites, with a minimum allowable lot size of 1-acre and All new homes hook up to available City of Nampa water and pressure irrigation and Septic systems are located to provide required separation to any existing and new City of Nampa water infrastructure and The property is annexed into the city limits. 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 sign a Change Order #1 in the amount of $85,342.55 to address construction overages encountered during project construction.

Nampa City Engineer, Daniel Badger, presented a staff report explaining that the Engineering, as part of the FY18 Public Works Asset Management Program, identified 2nd Street South between 12th & 16th Avenues as a failed roadway and 3rd Street South between 12th & 16th Avenues as poor condition likely not to survive seven (7) years until the asset management zone is being addressed again. Both needed reconstruction (see exhibit "A", Vicinity Map).

The project added the following improvements within downtown:
- New asphalt surfacing and pedestrian ramps
- Streetscape amenities at intersections including; brick paver sidewalk, decorative streets lights, benches, planters and garbage receptacles
- Water, pressure irrigation, storm water and electrical utility upgrades.

During design and construction many changes and unknowns were encountered ranging from design changes to upgrade wall street alley bulb outs for future pedestrian crossing facilities to a degraded water main that needed replaced.

Though Idaho Materials and Construction worked diligently to complete the project on time; the City of Nampa, HDR inspection staff, and Idaho Materials and Construction identified that the contractor exceeded contractual construction time by 13 total days.
Construction overages were in the amount of $104,842.55, of this $63,833.00 were associated with the water main replacement. Liquidated damages due to exceeding contract time were assessed in the amount of $19,500.00.

In order to pay the contractor for construction services, a total change order must be approved for $85,342.55. (See exhibit “B”, Change Order #1)

The $85,342.55 will be funded from waterworks contingency in the amount of $63,833.00 and the cancelled Greenhurst Rd. Rebuild (Juniper to Sunnyridge) project in the amount of $21,509.55.

The total project costs are:

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Design</td>
<td>$242,951.48</td>
</tr>
<tr>
<td>Construction Engineering and Inspection Estimate</td>
<td>$291,885.45</td>
</tr>
<tr>
<td>Construction</td>
<td>$2,362,782.55</td>
</tr>
<tr>
<td>Total</td>
<td><strong>$2,897,619.48</strong></td>
</tr>
</tbody>
</table>

Engineering Division has managed the 2nd & 3rd Streets South Rebuild Project and recommend approving a change order for $85,342.55 to pay for construction overages due to unknowns and changes that were encountered during construction.

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **authorize the Mayor to sign Change Order #1** in the amount of **$85,342.55** to address construction overages encountered during project construction. 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 Mayor to sign MOU with NDC for the Noble Drain Trunk Sewer design work and authorize the Mayor to sign task order for professional services with JUB Engineers for the Noble Drain Trunk Sewer in the amount of $170,264 (T&M N.T.E.)** (Reviewed and Approved by Legal)

Tom Points presented a staff report explaining that at the NDC’s March meeting they requested staff to provided them with scope of work to have the Noble Drain Trunk Sewer designed from the intersection of Northside Boulevard and Ustick Road west to Midland Boulevard.
Staff worked with JUB Engineers to prepare a scope of work for these design services (see attached Scope of Work).

At the NDC’s April meeting they authorized proceeding with the design work by JUB in the amount of $170,264.

Because the selection of JUB was from the Nampa City’s On-Call list and not through a Request for Qualifications administered by NDC, their attorney has requested that the City of Nampa execute the task order with JUB and NDC will reimburse the City of Nampa for the cost of the design work.

The Nampa City’s and NDC’s attorneys have reviewed the MOU and recommend approval.

Engineering has reviewed the MOU and Scope of Work and recommend approval. **MOVED by Rodriguez and SECONDED by Skaug to authorize the Mayor to sign MOU with NDC for the Noble Drain Trunk Sewer design work and authorize the Mayor to sign task order for professional services with JUB Engineers for the Noble Drain Trunk Sewer in the amount of $170,264 (T&M N.T.E.).** The Mayor asked for a roll call vote with all Councilmembers present voting **YES.** The Mayor declared the **MOTION CARRIED**

**Item #5-6.** - Mayor Kling presented the request for appointment of the alternate voting delegate for Association of Idaho Cities June Conference.

**MOVED by Bruner and SECONDED by Rodriguez to appoint Councilwomen Levi as the alternate voting delegate for the Association of Idaho Cities June conference.** The Mayor asked all in favor say aye with all Councilmembers present voting **AYE.** The Mayor declared the **MOTION CARRIED**

**Item #5-7.** - Mayor Kling presented the request to authorize the Mayor and Public Works Director to sign a Task Order for Scope of Work for Consultant Services with Stantec for Nampa Wastewater Treatment Plant Phase II Upgrades Project Group D-Primary Digester No. 5 and Related Facilities Design. (Reviewed and Approved by Legal)

Deputy Public Works Director Nate Runyan presented a staff report explaining that the Nampa Wastewater Program is beginning design and construction activities for Phase II Upgrades at the Nampa Wastewater Treatment Plant (WWTP). The Phase II Upgrades are proposed to be constructed in five project groups. The first of these groups is Project Group
D which includes the construction of Primary Digester No. 5 and related facilities. Project Group D will begin construction in January 2020 versus the original plan of 2024.

In February 2018, Nampa City Council approved the WWTP Facility Plan, which identified the need for a fifth primary anaerobic digester and replacement of the waste gas flare in Phase II Upgrades.

In September 2018 the City of Nampa renewed its Professional Services Agreement with Stantec Consulting Services, Inc., (Stantec) to perform professional services for the WWTP Phase I Upgrades Project Group C - New Anaerobic Digester. These services included Primary Digester No. 2 structural retrofits evaluation and the final design of Primary Digester No. 4.

This evaluation produced a preferred investment strategy for the WWTP primary digesters including construction of Primary Digester No. 5 in fiscal year 2020. The Facility Plan construction year was originally 2024. By accelerating construction of Primary Digester No. 5, inflationary savings of $2.8 million are estimated.

Staff recommends Stantec perform professional services for Project Group D - Primary Digester No. 5 and Related Facilities Design given their specific expertise, knowledge, and performance on Primary Digester No. 4.

Staff has negotiated a scope and fee with Stantec for design services for Project Group D (see Exhibit A). The primary elements are as follows:

- Design of Primary Digester No. 5 and related facilities including civil, electrical, instrumentation and controls, mechanical and structural design.
- Design of new waste gas flare, relocation of the existing waste gas flare and associated facilities.
- Preparation of Class 3 Opinion of Probable Construction Costs and schedule and sequencing plan for construction.
- Support Public Works Department staff with the City of Nampa Building Department permitting and Idaho Department of Environmental Quality review process.

The Wastewater Division fiscal year 2019 budget for Project Group D is $500,000. This budget was set before the scope of Project Group D was fully defined. The current Phase II Upgrades budget includes $1,081,000 for the design of Project Group D.

City of Nampa staff and Stantec have agreed upon a scope and fee in the amount of $549,500.00 T&M NTE (time and material not to exceed). The fee for this work is significantly lower than the budgeted amount as a result of the efficiencies inherent with using a consistent design team.
MOVED by Rodriguez to authorize the Mayor and Public Works Director to sign Task Order for Scope of Work with Stantec for the Nampa Wastewater Treatment Plant Phase II Upgrades Project Group D - Primary Digester No. 5 and Related Facilities Design in the amount of $549,500.00 T&M NTE.  

MOTION DIED FOR LACK OF SECOND

MOVED by Haverfield and SECONDED by Rodriguez to authorize the Mayor and Public Works Director to sign Task Order for Scope of Work with Stantec for the Nampa Wastewater Treatment Plant Phase II Upgrades Project Group D - Primary Digester No. 5 and Related Facilities Design in the amount of $549,500.00 T&M NTE.  The Mayor asked for a roll call vote with all Councilmembers present voting YES.  The Mayor declared the motion CARRIED

Item #5-8. – The following Resolution was presented:

A RESOLUTION OF THE NAMPA CITY COUNCIL, CANYON COUNTY, IDAHO, Implements INCREASES IN THE SERVICE FEES CHARGED BY THE CITY OF NAMPA FOR WASTEWATER RATES AND USER FEES.

MOVED by Bruner and SECONDED by Rodriguez to pass the resolution as presented.  Mayor Kling asked for a roll call vote with all Councilmembers present voting YES.  The Mayor declared the resolution passed, numbered it 25-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-9. – The following Resolution was presented:

A RESOLUTION OF THE NAMPA CITY COUNCIL, CANYON COUNTY, IDAHO, Implements INCREASES IN SERVICE FEES CHARGED BY THE CITY OF NAMPA FOR WASTEWATER HOOKUP FEES.

MOVED by Hogaboam and SECONDED by Rodriguez to pass the resolution as presented.  Mayor Kling asked for a roll call vote with all Councilmembers present voting YES.  The Mayor declared the resolution passed, numbered it 26-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-10. – The following Ordinance was read by title:
AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLYKnown AS 2700 E. AMITY AVENUE, COMPRISING APPROXIMATELY 0.5 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE NAMPA CITY LIMITS, 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 OF NAMPA 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 Richardo Reyes)

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 Skaug 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 4437 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 DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS AN UNADDRESSED PARCEL LYING SOUTH OF CHERRY LANE BETWEEN TEN LANE AND MIDLAND BOULEVARD, COMPRISING APPROXIMATELY 21.395 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE NAMPA CITY LIMITS, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE HC (HEALTHCARE) 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 NAMPA 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 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 Levi 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 4438 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 Attatched 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 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) (c) To acquire an interest in real property which is not owned by a public agency.

Item #9-2. - Mayor Kling presented the request to adjourn into Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (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 Rodriguez to adjourn into executive session at 10:38 p.m. pursuant to Idaho Code 74-206 (1) (c) To acquire an interest in real property which is not owned by a public agency and Idaho Code 74-206 (1) (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 Hogaboam to conclude the executive session at 11:05 p.m. during which discussion was held regarding Idaho Code 74-206 (1) (c) To acquire an interest in real property which is not owned by a public agency and Idaho Code 74-206 (1) (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 Hogaboam to adjourn the meeting at 11:06 p.m. The Mayor declared the

MOTION CARRIED

Passed this 3rd day of June 2019.

____________________________________
MAYOR

ATTEST:

____________________________________
NAMPA CITY CLERK