

**Special Council Meeting
May 24, 2021**

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

Clerk made note that Councilmembers Rodriguez, Bruner, Mutchie, Levi, Haverfield, Bower were present.

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

MOVED by Haverfield and **SECONDED** by Bower to **approve the Agenda as presented:**

Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. Mayor Kling declared the

MOTION CARRIED

❖ **(2) Proclamation** ❖

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 veterans in need, 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;” and

Whereas, I urge the citizens of this community to recognize the merits of this cause and support their efforts to recognize 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 we continue to enjoy as American citizens.

Now Therefore, I, Debbie Kling, Mayor of the City of Nampa, Idaho, do hereby proclaim the days of May 27th, 28th, and 29th 2021 as

“VFW Buddy Poppy Days”

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❖ (2) New Business ❖

Item #2-1 – Jamie Burns with the Nampa Police Department presented a report that on 03-24-2021 at approximately 11:58 pm, numerous Nampa Police Department officers responded to the area of the Agave Cantina, 1516 1st Street South, in the City of Nampa, County of Canyon, for a call of a man with a firearm. As officers were responding, they were told the suspect had walked up to a group of people who were outside of the Agave Cantina and brandished the firearm. The suspect then walked into the Agave Cantina establishment.

Once officers arrived on scene, it was determined the aggravated assault did occur outside of the establishment in the parking lot. Officers entered the Agave Cantina and contacted the aggravated assault suspect, as well as others who were identified as being involved in the incident. When officers attempted to identify the suspect, it was determined he had no form of identification. The suspect was later positively identified as being a 19-year-old who told police he had been consuming alcoholic beverages inside of the Agave Cantina. Contact was made with the Agave Cantina bar tenders who were asked how they identified the suspect consuming alcoholic beverages in their establishment. Both told police they looked at his ID when he came into the establishment.

The male suspect was arrested and charged with felony aggravated assault (Title 18, Chapter 9, Idaho Code), providing false information to a peace officer (Title 18, Chapter 54, Idaho Code), and a minor consuming alcoholic beverages (Title 23, Chapter 6, Idaho Code).

Both Agave Cantina bartenders were charged with dispensing an alcoholic beverage to a person under the age of 21(Title 23, Chapter 6, Idaho Code). Based on the information above the Alcohol Review Committee voted to make the recommendation to Nampa City Council to revoke the alcohol license held by Agave Cantina.

Attorney Bill Carter and Danny Palomera representing the Agave Cantina provided a response to the report given by Jamie Burns.

MOVED by Bruner and **SECONDED** by Bower to accept the **recommendation** of the Alcohol Review Committee to revoke the Alcohol license held by Agave Cantina. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Clerk also noted that Councilmember Mutchie was absent and did not vote.

Victor Rodriquez left at 6:41 PM for another appointment

Item #2-2 - Mayor Kling presented the request to **Approve** the 2021 Alcohol Renewal List

MOVED by Bruner and **SECONDED** by Bower to **Approve** list as presented. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

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Item #2-3 - Mayor Kling presented the request for **Authorization** to sign alcohol renewal licenses for establishments that satisfy all state and county requirements, complete a background check, are not subject to any pending actions from the Alcohol Review Committee, and who have made full payment to the clerk by the June 1st deadline

MOVED by Bruner and **SECONDED** by Haverfield to **Authorize** the Mayor to sign the alcohol renewal licenses as requested. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Clerk also noted that Councilmember Mutchie was absent and did not vote. The Mayor declared the

MOTION CARRIED

Item #2-4 - Report out of Fiscal Impact Study

Finance department presentation

HB389

HB 389 IMPACT REVIEW

Critical Factors:

- **General Govt – Public Safety Funding**
- **Fire District Separation**
 - **Fire Funding Analysis**
- **HB 389 Language**
 - **First Review by Canyon County**
 - **Second Review by Canyon County**
- **Path(s) forward**

**General
 Government
 &
 Public Safety
 Funding**

• **General Gov. Levy usage**

Based on Expenses Net of Revenues			
Gen Gov Property Tax Levy	2018-2019	2019-2020	Current year 2020-2021
Property Tax Levy - Gen Gov	32,882,364	34,630,920	36,412,451
Fire Budget (net of revenues)	11,576,723	12,270,127	12,517,669
Police Budget (net of Revenues)	24,983,280	25,003,847	25,075,877
Total Police and Fire	36,560,003	37,273,974	37,593,546
Net Funding Prop Tax Gap	(3,677,639)	(2,643,054)	(1,181,095)

**Fire Dept.
 Property Taxes**

Gen Gov Revenues by Source

5/14/2021 7:09

	2020		
	2020	Total %	Gen & Shared
Property Taxes	(34,630,920)	66.5%	77.5%
Shared Revenues	(10,074,385)	19.4%	22.5%
Transfers	(2,023,905)	3.9%	
Allocations - Fire	(1,176,686)	2.3%	
Allocations- Police	(2,134,682)	4.1%	
Misc	(2,013,885)	3.9%	
Total	(52,054,463)	100.0%	100.0%
Total Expenses			\$15,083,657
FEE's Reimbursements			(\$2,813,530)
Fire Net Budget			\$12,270,127
property taxes - Fire			9,505,042
Shared Revenues - Fire			2,765,085
Fire Net Budget			12,270,127

4/24/2021

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**HB 389 First
 Reading of Bill**

- Prohibits the city from Budgeting for Fire
- Vague language on how to define “money’s spent” for Fire (covered in next slide)
- Limited to **90%** of total New Construction and Annexation
- Limited to **8%** total budget increase
 - Includes the **3%** legislated limit
 - Includes Forgone
 - Includes New construction and Annexations

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**HB 389 First
Canyon County
Review**

SECTION.

(iii) Following the first year in which a fire protection district has annexed city property pursuant to section 31-1429, Idaho Code, the city shall subtract an amount equal to the moneys spent on fire protection services during the last full year the city provided fire protection services to its residents from its budget limitation under this section.

If the taxing district has not imposed a levy for three (3) or more

The “Money’s spent” definition could force us to remove **\$4.3 MORE** from our budget than we received in property taxes

4204000

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**HB 389 second
Canyon County
Review**

SECTION.

(iii) Following the first year in which a fire protection district has annexed city property pursuant to section 31-1429, Idaho Code, the city shall subtract an amount equal to the moneys spent on fire protection services during the last full year the city provided fire protection services to its residents from its budget limitation under this section.

The “Budget Limitation” language allows the County to more accurately define **“Money’s Spent”** as property taxes assigned to the Fire Department

4204000

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**2021 Property
 Tax
 Preliminaries**

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New Construction total estimate	\$3,650,988
3% Limit	<u>\$1,310,245</u>
Property tax potential	\$4,961,233
8% CAP	<u>\$3,493,986</u>
Lost property taxes	(\$1,467,247)
90% Cap – current budget	\$3,285,889
Lost new construction	\$ 365,099
8% CAP	<u>\$3,493,986</u>
Current budget under CAP	\$ 208,097

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**2021 Property
 Tax
 Preliminaries**

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New Construction – Old legislation	\$3,650,988
New Construction – New legislation (est)	<u>\$2,589,907</u>
<i>(Take a stab at it Legislative guidance)</i>	
Lost New Construction potential	\$(1,061,081)

4/24/2021

**The Path(s)
 Forward...**

Option (1)
 Potential Define the “Take a Stab at it approach” with a levy rate, applied to New Construction and Annexations to reach the 8% limit of \$3.5 million

Option (2)
 Leverage a portion of the 3% limit to cover the amounts lost by the Take a Stab at it Levy rate, to reach the 8% limit of \$3.5M

**Future
 Considerations**

The removal of the Fire district from our base will reduce future property tax increases, estimated below:

	<u>2021</u>	<u>2022</u>
Property Tax Base	43,674,828	37,663,773
3% increase	1,310,245	1,129,913
8% Cap	3,493,986	3,013,102
Less Fire Department	(9,505,042)	0
Estimated Total	<u>37,663,773</u>	<u>40,676,874</u>

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❖ (3) Executive Session ❖

Item #3-1 - Mayor Kling presented the request to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)

- Idaho Code 74-206 (1) (j) To consider labor contract matters authorized under section 74-206A (1)
- Idaho Code 74-206 (1) (c) To acquire an interest in real property not owned by a public agency

MOVED by Haverfield and **SECONDED** by Bower to Adjourn into Executive Session at 9:00 PM. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Kling presented a request to **Adjourn** out of executive session.

MOVED by Bower and **SECONDED** by Haverfield to **Adjourn out** of executive session at 9:05 PM. The Mayor asked for all in favor to say aye with all Councilmembers present voting **AYE**. The Mayor declared the

MOTION CARRIED

Mayor Kling presented a request to **Amend** the agenda to allow Representative Ben Adams to make comments on House Bill 389.

MOVED by Bower and **SECONDED** by Haverfield to **Amend the Agenda as requested**. The Mayor asked for all in favor to say Aye with all Councilmembers present voting **AYE**. The Mayor declared the

MOTION CARRIED

Representative Ben Adams made comments and answered questions on the recently passed on House bill 389 that was recently passed by the Idaho State Legislature

Item #3-1 - Mayor Kling presented the request to Adjourn back into Executive Session Pursuant to Idaho Code 74-206 (1)

- Idaho Code 74-206 (1) (j) To consider labor contract matters authorized under section 74-206A (1)
- Idaho Code 74-206 (1) (c) To acquire an interest in real property not owned by a public agency

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MOVED by Haverfield and **SECONDED** by Bower to Adjourn into Executive Session at 9:15 PM. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Kling presented a request to **Adjourn** out of executive session.

MOVED by Bower and **SECONDED** by Haverfield to **Adjourn out** of executive session at 9:33 PM. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

The meeting adjourned at 9:35 PM

Passed this 6th day of July 2021.

MAYOR

ATTEST:

NAMPA CITY CLERK