

## REGULAR COUNCIL

June 3, 2019

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

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

Mayor Kling amended the agenda by removing item #1-5. - Authorize Staff to open a CDBG 30-day comment period on June 14th for our Draft 2019 Program Year Action plan and item #5-10. - Authorize Mayor and/or Public Works Director to Execute any Necessary Documents Pertaining to the Idaho Transportation Department Right-of-Way Acquisition of City of Nampa Cemetery Property.

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

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **approve the Consent Agenda with the above-mentioned amendments; Item #1-1. - Minutes** - Regular Council Minutes of **May 20, 2019**; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; Airport Commission Minutes; Planning & Zoning Commission Minutes of **May 14, 2019**; Library Commission Minutes; bills paid; **Item #1-2. - The Nampa City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; Item #1-3. - Final and Preliminary plat approvals: 1) None; Item #1-4. - Authorize Public Hearings: 1) Monday, July 1, 2019, Public Hearing to Present Recommended Fiscal Year 2020 Increases to Water Rates and Fees; 2) Monday, July 1, 2019, Public Hearing to Present Recommended Fiscal Year 2020 Increases to Water Hookup Fees; 3) Annexation and Zoning to RS-7 (Single Family Residential – 7000 sq. ft minimum lot size) zoning district, for Gemstone Subdivision at 3615 Southside Blvd (16 single family detached lots on 5 acres for 3.2 dwelling units per gross acre – a 5-acre or 217,800 sq. ft portion of the SE ¼ Section 20 T2N R2W BM), for Mason and Associates representing Lanco, Inc; (ANN-00119-2019); Item #1-5. - Authorize Public Comment Period: 1) Authorize Staff to open a CDBG 30-day comment period on June 14th for our Draft 2019 Program Year Action plan; Item #1-6. - Authorize to Proceed with Bidding Process: 1) Council authorize the Engineering Division to proceed with the formal bid process for the Indian Creek Pathway Extension (Taffy to Peppermint), Key No. 20141; Item #1-7. - Authorization for execution of Contracts and Agreements; 1) Authorization for the Mayor to sign the Release of Lot Sale and Lot Improvement Delay Agreement (Exhibit A) for Lots 1 through 11, Block 8; Lots 1 through 5 and 19 through 21, Block 7; and Lots 30 through 48, Block 1 of Canyon Creek Subdivision No. 2; 2) Authorize Mayor and Public Works Director to sign Task Order Amendment with Paragon Consulting, Inc. to provide construction engineering and inspection services for the Greenhurst Rebuild – Midland to Juniper project in the amount of \$28,980.00 (T&M N.T.E.); 4) Authorize Mayor and Public Works Director to sign Task Order Amendment and Contract for Professional Services between the City of Nampa and Parametrix, Inc. for the Zone F Annual Pipeline Replacement project in the amount \$ 93,519.00, Time and Materials Not to Exceed; Item #1-8. - Monthly Cash Report: 1) None; Item #1-9. - Resolutions: 1) None; Item #1-10. - License for 2019: a) *Renewal Liquor*: 1) **The Steel Horse Saloon**, 102 11<sup>th</sup> Avenue North, on-premise beer, wine and liquor; b) *New Liquor*: 1) None; **Miscellaneous Items**: 1) None. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. Mayor Kling declared the**

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❖ **(2) Proclamation** ❖

**Item #2-1** - None

❖ **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):** ❖

- CEO Lynn Gunter of Boy Scouts of America – Be Prepared means preparing young people for life. Its achievement. It's academic skills, self-confidence, ethics, citizenship, and leadership. Its experience that broaden horizons and show young people what's possible. It's time tested program that foster the spirit of discovery for future innovators by investing in new relevant programs.
- Rosemary Nelson, 11911 West Busted Drive – Storage Units

❖ **Mayor Kling's and Council Comments** ❖

- Introduction of Butch Schierman, Director of IT - Mayor

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

- None

❖ **(4) Staff Communications** ❖

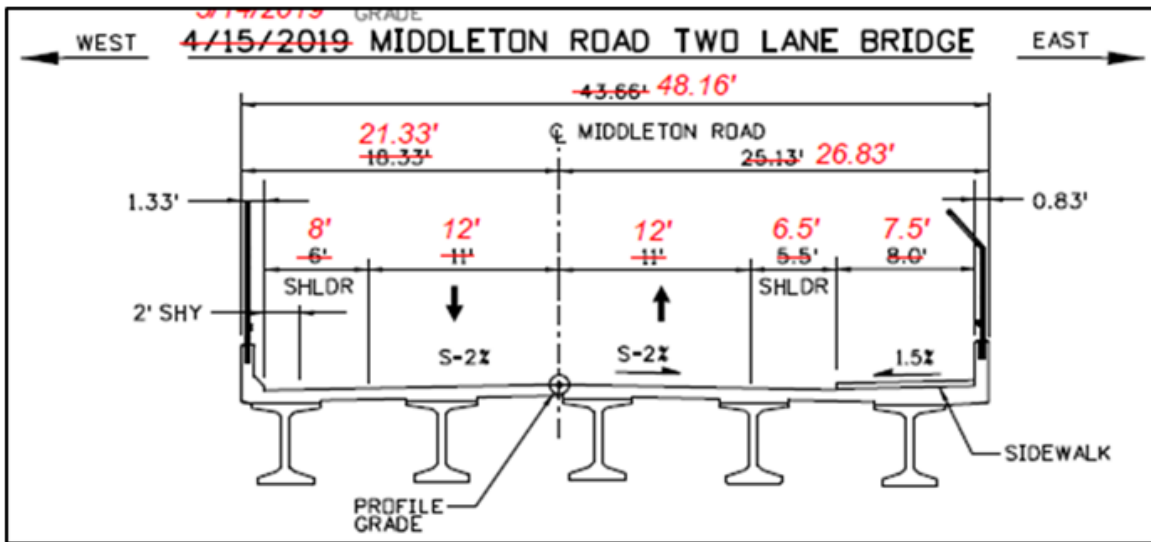
**Item #4-1.** – Nampa Engineer Daniel Badger presented a staff report to update the council on current projects as follows:

**I-84 Middleton Overpass Design Update/I-84 Widening Project (Nampa to Caldwell)** – Phase II of the Idaho Transportation Department (ITD) I-84 Widening Project, from the Karcher Interchange in Nampa to the Franklin Road Interchange in Caldwell, is underway. The improvements are part of a major roadway project addressing needs on I-84 from Nampa to Caldwell. The work is expected to improve safety, address congestion and benefit the regional economy for many years.

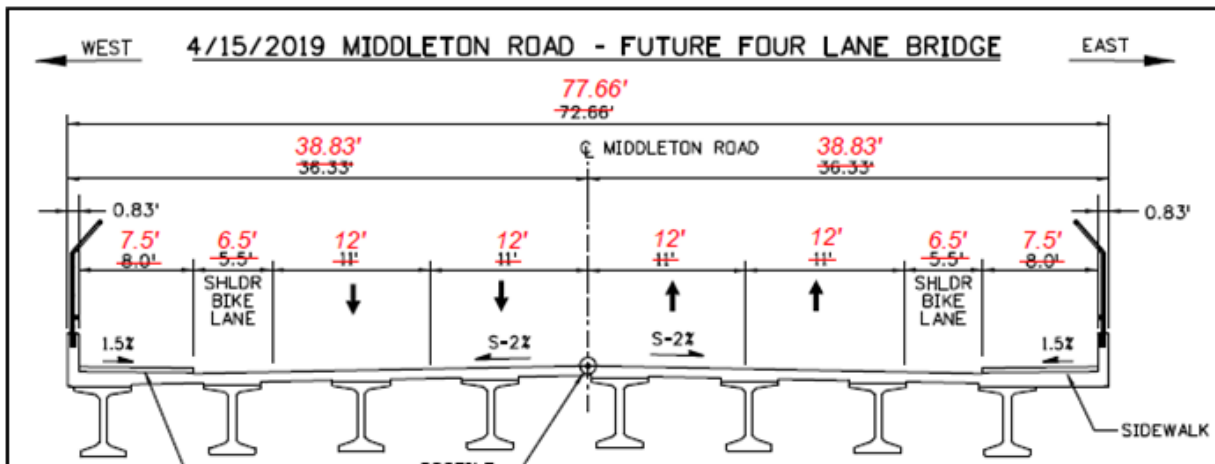
As part of the Phase II improvements, ITD is working with city staff to complete the design for the Middleton overpass. The existing structure will be demolished and replaced with a new overpass with bike lanes, sidewalk and travel lanes.

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Current and future design options are proposed. The current proposed construction plan includes bike lanes, sidewalk facilities, and a two-lane option that is projected to meet capacity needs until 2045. The proposed section is shown below (changes recommended by Nampa City staff in red):



The long-term option is the full build of Middleton Road according to city standards as shown below:



ITD will pay for the cost of the current two-lane proposal, but not the full build out. Expanding the two-lane to the full build out option would be an additional \$4 to \$6 million dollars at the City of Nampa's expense.

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Widening of Middleton in this area is not in the City of Nampa's Transportation Master Plan Capital Improvement Project (CIP) list.

**I-84 Business Loop (Homedale Road to Karcher Road)** - ITD has been in communications with Caldwell and Nampa to turn over portions of the I-84 Business Loop (I-84B) to the respective local jurisdictions.

A draft agreement is in place between ITD and Caldwell to take over all the Nampa Caldwell Boulevard within their city limits (see Exhibit A). ITD will pay Caldwell \$2.4M to offset for personnel and maintenance start-up costs. This portion would start at SH-19, include the full couplet through Caldwell, and end at Homedale Road (the city limit). The agreement has been approved by Caldwell City Council and will be presented to the ITD Board in June 2019.

The Caldwell agreement leaves a dead-end section of I-84B from Karcher Road to Homedale Road in Nampa. ITD initiated conversation with Nampa to turn this portion of I-84B over to the City of Nampa.

Engineering staff is in preliminary negotiations with ITD. Initial conversations include the following:

- In exchange for Nampa taking over .73 miles of I-84B from Homedale Road to Karcher Road, ITD will take back jurisdiction of one (1) mile of Northside Boulevard from I-84 to 2<sup>nd</sup> Street South. This section of Northside includes three bridge structures over Union Pacific Railroad, Indian Creek and Phyllis Canal
- If Northside is turned over to ITD it would help to further Nampa City's goal to realign SH-45 (12<sup>th</sup> Avenue South) around downtown; potentially using 7<sup>th</sup> Street South and connecting to Northside. ITD's partnership in funding the SH-45 realignment environmental study is a desire of the City of Nampa
- The City of Nampa submitted a Local Highway Safety Grant application in fiscal year 2018 to install a signal at Northside and 4<sup>th</sup> Street North. In addition, the grant included rebuilding the adjacent Broadmore Bridge over Indian Creek. ITD completing this signal project is of interest to the city
- Caldwell Boulevard includes approximately 250,000 more square feet of asphalt than the section of Northside. Maintenance of the increase asphalt is of concern to the City of Nampa

Public Works staff intends to continue negotiating a draft agreement with ITD. Initial feedback from Council is requested.

**Engineering Division Fiscal Year 2019 Capital Project Plan** - In fiscal year 2018, Engineering Division staff presented a workforce plan for the engineering/capital projects that identifies organizational strategies that will save the City of Nampa professional services costs over the next

five years. A combination of in-house and outsourced services is proposed to deliver the following goals:

- Improve level of service and lower consulting costs by adding in-house construction inspection, civil engineering design, planning and public involvement capacity. Hire additional staff to complete approximately 20-30% of civil engineering design/public involvement and 60% of construction engineering inspection services in-house within five years.
- Deliver 100% of capital projects in the designated funding year.

The Fiscal Year 2019 Project Delivery Dashboard (see Exhibit B), dated June 3, 2019, provides an update on the workforce plan efforts and a list of capital improvement projects scheduled for this fiscal year.

Key elements of the fiscal year 2019 capital projects plan are summarized as follows:

- **Hire additional staff to reduce outsourced consulting costs:** Engineering will hire one engineer in training (EIT), one contract administrator, and one part-time public involvement professional. According to the five-year work force plan, a total of nine in-house staff will be added. Generally, an in-house employee can save the City of Nampa up to 40% of what a consultant would cost.
- **Current Staffing Summary:** Due to recent promotions within Engineering, the division is understaffed. Caleb LaClair, Assistant City Engineer, has recently been hired fulltime to oversee development, and Tiffany McCree, Public Involvement Coordinator, has been hired part-time to assist with public outreach and involvement. Staff have attempted to hire two additional staff engineers; unfortunately, due to difficulty finding qualified engineering candidates no hires have been made.
- **Utilize Increased In-house Staff to Design, Inspect and Conduct Public Involvement Services for Some Projects:** By fiscal year 2023, Engineering Division's goal is to provide approximately 20-30% of civil engineering design/public involvement and 60% of construction engineering inspection services in-house. For the first year of the plan, the goal is for in-house staff to complete approximately 11% of the civil engineering design/public involvement and 43% of inspection services. The percentage of work in-house will increase annually as the number of employees grow and experience/efficiency increases.
- **List of Fiscal Year 2019 Streets, Wastewater, Water (Domestic) and Water (Pressure Irrigation) Projects and Schedule:** Engineering will strive to deliver 100% of the 61 total design and construction projects within the fiscal year 2019 funding year. Total capital funding is \$19,744,111. To meet the goal of 100% delivery of capital projects in the designated funding year, Engineering staff has begun to obtain scopes of work for projects that cannot be completed with internal staffing due to difficulty finding qualified applicants.

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By utilizing in-house resources for design and inspection, as well as staffing savings this fiscal year due to not being able to hire qualified applicants, staff have provided an estimated \$442,810 in project savings, exceeding the fiscal year goal of \$400,000.

❖ (5) New Business ❖

**Item #5-1.** - Mayor Kling presented the request to **award** the **bid** and **authorize** the **Mayor** to **sign** the contract with Consurco, Inc. for the Phase 2 Concrete Repair and Waterproofing Project for Hugh Nichols Public Safety Building for an amount not to exceed \$175,487.00.

Building and Safety Director Patrick Sullivan presented a staff report explaining that the Facilities Development has identified the need to repair damaged and spalling concrete at the parking garage in the Hugh Nichols Public Safety Building, and new waterproofing to seal and protect. The project is to be funded by Facilities Development. The expenditure was approved as part of the 2019 budget for an amount of \$240,000.00. The \$240,000 is coming from two accounts: \$125,000 was included in the Facilities Development Capital Projects Account and \$115,000 was rolled over from the FY18 Budget and included in the Facilities Development Buildings Account for this Project.

Documents have been reviewed and approved by Legal.

The cost of the project will be \$175,487. The remaining budget amount will be used for design services and construction contingency.

The Proposer provides all management, supervision, labor, materials, supplies, and equipment, and will plan, schedule, coordinate and assure effective performance of all services described herein. Summarily they will repair damaged and spalling concrete at the parking garage in the Hugh Nichols Public Safety Building and provide new waterproofing to seal and protect.

Facilities Development procured bids for the project using a Formal Bid Process. A pre-bid walk through was conducted at the project site on April 23, 2019 at 10:00 a.m. A Public Bid Opening was held on May 9, 2019 at 2:00 p.m.

A total of four (4) bids were received on May 9, 2019.

RepairCrete, LLC, appeared to be the low bidder, however during the regular review process it was discovered that they did not hold the required Idaho State Public Works License. The bid was rejected since it was not fully responsive to the requirements of the Notice to Bid. The apparent low bid was received from Consurco, Inc.

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Contractor will be required to provide necessary bonds, insurance and other documents before the agreement can be executed and the Notice to Proceed issued.

**MOVED** by Bruner and **SECONDED** by Hogaboam to **award the bid and authorize the Mayor to sign contract with Consurco, Inc.** for the HNPSB Phase 2 Concrete Repair and Waterproofing Project not to exceed the contract amount of **\$175,487**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the  
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**Item #5-2.** – The following Resolution was presented:

Finance Director Doug Racine presented the following staff report:

The proposed budget amendment is funded primarily using unassigned fund balances in the General Fund and by restricted fund balances in other funds that are available to be applied to this budget amendment. These balances have accumulated as of the close of fiscal 2018.

The total unassigned fund balance in the General Fund amounted to \$13,211,894 at the close of fiscal 2018. This amendment calls for \$3,231,337 to be used for funding, leaving \$9,980,557 remaining in General Fund’s unassigned fund balance.

The total **General Fund** request is comprised of \$3,261,337 from existing fund balances and \$963,546 from lease proceeds related to the acquisition of two fire trucks in fiscal 2019, and is detailed below:

Department/ Division	Budget Request	Proposed Cost
<b>GENERAL FUND</b>		
<b>Facilities Development</b>	Fund Balance - Purchase of First Interstate Bank Building	\$2,533,822
<b>Facilities Development</b>	Fund Balance - Utility Costs for the remainder of Fiscal Year 2018-2019	49,524
<b>Facilities Development</b>	Fund Balance - Capital Improvements to First Interstate Bank Building HVAC/Roof	477,746
<b>Facilities Development</b>	HNPSB facility repairs due to flooding	125,375
<b>City Council</b>	Rollover - Appropriates Funds for Travel and Training	5,870
<b>Planning and Zoning</b>	Rollover - Funds Legal Fees	30,000
<b>Finance</b>	Fund Balance - Appropriates additional funds for the annual audit	39,000
	<b>Funded from existng General Fund Balances</b>	<b>3,261,337</b>
<b>Nampa Fire Dept.</b>	Lease Purchase of two Fire Trucks	963,546
	<b>General Fund Total</b>	<b>\$4,224,883</b>

The proposed Street Fund budget requests, inclusive of Stormwater, amount to \$1,136,178. These requests are funded in total using the available restricted unassigned fund balance in the Street

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Fund. Equipment purchases comprise \$80,000 of the total. Various intersection improvements account for \$82,832 and \$574,114 is earmarked for infrastructure replacement. In the non-capital expenditure category \$120,299 will be spent on a Transportation Masterplan for future projects and \$58,843 will be expended on paving management. In the Stormwater Management Program, \$140,090 will be spent on the installation of new catch basins, manholes, ponds, and stormwater mainline improvements.

The Street Fund finished FY 2018 with a restricted, but unassigned fund balance of \$8,235,995. The FY 2019 Budget used \$904,564 of the ending unassigned balance to help fund the Budget. This proposal will draw upon an additional \$1.1M, leaving an available balance of \$6,195,253.

Department/ Division	Budget Request	Proposed Cost
<b>STREET FUND</b>		
	Fund Balance - Purchase of a snowplow and sander	\$30,000
	Fund Balance - Purchase of water tank for the water truck chassis	50,000
	Fund Balance - Intersection Improvement – Round About at Ustick	47,505
	Fund Balance - Intersection Improvement – Traffic Signal at 39 <sup>th</sup> and Comstock	27,801
	Fund Balance - Intersection Improvement – SH45 ped crossing on 12 <sup>th</sup>	7,526
	Fund Balance - Building Improvement – Restroom renovation	80,000
	Fund Balance - Infrastructure – 2 <sup>nd</sup> & 3 <sup>rd</sup> Street rebuild including pavement, new sidewalk, new gutter, new irrigation and water lines	574,114
	Fund Balance - Infrastructure - annual project to install new catch basins, ponds, stormwater mainline, etc.	140,090
	Fund Balance - Study – Transportation needs Masterplan	120,299
	Fund Balance - Paving – Greenhurst Road	58,843
	<b>Street Fund/Stormwater Total</b>	<b>\$1,136,178</b>

The City of Nampa has eleven Special Revenue Funds which are used to account for the proceeds of specific revenue sources that are restricted or committed to expenditures for a specified purpose. The budget amendment proposes to use fund balances to increase the level of expenditure in three of the funds including the Recreation Center Fund, 911 Fee Fund, and the Grants and Contracts Fund.

The Recreation Center Fund accounts for the operations of the Nampa “Rec. Center”; it is supported by charging primarily by membership fees and facility rentals. At the close of Fiscal Year 2018, the Center’s available fund balance amounted to \$3,504,295. The FY 2019 Budget earmarked \$23,600 to be used. The budget amendment proposes to expend an additional \$688,000 of the fund balance for capital purposes. The remaining fund balance will amount to \$2,783,529.



Financing for the 911 Fee Fund comes from a surcharge levied on telecommunications service providers that collect the 911 fees from their customers on behalf of the City of Nampa. The funds are used to pay for the cost operating, maintaining, and upgrading the city’s emergency 911 network. The available balance in the Fund at the close of Fiscal Year 2018 was \$571,613, of which, \$110,594 was committed to the FY 2019 Budget to continue system operations. The Nampa Police Department proposes to use an additional \$253,000 to upgrade or replace existing software and hardware necessary to maintain uninterrupted Network services. Approval of the request would leave \$208,019 remaining in the Fund for future use.

The operation of Nampa City’s Parks and Recreation Program is comprised of several funds and a diverse revenue stream including fees for service, support from property tax revenues, grants, donations, and other miscellaneous revenues. The spending increase proposed in the budget amendment is made possible using the remaining balance in the Grants/Donations Fund accrued to Parks and Recreation and from the transfer of \$100,000 from the available fund balance of the Capital Projects Fund. The \$139,000 will be used for installing irrigation and seeding the Orah Brandt Park and for improvements at the Amity Dog Park.

Department/ Division	Budget Request	Proposed Cost
<b>SPECIAL REVENUE FUNDS</b>		
<b>RECREATION CENTER</b>	Buildings – Boiler replacement	\$63,000
	Buildings – Restroom renovation	36,000
	Buildings – Entrance Construction	113,000
<b>RECREATION CENTER FUND</b>	Equipment – Provides funding for weight room, cardio equipment, etc.	476,000
	<b>Recreation Center Fund Total</b>	<b>\$688,000</b>
<b>911 FEE FUND</b>	Capital Acquisition or Upgrade to 911 Emergency Communications System	253,000
<b>GRANTS AND CONTRACTS</b>	Capital Improvements – This request funds various land improvements including irrigation and seeding the Orah Brandt Park	139,000
	<b>Special Revenue Fund Total</b>	<b>\$1,080,000</b>

Capital Projects consists of two Funds; The Developmental Impact Fee Fund (DIF) and Capital Projects Fund (CPF). The Developmental Impact Fee Fund is authorized by State Statute in Chapter 87, Title 82. The purpose is to provide resources for necessary capital investments for the expansion of recreational, transportation, public works, and public safety services due to residential and commercial development within the City of Nampa’s Impact Area. The funds must be used for capital investment only as State Law prohibits the use of these funds for planning or operations and maintenance activities. The Capital Projects Fund accounts for financial resources restricted, committed, or assigned for capital projects in the Nampa City’s Governmental Funds. These resources may be used for the acquisition or construction of capital assets.

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The restricted balance in the DIF amounted to \$4,194,351 at the close of Fiscal Year 2018. \$1,527,440 was made available at the commencement of Fiscal 2019 to fund planned projects. This budget amendment proposes to expend an additional \$672,000 to be funded using \$72,000 of the remaining balance in the fund, and, an increased forecast in the collection of fees during the remainder of Fiscal 2019. Sans consideration of any increase in fee revenue, the remaining balance in the DIF available for future use is \$2,594,911.

The Capital Projects Funds closed the prior fiscal year with a balance of \$1,739,653. At the start of Fiscal Year 2019, \$599,230 was earmarked to continue funding capital investments. \$100,000 is requested in the budget amendment to be transferred to the Grants and Contracts Fund to continue the capital improvement initiatives at the Orah Brandt Park as well as accumulate the record of expenditure in one fund.

Department/ Division	Budget Request	Proposed Cost
<b>CAPITAL PROJECTS FUNDS</b>		
<b>Developmental Impact Fee Fund</b>	Fund Balance - Intersection Improvement - Midland & Lake Lowell, the request funds design and right of Way purchases in advance of FY2020 construction	\$100,000
	Fund Balance - Intersection Improvement – Middleton &Smith installation of traffic signals	72,000
	Fund Balance - Grant Funding Match – SHWY 16 IDOT improvements	250,000
	Fund Balance - MOU – Project Bronco	250,000
	<b>Developmental Impact Fee Fund Total</b>	<b>\$672,000</b>
<b>Capital Projects Fund</b>	Rollover - Transfers Funds – Makes Funds available via transfer to the Grants & Contracts Fund to continue improvements at Orah Brandt Park	100,000
	<b>Capital Projects Funds' Total</b>	<b>\$772,000</b>

Currently, the City of Nampa operates four Enterprise Funds. Three of the Funds are public utilities for Water inclusive of Irrigation, Sewer, and Sanitation. The fourth Fund accounts for the collection and expenditure of fees related to residential and commercial property development such as building permits, inspections, and plan reviews.

The Water Fund derives its revenues from furnishing potable water to its customers, water meter connection fee, and waterline installation fees. Money is expended for operations and maintenance of the system, capital improvements, and expansion/replacement of the System’s infrastructure. The Water Fund closed Fiscal Year 2018 with an available fund balance of \$11,119,297. \$1,168,663 was committed toward the Fiscal Year 2019 Budget. The amendment proposes to use an additional \$773,685 for improvements to the system’s infrastructure and for the purchase of needed equipment. If the proposals are approved, approximately \$9.2 million will remain in available fund balance.

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Sewer Fund revenues accrue from handling wastewater for 24,000 residential customers, 3,200 commercial customers and 10 industrial customers. These service fee collections along with collections along hookup fees pay for then cost of operations, maintenance and required capital investment. The Fund closed the prior fiscal year with an available fund balance of \$18,089,387. The Fiscal 2019 Budget estimated included \$13,977,690 of ending fund balance to applied toward current year operations. An additional \$2,866,661 is proposed to be used from fund balance to pay for additional capital investment in the Sewer Fund. This will leave approximately \$1.3 million available in the fund balance.

Department/ Division	Budget Request	Proposed Cost
<b>ENTERPRISE FUNDS</b>		
<b>Water Fund</b>	Infrastructure – Well 5 Replacement	<b>\$133,506</b>
	Infrastructure – Well 16 waste line	143,519
	Infrastructure – Irrigation main line construction	13,539
	Infrastructure – Irrigation pump at Locust Lane	257,508
	Infrastructure – Aerial Irrigation line replacement	45,613
	Equipment – Dump truck	180,000
	<b>Water Fund Total</b>	<b>\$773,685</b>
<b>Sewer Fund</b>	Wastewater Information Management System (WIMS)	<b>\$2,040</b>
	Buildings – Completion of Solids Handling Building & Equipment	551,774
	Infrastructure – Anerobic Methane Digester	774,785
	Improvements – Lift Station Upgrades	529,846
	Equipment – Pumps	5,661
	Infrastructure – Underground pipe replacement	828,292
	Infrastructure – design of new trunk line	170,264
	Equipment repair	4,000
	<b>Sewer Fund Total</b>	<b>\$2,866,661</b>
	<b>ENTERPRISE FUNDS' TOTAL</b>	<b>\$3,640,346</b>

AN AMENDED ESTIMATE OF EXPENSES AND REVENUES OF THE CITY OF NAMPA, IDAHO FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2018 TO AND INCLUSIVE OF SEPTEMBER 30, 2019, AND NOTICE OF PUBLIC HEARING ON THE PROPOSED BUDGET BY THE NAMPA CITY COUNCIL.

WHEREAS, Section 50-1002 Idaho Code, requires the Nampa City Council, prior to passing the annual appropriation ordinance, to estimate the probable amount of money necessary for all purposes during the fiscal year end and;

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WHEREAS, a proposed amendment to the budget has been prepared that includes an estimate of expenses and revenues for the fiscal year October 1, 2018 through and including September 30, 2019;

THEREFORE, it is hereby ordered by the Nampa City Council that this classification and estimate be entered into the minutes of the Council of the City of Nampa and the Nampa City Clerk be directed to cause the same to be published in the Idaho Press Tribune, a newspaper published in said city and having a general circulation therein.

ESTIMATED EXPENDITURES	ORIGINAL	PROPOSED	AMENDED	ENTERPRISE & SPECIAL REVENUE FUNDS	ORIGINAL	PROPOSED	AMENDED
GENERAL FUND	BUDGET	CHANGES	BUDGET		BUDGET	CHANGES	BUDGET
City Clerk	340,430		340,430	911 Fees	1,063,594	253,000	1,316,594
Code Enforcement	520,684		520,684	Airport	989,237		989,237
Economic Development	408,512		408,512	Cemetery	418,514		418,514
Engineering	2,717,055		2,717,055	Civic Center	1,075,460		1,075,460
Facilities Development	1,797,135	3,186,467	4,983,602	Development Services	3,741,264	30,000	3,771,264
Finance	1,025,871	39,000	1,064,871	Family Justice Center	298,832	-	298,832
Fire	14,214,742	963,546	15,178,288	Idaho Center	4,578,761	-	4,578,761
General Government	2,937,793		2,937,793	Library	2,343,989		2,343,989
Human Resource	518,791		518,791	Nampa Recreation Center	3,543,469	688,000	4,231,469
Information Technology	1,559,760		1,559,760	Parks & Recreation	4,288,246		4,288,246
Legal	1,152,640		1,152,640	Golf	3,051,779		3,051,779
Mayor & Council	583,989	5,870	589,859	Sanitation Collection	10,293,050		10,293,050
Planning & Zoning	660,010	30,000	690,010	Street	10,966,980	1,136,178	12,103,158
Police	25,549,779	-	25,549,779	Utility Billing	1,169,754		1,169,754
Public Works Admin	522,311		522,311	Wastewater	34,527,261	2,866,661	37,393,922
Fleet Management	1,326,508		1,326,508	Water	15,122,040	773,685	15,895,725
<b>SUBTOTAL</b>	<b>55,836,010</b>	<b>4,224,883</b>	<b>60,060,893</b>	<b>SUBTOTAL</b>	<b>97,472,230</b>	<b>5,747,523</b>	<b>103,219,753</b>
<b>GRANT FUNDS</b>	<b>11,187,913</b>	<b>164,500</b>	<b>11,352,413</b>	<b>CAPITAL &amp; DEBT SERVICE FUNDS</b>			
				Electric Franchise Fees/Capital Fund	1,569,339		1,569,339
				Development Impact Fees	3,086,102	672,000	3,758,102
				GO Bond Debt Service	2,928,063		2,928,063
				<b>SUBTOTAL</b>	<b>7,583,504</b>	<b>672,000</b>	<b>8,255,504</b>
				<b>GRAND TOTAL</b>	<b>172,079,657</b>	<b>10,808,906</b>	<b>182,888,563</b>

ESTIMATED REVENUES

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<b>PROPERTY TAXES</b>			<b>FRANCHISE FEES</b>		
General Fund	32,882,364	32,882,364	Electric Franchise	970,109	970,109
Library	2,197,916	2,197,916	Gas Franchise	<u>722,751</u>	<u>722,751</u>
Parks & Recreation	1,999,710	1,999,710	SUBTOTAL	1,692,860	1,692,860
Streets	1,767,360	1,767,360			
Cemetery	198,916	198,916	<b>OTHER FEES</b>		
Airport	<u>113,437</u>	<u>113,437</u>	911 Fees	944,000	944,000
SUBTOTAL NON-EXEMPT	39,159,703	39,159,703	Contracted Services	6,806,143	6,806,143
Exempt Property Taxes (GO Bond)	<u>2,927,462</u>	<u>2,927,462</u>	Impact Fee	1,558,302	600,000
SUBTOTAL PROPERTY TAXES	42,087,165	42,087,165	Licenses & Permits	<u>3,437,250</u>	<u>3,437,250</u>
			SUBTOTAL	12,745,695	600,000
					13,345,695
<b>STATE REVENUE SHARING</b>			<b>GRANTS &amp; DONATIONS</b>		
Sales Tax	7,457,984	7,457,984		11,785,402	11,785,402
Personal Property Tax Replacement	534,151	534,151			
Intergovernmental	<u>6,885,448</u>	<u>6,885,448</u>	<b>FINES &amp; FORFEITURES</b>		
SUBTOTAL	14,877,583	14,877,583	General	524,000	524,000
			Library	<u>70,000</u>	<u>70,000</u>
			SUBTOTAL	594,000	594,000
<b>CHARGES FOR SERVICES</b>			<b>TRANSFERS &amp; FUND BALANCE</b>		
Airport	449,015	449,015	Transfers In	12,528,047	255,500
Cemetery	92,000	92,000	Transfers out		(255,500)
Civic Center	592,451	592,451	Fund Balance	<u>21,944,531</u>	<u>9,245,361</u>
Development Services	30,000	30,000	SUBTOTAL	34,472,578	9,245,361
General Government	3,052,962	3,052,962			43,717,939
Golf Courses	2,295,000	2,295,000			
Idaho Center	3,046,312	3,046,312	<b>MISCELLANEOUS</b>		
Library	25,300	25,300	Lease Proceeds -Fire Department		963,546
Nampa Recreation Center	3,225,500	3,225,500	Interest Earnings	593,861	593,861
Parks & Recreation	390,500	390,500	Miscellaneous	<u>371,669</u>	<u>371,669</u>
Sanitation/Trash Collection	10,293,050	10,293,050	SUBTOTAL	965,530	963,546
Utility Billing	1,165,524	1,165,524			1,929,076
Wastewater	14,385,493	14,385,493			
Water	<u>13,815,737</u>	<u>13,815,737</u>			
SUBTOTAL	52,858,844	52,858,844	<b>GRAND TOTAL</b>	<b>172,079,657</b>	<b>10,808,907</b>
					<b>182,888,564</b>

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CITY OF NAMPA, IDAHO

FISCAL YEAR 2019 PROPOSED BUDGET

FUND	2017 Actual	2017 Actual	2018 Actual	2018 Actual	PROPOSED	PROPOSED	AMENDED	AMENDED
	Expenses	Revenue*	Expenses	Revenue*	2019 Budget	2019 Budget	2019 Budget	2019 Budget
					Expenses	Revenue*	Expenses	Revenue*
<b>GENERAL FUND</b>								
City Clerk	266,708		287,008		340,430		340,430	
Code Enforcement	421,852		502,856		520,684		520,684	
Economic Development	443,134		351,763		408,512		408,512	
Engineering	1,579,489		1,772,243		2,717,055		2,717,055	
Facilities Development	1,600,812		1,485,220		1,797,135		4,983,602	
Finance	850,563		909,309		1,025,871		1,064,871	
Fire	11,892,391		12,729,464		14,214,742		15,178,288	
General Government	3,455,947		3,508,244		2,937,793		2,937,793	
Human Resource	429,152		456,865		518,791		518,791	
Information Technology	2,197,766		1,548,749		1,559,760		1,559,760	
Legal	922,122		923,498		1,152,640		1,152,640	
Mayor & Council	497,313		544,307		583,989		589,859	
Parks & Rec Admin	358,719		401,312				-	
Planning & Zoning	522,129		576,585		660,010		690,010	
Police	20,220,915		21,260,675		25,549,779		25,549,779	
Public Works Admin	390,042		478,014		522,311		522,311	
Fleet Management	1,202,631		1,181,923		1,326,508		1,326,508	
<b>SUBTOTAL</b>	<b>47,251,685</b>	<b>47,866,416</b>	<b>48,918,035</b>	<b>47,681,236</b>	<b>55,836,010</b>	<b>55,836,010</b>	<b>60,060,893</b>	<b>55,836,010</b>
<b>ENTERPRISE &amp; SPECIAL REVENUE FUNDS</b>								
911 Fees	1,347,584	953,621	917,089	1,011,229	1,063,594	1,063,594	1,316,594	1,063,594
Airport	471,696	555,111	464,886	559,271	989,237	989,237	989,237	989,237
Cemetery	267,043	264,158	286,004	316,209	418,514	418,514	448,514	418,514
Civic Center	1,443,637	1,260,474	920,795	968,061	1,075,460	1,075,460	1,075,460	1,075,460
Development Services	2,185,190	3,117,310	2,308,841	3,249,788	3,741,264	3,741,264	3,741,264	3,741,264
Family Justice Center	294,195	288,060	329,529	295,287	298,832	298,832	298,832	298,832
Idaho Center	4,752,503	5,075,059	5,737,695	6,244,638	4,578,761	4,578,761	4,578,761	4,578,761
Library	2,063,140	2,210,946	2,167,019	2,296,761	2,343,989	2,343,989	2,343,989	2,343,989
Nampa Recreation Center	2,742,611	3,256,502	2,921,491	3,189,405	3,543,469	3,543,469	4,231,469	3,543,469
Parks & Recreation	2,967,915	3,141,545	3,277,433	3,421,943	4,288,246	4,288,246	4,288,246	4,288,246
Golf	2,079,462	2,202,270	2,217,593	2,407,841	3,051,779	3,051,779	3,051,779	3,051,779

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Sanitation Collection	9,815,827	9,815,827	10,305,827	10,305,827	10,293,050	10,293,050	10,293,050	10,293,050
Street & Traffic	10,017,780	8,675,977	10,976,121	10,073,276	10,966,980	10,966,980	12,103,158	10,966,980
Utility Billing	1,075,854	831,282	1,072,939	1,030,768	1,169,754	1,169,754	1,169,754	1,169,754
Wastewater	22,631,530	13,571,577	14,877,059	14,509,023	34,527,261	34,527,261	37,393,922	34,527,261
Water	13,417,149	11,739,763	11,122,922	13,050,159	15,122,040	15,122,040	15,895,725	15,122,040
Workers Comp Fund	64,378	64,378	30,395	30,395			-	-
<b>SUBTOTAL</b>	<b>77,637,494</b>	<b>67,023,860</b>	<b>69,933,638</b>	<b>72,959,881</b>	<b>97,472,230</b>	<b>97,472,230</b>	<b>103,219,753</b>	<b>97,472,230</b>
<b>GRANTS &amp; DONATIONS</b>	<b>4,385,177</b>	<b>4,004,275</b>	<b>2,646,883</b>	<b>2,643,304</b>	<b>11,187,913</b>	<b>11,187,913</b>	<b>11,352,413</b>	<b>11,187,913</b>
<b>CAPITAL PROJECTS &amp; DEBT SERVICE FUNDS</b>								
Capital Projects	1,352,824	2,286,555	2,149,832	1,953,533	1,569,339	1,569,339	1,569,339	1,569,339
Development Impact Fees	3,244,820	1,722,732	2,605,382	2,799,188	3,086,102	3,086,102	3,758,102	3,686,102
GO Bond Debt Service	2,696,150	2,737,752	2,693,800	2,734,082	2,928,063	2,928,063	2,928,063	2,928,063
<b>SUBTOTAL</b>	<b>7,293,794</b>	<b>6,747,039</b>	<b>7,449,014</b>	<b>7,486,803</b>	<b>7,583,504</b>	<b>7,583,504</b>	<b>8,255,504</b>	<b>8,183,504</b>
<b>TRANSFERS &amp; FUND BALANCE (Net)</b>								<b>9,245,361</b>
<b>MISCELLANEOUS</b>								
Lease Proceeds								<u>963,546</u>
<b>TOTAL</b>	<b>136,568,150</b>	<b>125,641,590</b>	<b>128,947,570</b>	<b>130,771,224</b>	<b>172,079,657</b>	<b>172,079,657</b>	<b>182,888,563</b>	<b>182,888,564</b>
*Amount from property tax		37,951,591		39,251,057	42,087,165	42,087,165		42,087,165

I, Deborah Rosin, City Clerk of the City of Nampa, Idaho do hereby certify that this is a true and correct statement of the amended expenditures and revenues for the fiscal year 2018-2019. Citizens are invited to attend the budget hearing on June 17, 2019 at 7:00 p.m. and have the right to provide written or oral comments concerning the entire Nampa Budget. The amended city budget may be reviewed in detail in the Nampa Finance Office at Nampa City Hall, 411 Third Street South during regular hours, 8:00 a.m. to 5:00 p.m.

**MOVED** by Haverfield and **SECONDED** by Bruner 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 **27-2019** and directed the clerk to record it as required.

**MOTION CARRIED**

❖ (6) Public Hearings ❖

**Item #6-1.** - Mayor Kling opened the **public hearing** that was *continued from the May 20, 2019* meeting for consider **project packaging** and **delivery approach** for Phase II upgrades at the **Nampa Wastewater Treatment Plant**.

Deputy Public Works Director Nate Runyan presented the following staff report explaining that the Preliminary Design Technical Team and Wastewater Design Review Committee (DRC) evaluated packaging and delivery options for the WWTP Phase II Upgrades Project. A briefing paper has been prepared for Nampa City Council (Exhibit A)

The Wastewater Treatment Plant (WWTP) Phase II Upgrades Project has approximately 11 discrete portions of work that could be designed and constructed separately from a technical perspective. This creates unnecessary risks for the City of Nampa, such as organizational management, construction coordination and scheduling, cash flow, and limits value engineering opportunities

All project packaging and delivery options can be successful. For large complex wastewater projects, market trends show that construction management/general contractor and design-build delivery methods are becoming more common practice (Exhibit B)

Choosing the delivery method is about alignment of City of Nampa priorities. The project packaging and delivery options were evaluated on the following priorities:

Key Wastewater Program Priority	Design-Build Feature
#1 – Getting the “best” value	Value Engineering/Opportunity for Innovation
#2 – Clearly defining scope and configuration	Owner Control
#3 – Establishing accountability for performance	Risk Allocation / Transfer
#4 – Retaining Nampa control and decision-making power	City Input to Design & Delivery
#5 – Getting the “best” price	Lowest Capital Cost

Four project packaging and four delivery methods were evaluated and will be presented (Exhibit C) at the public hearing.

Staff and the DRC recommend moving forward with five project packages. A copy of the DRC Meeting Summary is attached (Exhibit D).



Project Group D, E, G, and H are recommended to follow the Nampa City’s traditional delivery method of design-bid-build. For Project Group F, the complexity and six-year duration create an opportunity for using an alternative delivery method to better manage project risks and capture innovation and value engineering. The DRC agreed that the progressive design-build contracting method would achieve the best value for the City of Nampa.

Project Group Name	Project Group Components	Approximate Package Value <sup>1, 2, 3</sup>	Delivery Model
Project Group D	<ul style="list-style-type: none"> <li>• Primary Digester No.5</li> <li>• Waste Gas Bumer (Flare)</li> </ul>	\$9.9M	Design-Bid-Build
Project Group E	<ul style="list-style-type: none"> <li>• Renovation of the Laboratory and Administration Building</li> </ul>	\$2.9M	Design-Bid-Build
Project Group F	<ul style="list-style-type: none"> <li>• New Aeration Basin No.4</li> <li>• New Blower Building and Blowers</li> <li>• Demo Trickling Filters, Secondary Clarifier</li> <li>• New Tertiary Filtration Pump Station</li> <li>• New Tertiary Filtration</li> <li>• New Final Clarifier No.4</li> <li>• Replace WAS and RAS Pumps</li> <li>• New Class A UV Disinfection</li> <li>• <i>New Irrigation Reuse Pump Station and Forcemain<sup>4</sup></i></li> <li>• <i>New Industrial Reuse Pump Station and Forcemain<sup>4</sup></i></li> <li>• <i>New Internal Mixed Liquor Recycle Pumps<sup>4</sup></i></li> <li>• Replace Final Clarifier Mechanisms</li> <li>• Replace Post Aeration Basin Structure and Blower</li> <li>• New Digested Sludge Storage Tank</li> <li>• Solids Facility Expansion</li> <li>• MCC Replacements</li> </ul>	\$126.4M	Progressive Design-Build
Project Group G	<ul style="list-style-type: none"> <li>• Primary Clarifier 1 Structure, Mechanism, and Sludge Pump Repair</li> <li>• Repairs for Headworks Facility</li> </ul>	\$4.5M	Design-Bid-Build <sup>5</sup>
Project Group H	<ul style="list-style-type: none"> <li>• New Sidestream Treatment Facility</li> </ul>	\$12.4M	Design-Bid-Build <sup>5</sup>

The WWTP Phase II Upgrades Project has received interest from multiple consultants and contractors. Two letters of support for alternative delivery methods were also received (Exhibit E).

A resolution has been prepared to authorize the Mayor’s signature to declare the City of Nampa’s intent to deliver the Wastewater Phase II Upgrades Project Group D, E, G, H as Design-Bid-Build

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and Group F as Progressive Design-Build to complete the Wastewater Phase II Project (Exhibit F).

The City of Nampa's legal counsel has reviewed and recommend approval of the resolution.

Public Works staff has reviewed and recommend approval of the resolution, which is included as a New Business agenda item the same day of this public hearing.

Councilmembers asked questions and made comments.

Those appearing with comments were: Carol Kenfield, 200 South Lancaster Drive; James Hall, 17299 Cody Lane.

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

Councilmembers asked questions and made comments

**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 Haverfield and **SECONDED** by Bruner to **approve** the deliver the Wastewater Phase II Upgrades Project Group D, E, G, H as Design-Bid-Build and Group F as Progressive Design-Build to complete the Wastewater Phase II Project The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #6-2.** - Mayor Kling opened a **public hearing** for a **variance** to Zoning Ordinance Section 10-8-6 requiring a 6,000 sq. ft minimum lot size within the RS-6 (Single Family Residential – 6000 sq. ft) zoning district, for properties located at 1217 11th Ave S (the NE ½ of Lot 9, Bk 59 Waterhouse Addition) and 1223 11th Ave S (the SE 100 ft of the SW ½ of Lot 9 and SE 100 ft of Lot 11, Bk 59 of Waterhouse Addition). The applicant proposes adjusting the lot line between 1217 and 1223 11th Ave S by approximately 16 ft to the southwest, thereby increasing the lot size for 1217 to approximately 5098 sq. ft (still a substandard lot size, but would allow space for construction of a dwelling or placement of a double wide manufactured home on a foundation). The adjustment would decrease the lot size of 1223 11th Ave S to approximately 5879 sq. ft (a substandard lot size but would still accommodate the existing dwelling), for Jose Sanchez. (VAR-00072-2019)

Augustine Sanchez, 1223 11<sup>th</sup> Avenue South presented the request.

Councilmembers asked question of the applicant.

Senior Planner Kristi Watkins presented the following staff report explaining that the request is for a variance to Nampa City Zoning codes from N.C.C. §10-8-6.A requiring a 6,000 sf lot size in the RS6 (Single Family Residential – 6,000 sf. minimum lot size) zoning district for 1217 11<sup>th</sup> Ave S (the NE ½ of Lot 9 Block 59 Waterhouse Addition) and 1223 11<sup>th</sup> Ave S (the SE 100 ft of the SW ½ of Lot 9 and SE 100 ft of Lot 11 Block 59 of Waterhouse Addition). See Exhibit 2 (Page 7), Zoning & Vicinity Map.

### **Property History**

April 7, 2014 – Variance VAR 1641-2014 for Jose Sanchez for setbacks and placement of a single wide mobile home. APPROVED.

### **General Site Information**

**Existing Zoning:** RS 6 (Single-Family Residential District – 6,000 sf minimum lot size)  
**Surrounding Zoning & Land Uses:** **North** – RS 6 residential; **South** – RS 6 residential; **East** – BC commercial; **West** – RS 6 residential. **Public/Agency Comment or Correspondence:** Agency/City department comments have been received regarding this matter. Such correspondence as received from agencies or the citizenry regarding this application package [received by noon May 29, 2019] is hereafter attached.

1. An April 29, 2019 email from the Nampa Highway District # 1 authored by Eddy Thiel, stating the Highway District has no comment; and,
2. An April 30, 2019, email from the Nampa Building Department, authored by Neil Jones stating that he has no comments on the application, but that building permits will be required for any and all work before it starts; and,
3. A May 6, 2019 letter from the Nampa & Meridian Irrigation District authored by David Duvall indicating that they have no comment on the Project; and,
4. A May 13, 2019 letter from the Idaho Transportation Department, authored by Sarah Arjona, stating that ITD does not object to this request; and,
5. On May 24, 2019, memorandum from the Nampa City Engineering Division, authored by Jim Brooks indicates they do not oppose granting this variance with the following conditions:
  - a. Drive access to 1217 shall be via the alley. No drive approach access is permitted from 11<sup>th</sup> Ave S; and,

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

### **Code Regulations**

#### Variance Purpose Statement (10-24-1):

“The Council is empowered to grant variances in order to prevent or to lessen such practical difficulties and unnecessary physical hardships inconsistent with the objectives of zoning as would result from a literal interpretation and enforcement of certain of the regulations prescribed by this Title.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of 1) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and 2) the 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 location or traffic conditions.

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.”

#### 10-24-2: ACTION:

**A)** The Council may grant a Variance with respect to 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, on the basis of application, investigation and evidence submitted, the Council makes the following findings (*read, “Conclusions of Law”*):

1. Literal interpretation and enforcement of the regulation would [would not] result in a practical hardship or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance for the property.
2. There are extraordinary site characteristics applicable to the property involved or to the intended use of the property which [do] do not apply generally to other properties classified in the same zoning district.
3. Literal interpretation and enforcement of the regulation would [would not] deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

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4. Granting of the variance [will] will not constitute a grant of special privilege inconsistent with the limitations on other properties and improvements in the vicinity.
5. Granting of the variance [will] will not be detrimental to public health, safety or materially injurious to properties or improvements in the area.

### **Analysis**

City of Nampa Council has previously granted a variance for this property, finding that the size, shape, and location of the lot constituted a legal basis for the variance findings listed above. The following are staff analysis of the current application and potential findings of fact that may be used by Council to justify approval or denial of the variance request.

1. The applicant proposes adjusting the lot line between 1217 and 1223 11<sup>th</sup> Ave S by approximately 16 feet to the southwest, thereby increasing the lot size for 1217 to approximately 5,098 square feet (still a substandard lot size) and decreasing the lot size of 1223 to approximately 5,879 square feet (thereby creating a substandard lot size); and,
2. Though the variance approved in 2014 has already allowed for construction of a dwelling (placement of single-wide mobile home), the applicant would like to construct a site built dwelling that more closely meets city standards or emplace a double-wide manufactured home on a foundation, which is also more closely complies with city standards. As such, being unable to construct a more compliant dwelling on the parcel could be a hardship to the property owner. To construct a home on the subject property, a reasonable approach is to seek a variance to the Nampa City Code §10-8-6, requiring a 6,000-sf lot size in the RS 6 zoning district.
3. Though smaller sized properties have existing homes in the immediate area, they have typically been constructed on corner lots where Nampa City Code provides allowances for smaller lots. The site characteristics, being a relatively small lot not on a corner property, may be considered extraordinary site characteristics which do not apply generally to other properties within the zoning district.
4. Enforcement of the code in this case, could be assumed to deprive the applicant of privileges enjoyed by other owners in the district, namely, construction of a city code compliant single-family home.
5. The proposed use is consistent with land uses in the area. More so than the existing (previously approved) single-wide mobile home. Approval of this variance is unlikely to be considered granting a special privilege inconsistent with the area.

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6. Construction of a new single-family structure shall comply with current building & fire codes. New structures must comply with required setbacks as well. The proximity to other buildings is consistent with other lots in the immediate area. Police and Fire Departments already service this area. Staff finds no conditions that would create a determinant to public health, safety or be injurious to others in the area.

### **Conclusion of Law & Findings of Fact**

Whether the Council votes to deny or approve the Variance request, the statements cited in this report as being from 10-24-2 above, in bold type, are the Conclusions of Law that must be used and supported by further Findings of Fact to either justify approval or denial of the request (See ANALYSIS section above).

The proposed variance is requested to facilitate construction of a site built single-family home on a parcel in an area of town that is largely zoned for single-family use. The area is completely developed out and is serviced by utilities, public safety, parks, and other city services. The granting of this variance will bring 1217 closer to compliance with current city ordinances and while it does create a substandard lot, it will have little effect on the existing property located at 1223.

**Applicable Regulations:** Chapter 24 sets forth criteria to use when reviewing (a) Variance request(s).

### **Conditions of Approval**

Should the Council vote to approve the Variance Permit, the following draft Approval Condition(s) is/are proposed for consideration:

1. Comply with any other applicable agency (e.g., Nampa City Building Safety, Nampa City Engineer, Southwest District Health, Fire Department, etc.) requirements as they may pertain to the Variance request.
  - a. Obtain all necessary building permits required for construction before starting any and all work on the property.
2. No access shall be created from/to 11<sup>th</sup> Ave S.

Councilmembers asked question of staff.

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

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

MOTION CARRIED

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **approve** the **variance** for a Zoning Ordinance Section 10-8-6 requiring a 6,000 sq. ft minimum lot size within the RS-6 (Single Family Residential – 6000 sq. ft) zoning district, for properties located at 1217 11th Ave S (the NE ½ of Lot 9, Bk 59 Waterhouse Addition) and 1223 11th Ave S (the SE 100 ft of the SW ½ of Lot 9 and SE 100 ft of Lot 11, Bk 59 of Waterhouse Addition). The applicant proposes adjusting the lot line between 1217 and 1223 11th Ave S by approximately 16 ft to the southwest, thereby increasing the lot size for 1217 to approximately 5098 sq. ft (still a substandard lot size, but would allow space for construction of a dwelling or placement of a double wide manufactured home on a foundation). The adjustment would decrease the lot size of 1223 11th Ave S to approximately 5879 sq. ft (a substandard lot size but would still accommodate the existing dwelling), for Jose Sanchez with staff conditions. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #6-3.** - Mayor Kling opened a **public hearing** for a **vacation** of a 10 ft x 70 ft long portion of the **Lone Star Rd** Right-Of-Way, located on the west side of the property addressed as 561 Lone Star Rd (Canyon County Parcel R15216010A1), a .741 acre parcel located within an RS-6 (Single Family Residential – 6000 sq. ft minimum lot size) on the south side of Lone Star Rd. The applicant states they are requesting the Vacation of Right-Of-Way in order to align the property lines after dedicating 15 ft of Lone Star Rd Right-Of-Way to the City of Nampa on the east side of the subject property, for Mitchell Page. (VAC-00035-2019)

Mitchell Page, 2005 West Dew Mist Drive, presented the request.

Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for a vacation of the southerly 10' of the westerly 70' of the right of way of Lone Star Road adjacent 561 Lone Star Road (A .74 acre or 32,234 sq. ft. portion of the NE ¼, Section 28, T3N, R2W, BM and Tax 07709 and 13199 in Lot 2, Tuite's Subdivision) for Mitchell Page (VAC 035-19) The applicant is requesting a vacation of a 10' wide section of the Lone Star right of way adjacent the westerly portion of their property to align their front property line after their dedication of a 15' wide portion adjacent the easterly portion of their property.

**General Information**

**Status of Applicant(s):** Owners. **Existing Zoning:** RS6 (Single Family Residential – 6,000 sq. ft.). **Location:** The southerly 10' of the westerly 70' of the right-of-way of Lone Star Rd. adjacent 561 Lone Star Rd. **Size of Vacation Area:** The area is 700 sq. ft. **Surrounding Land Use and Zoning:** North- Residential, RS6 (Single Family Residential – 6,000 sq. ft.); South- Residential, RS6 PUD (Single Family Residential – 6,000 sq. ft. PUD); East- Residential, RS6 PUD (Single

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Family Residential – 6,000 sq. ft. PUD); West- RS6 (Single Family Residential – 6,000 sq. ft.). **Comprehensive Plan Designation:** Medium Density Residential. **Applicable Regulations:** State law requires the consent of adjoining property owners. The only property owner adjoining the right-of-way to be vacated is the applicant. **Description of Existing Uses:** The area currently occupied as a portion of the applicant’s front yard area. No change of use is intended, only an alignment of the front property line through the vacation and dedication.

### **Special Information**

**Planning & Zoning History:** The proposed right-of-way vacation and dedication will bring the front property and right-of-way line to the same location as previously dedicated in the Cobblestone Square subdivision adjacent to the east. **Public Utilities:** 8” sewer main located in Lone Star Rd. 8” water main located in Lone Star Rd. 8” irrigation main located in Lone Star Rd. **Environmental:** Approval of the vacation will have no effect on area properties, only alignment of the right-of-way in front of the property. **Correspondence:** As of the date of this staff report no objections have been raised by any utility companies or surrounding property owners concerning the proposed vacation. Fire, Building, and Engineering Departments have not expressed any opposition to the right-of-way vacation.

### **Staff Findings and Discussion**

Planning staff sees no reason why the vacation of this 10’ section of Lone Star Rd. right-of-way should not be approved, especially with the 15’ dedication to the east for alignment.

### **Recommended Approval Conditions**

If the Nampa City Council following the public hearing determines to approve the requested street vacation no conditions of approval are required.

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

Councilmembers asked question and made comments of the applicant and the applicant answered questions.

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

**MOTION CARRIED**

**MOVED** by Levi and **SECONDED** by Bruner to **approve vacation** of a 10 ft x 70 ft long portion of the Lone Star Rd Right-Of-Way, located on the west side of the property addressed as 561 Lone



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Star Rd (Canyon County Parcel R15216010A1), a .741 acre parcel located within an RS-6 (Single Family Residential – 6000 sq. ft minimum lot size) on the south side of Lone Star Rd. The applicant states they are requesting the Vacation of Right-Of-Way in order to align the property lines after dedicating 15 ft of Lone Star Rd Right-Of-Way to the City of Nampa on the east side of the subject property, for Mitchell Page 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 #6-4.** - Mayor Kling opened a **public hearing** for a **variance** to Zoning Ordinance 10-16-15 (C) and 10-33-04 (A) (1) requiring a 20 ft setback from the front property line. The applicant has requested a reduction to 10 ft for the setback from the front property line for property located at 520 Caldwell Blvd (R3130700000), and the western portion of **504 Caldwell Blvd** (R313100000), within a BC (Community Business) zoning district, in order to allow for construction of 9,960 sq. ft temperature conditioned self-storage facility and associated 621 sq. ft office for Phase III of the Big Storage facility. The applicant states they are requesting the Variance in order to allow for a unified appearance and landscaping buffer with the existing facility at 504 and 498 Caldwell Blvd; as well as alleviating the development difficulties presented by the variation in the property lines fronting the north side of Caldwell Blvd, for Aaron Lafky, of Lafky Properties, LLC. (VAR-00073-2019)

Aaron Lafky presented the request.

Principal Planner Rodney Ashby presented the following staff report explaining that the request is for Lafky Properties and they have requested a Variance to City of Nampa Zoning Ordinance 10-16-15 (C) and 10-33-04 (A) (1) requiring a twenty (20) ft setback from the front property line. The applicant has requested a reduction to ten (10) ft for the setback from the front property line for property located at 520 Caldwell Blvd (R3130700000), within a BC (Community Business) zoning district in order to allow for construction of a new mini storage and office buildings at 504 Caldwell Blvd, and expansion of the mini-storage facility onto the 520 property.

**Purpose/Applicant Explanation:** “The purpose of the variance is to provide for expansion of the mini storage facility located at 504 and 498 Caldwell Boulevard in a manner consistent with the existing development. Granting the variance will: 1. Allow for a unified appearance and landscaping buffer to help integrate the expansion into the existing facility as a single unified project. 2. Alleviate the development difficulties presented by the unique variation in the property lines fronting the north side of Caldwell Boulevard, which would include installing 90 degree bends in utilities and irrigation lines, maintaining front landscaping of varying widths, and aligning buildings, driveways and circulation through the integrated mini storage facility. 3. Avoid an interpretation of the setback regulation that would result in properties on either side of the applicant’s property having the right to construct buildings closer to the improved Caldwell

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Boulevard right of way and encourage consistency with existing development on this property and other properties in the same zoning district along Caldwell Boulevard.”

**General Information**

**Status of Applicant:** Owner. **Existing Zoning:** BC (Community Business). **Location:** 504 & 520 Caldwell Blvd, Nampa; also known as Parcels R313100000 & R3130700000 respectively, located at the SE Quarter of Section 10, Township 3N, Range 2W, Boise-Meridian, Canyon County, Idaho. **Size of Property:** 2.38 acres at 520 Caldwell Blvd or a 103,673 sq. ft. **Surrounding Land Use and Zoning:** North- Industrial, IL (Light Industrial). South- Caldwell Blvd, BC (Community Business). East- Storage Units, BC (Community Business). West- Used Car Sales, BC (Community Business). **Comprehensive Plan Designation:** General Commercial

**History:** On November 16, 2015, the Nampa City Council voted to approve a variance to reduce the required front yard setback from twenty (20') feet to ten (10') feet at 498 and 504 Caldwell Blvd. The variance was requested primarily because of a jog along the front property lines from 498 to 504 Caldwell Blvd – 498 being approximately thirty-seven feet (37') from Caldwell Blvd centerline and 504 being approximately 47' from centerline. Because city code requires property owners to landscape and maintain the property between the property line and the sidewalk or edge of pavement, this meant that the twenty feet (20') of landscaping was installed in alignment with the neighboring properties required twenty-foot (20') setback landscaping. The request currently being considered would allow the applicant to continue the landscaping alignment as previously constructed on the properties to the southeast.

**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.

Variations 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 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.

**10-16-5 Property Area, Coverage and Yard Requirements: (for the BC Zone)**

- C. Front Yard/Street Side (Setback): ...Twenty feet (20') is/shall be required on/for all properties that abut front streets classified or identified as collectors or arterials on the most currently utilized Nampa urban boundary and functional classification system map. (Ord. 3960, 4-4-2011).

**10-33-2: Actions:**

- B3. Any land between the property line and the developed roadway within the right of way, shall also be landscaped but only with grass, and/or crushed rock/gravel, with shrubs and/or flowers as desired. Commercial, industrial and multiple residential uses/ interior yards (setbacks) in the various districts (when required) shall also be landscaped with some combination of grass, shrubs, trees, colored decorative rock or round gravel or nonartificial plant materials. Exception: Trees are and shall be restricted from being planted in roadway "clear zones" (a.k.a., the 'clear way') unless otherwise approved by the city. (Ord. 3960, 4-4-2011).

**Special Information**

**Transportation/Access:** The subject property is accessed from Caldwell Boulevard, a state highway and principal arterial.

**Environmental, Aesthetics/Landscaping:** The applicant states they are requesting the Variance in order to allow a reduced front yard setback of 10 feet for construction of a proposed new mini storage unit development and building. The closest building fronting Caldwell Blvd, according to plans (see exhibit) submitted for design review of the project, is a building where storage will be accessed from interior hallways. According to the submitted landscape plans (see exhibit), landscaping will front Caldwell Blvd, and in most cases, will exceed the landscaping required for a 20' setback.

**Citizen/Agency Input:** At the time of the preparation of this staff report, no comments were received by property owners or nearby businesses and residents. We received comments from Nampa Building Department, Code Enforcement and Engineering Division expressing no opposition. A letter from Sarah Arjona dated May 23, 2019 (attached) from Idaho Transportation Department states that opposition to the application will be removed when two curb cuts identified in an ITD permit for the property are removed. Staff has included this as a recommended condition of approval if the Council chooses to approve the application.

### **Staff Findings**

A variance has already been granted for a reduced front yard setback at 504 Caldwell Blvd. The applicant is requesting to apply a similar variance to 520 Caldwell Boulevard. This will allow them to construct additional buildings on 504 and extend the storage units onto 520 Caldwell Blvd.

Caldwell Blvd is recognized in the Nampa 2035 Comprehensive Plan as one of six gateways into our community. The plan calls for added landscape measures beyond those required for other areas or roadways. However, the plan calls for the Building and Site Design Standards Committee to take an active role in determining what specific requirements should be placed on properties along gateways into our community.

This project is scheduled before the Building and Site Design Standards Committee for consideration on June 10, 2019. Specific appearance conditions of this project will be considered at that time and are not under consideration for this variance request to Nampa City Council.

Variations 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 or a site situation beyond their control (Ord. 4340, 9-18-2017).

A variance shall not be considered a right of 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

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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. Council may wish to consider the larger right-of-way width on the property, compared to others in the area, as constituting an undue hardship for the property. Council may find that without a variance, the property owner would be penalized because of site characteristics beyond their control. Finally, Nampa City Council may find that the variance is not in conflict with the public interest because it will allow development that is consistent with the area.

### **Recommended Conditions of Approval**

Should the Nampa City Council vote to approve the requested Variance, staff recommends that approval be justified by the required findings found under “Applicable Regulations” of this report and listed in 10-24-2 of the Nampa City Code. Staff recommends the following condition(s) be applied:

#### Generally

- 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.

#### Specifically

- 1) Compliance with the Idaho Transportation Department Permit No. 3-19-203, including the removal of two of the existing curb cuts as identified in the permit.

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

Those appearing with comments were: Hubert Osbourne, 4199 Switzer Way.

The applicant made closing comments.

Councilmembers asked question and made comments.

**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 Hogaboam and **SECONDED** by Haverfield to **approve the variance** to Zoning Ordinance 10-16-15 (C) and 10-33-04 (A) (1) requiring a 20 ft setback from the front property line. The applicant has requested a reduction to 10 ft for the setback from the front property line for property located at 520 Caldwell Blvd (R3130700000), and the western portion of 504

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Caldwell Blvd (R313100000), within a BC (Community Business) zoning district, in order to allow for construction of 9,960 sq. ft temperature conditioned self-storage facility and associated 621 sq. ft office for Phase III of the Big Storage facility. The applicant states they are requesting the Variance in order to allow for a unified appearance and landscaping buffer with the existing facility at 504 and 498 Caldwell Blvd; as well as alleviating the development difficulties presented by the variation in the property lines fronting the north side of Caldwell Blvd, for Aaron Lafky, of Lafky Properties with staff recommendations. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

❖ (5) New Business ❖

**Item #5-3.** – The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, **ADJUSTING THE EXPIRATION DATES** FOR THE TERMS OF THE CURRENT BOARD OF COMMISSIONERS OF THE **NAMPA DEVELOPMENT CORPORATION** FOR THE PURPOSE OF MAKING THEM CONSISTENT WITH THE AGENCY’S FISCAL YEAR, AND PROVIDING CLARIFICATION AS TO HOW FUTURE MEMBERS OF THE BOARD OF COMMISSIONERS WILL BE APPOINTED TO FILL VACANCIES ON THE BOARD, IN ACCORDANCE WITH IDAHO CODE § 50-2006; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant NDC)

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 Levi 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 **4439** and directed the Clerk to record it as required.

MOTION CARRIED

**Item #5-4.** - Mayor Kling presented the request for **reappointment** of **Randy Haverfield** and **Claudia Dina** as Commissioners of the **Nampa Development Corporation**.

**MOVED** by Hogaboam and **SECONDED** by Bruner to **approve** the **reappointment** of **Randy Haverfield** and **Claudia Dina** as Commissioners of the **Nampa Development Corporation**. The

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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 for **appointment** of the as the **Workforce Development Director**.

Debra Curry presented a staff report explaining that there were 40 resumes submitted for this position. After reviewing all the resumes to confirm which ones met minimum requirements and so forth, I chose five candidates for interviews. Four were able to attend the interviews but one was headed to Las Vegas to get married.

Mayor Kling, Councilmember Rodriguez and I were very pleased with the qualifications of those that were selected to meet with us, although most submissions did not qualify, due to their lack of education or experience that was required in the job description. Those that were qualified were imminently qualified.

I composed a series of questions with some input from Mayor Kling and Councilman Rodriguez, which we asked of each person interviewed. While the majority of those applying were not qualified. The ones chosen for the interviews not only met the requirements but excelled them in several ways.

After the final interview Mayor Kling, Councilmember Rodriguez and I discussed the possibilities and then the consensus was that Bobby Sanchez was the best candidate for this position. Not only did he exceed the requirements of the position he also possesses a wealth of institutional knowledge which largely eliminates a learning curve for him.

We believe this brings added value to the City of Nampa and will greatly enhance his efforts as he takes on this new role in the reorganization. This will better prepare the city in the growth that it is encountering.

Councilmembers thanked Debra Curry for her work with the City of Nampa.

**MOVED** by Bruner and **SECONDED** by Hogaboam to **approve** the **recommendation** to **appoint Bobby Sanchez** as the **Workforce Development Director**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Newly appointed Workforce Development Director Bobby Sanchez thank the Mayor and Council for trust and confidence. It has been a privilege and honor to serve as Chief of Staff for the Mayor and as I look to the horizon to the next milestone with workforce development it is a team sport

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and I certainly can't do it alone and to have your trust and confidence is going to be critical. Thank you.

**Item #5-6.** - Mayor Kling presented the request for **Middleton Road and Lone Star Road** Intersection improvement utility waiver comments.

Daniel Badger presented a staff report explaining that the intersection of Middleton Road and Lone Star Road serves a growing population and the adjacent Lone Star Middle School. From 2011-2015 there has been one fatal crash approaching the intersection and one Type A serious injury crash involving a student walking to school at the intersection. Improving the intersection from a four-way stop to a signal improves capacity and safety for commuters and pedestrians.

Keller Associates was hired to provide design services for the project.

As part of the design, utility plans were completed that identify public utilities within the roadway right of way that may or may not be impacted with the proposed improvements. Emails have been sent to the public utilities that have facilities within the roadway right of way to give them an opportunity to review and comment on the utility plans as well as make plans for relocation of their infrastructure if needed.

Emails were sent on 5/15 to the following utility companies (See Exhibit A)

- Cable One
- Intermountain Gas Company
- CenturyLink

Keller Associates is working specifically with Idaho Power on a utility agreement as their utilities must be moved to accommodate the intersection improvements throughout the project limits.

Because we have not received the waivers from the utility companies the City of Nampa must hold a hearing to allow them to express their comments on the project.

Engineering staff is working on calling each of the utility companies to ensure their comments are addressed.

Councilmember asked questions.

**No Utility Companies were present.**

**Item #5-7.** - Mayor Kling presented the request for **discussion of disposal of city property/Paying it Forward.**



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Mayor Kling presented a staff report explaining that the this is discussion of Nampa City property/paying it forward and 5-8 is a resolution for Fleet Department. Typically, the disposal of property is in the consent agenda. The reason that I brought this up for discussion is that a team of us was at the reuse meeting recently and spoke there. One individual on the committee suggested that since we are in process of our build at the wastewater treatment facility, we consider saving the parts pulled out and donate them for possible use in a smaller city. I was also reminded of the tremendous benefit our fire engines and compressors are to other cities. It seemed not that important, but in working with the cities and visiting with them across the state of Idaho, we find a few small cities across the state that have no additional funds whatsoever. They are tight financially. I wanted to suggest that possibly when we are disposing of certain properties (especially with fleet) that we give the opportunity through AIC to these cities to see if they have a need for the equipment. They can purchase it at the price that we have set; however, if they needed the equipment but could not afford it, they could write a letter and request consideration for donation.

Councilmembers asked question and made comments.

Fleet Supervisor Doug Adams answered questions and made comments on the donation process.

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

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

**MOVED** by Haverfield and **SECONDED** by Bruner 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 **28-2019** and directed the clerk to record it as required.

MOTION CARRIED

**Item #5-9.** - Mayor Kling presented the request to **authorize** the **Mayor and Public Works Director** to sign **Amended Task Order** for Professional Services between the City of Nampa and Keller Associates, Inc. for the Elevated Tank Replacement Study in the amount of \$499,405.00, Time and Materials Not to Exceed.

Daniel Badger presented a staff report explaining that an evaluation of the existing elevated water tank at 11<sup>th</sup> Avenue North and I-84 has been completed and the design alternative of removal of the tank and replacement with a 1.5-million-gallon ground level tank was approve by Council in 2018.

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Approval of the façade treatment of the tank was approved by Council on May 6, 2019.

Keller Associates has completed the preliminary engineering report for the new tank, well 8 and north booster station.

Keller Associates has prepared an amended scope of work to proceed with the final design work for these elements.

Engineering has reviewed the attached scope of work and recommends approval.

Construction of the new tank, well 8 and north booster facilities is anticipated to start in FY2020 and be completed in FY2021.

FY19 budget for the New Water Tank design is \$634,184.00.

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **authorize** the **Mayor** and **Public Works Director** to sign **Amended Task Order** for Professional Services between the City of Nampa and Keller Associates, Inc. for the Elevated Tank Replacement Study in the amount of \$499,405.00, Time and Materials Not to Exceed. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #5-10** – was postpone at the request of staff - **authorize** the **Mayor** and/or **Public Works Director** to Execute any Necessary Documents Pertaining to the Idaho Transportation Department Right-of-Way Acquisition of City of Nampa Cemetery Property.

**Item #5-11.** - Mayor Kling presented the request to **authorize Addition** of AECOM to 2018-2019 Request for Qualifications First Choice Hiring Roster, and **authorize** the **Mayor** and **Public Works Director** to sign Miscellaneous Professional Services Term Agreement, and **authorize** the **Mayor** and **Public Works Director** to sign Task Order for Scope of Work with AECOM for Benefit/Cost Ratio Determination for SH-45 Realignment in the Amount of \$53,890.00 Time and Material Not to Exceed (T&M NTE) for Street Division.

Daniel Badger presented a staff report explaining that the Beginning in 2007, the Public Works Department looked at many options for how to improve traffic flow and business accessibility, especially in the Nampa downtown area. Nampa's Urban Renewal Development Agency (NDA) funded these efforts during a time when location of the Nampa Public Library and its footprint were being determined.

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The Downtown Nampa Traffic Alternatives Analysis, completed by URS Engineering, (adopted by NDA in 2011) explored 26 alternative ways to direct traffic effectively throughout downtown. Its number one conclusion was that SH-45 needed to be removed from downtown. The preferred realignment utilized 7<sup>th</sup> Street South, Yale Avenue and Northside Boulevard to connect northbound traffic to I-84 (see Exhibit A).

SH-45 (12<sup>th</sup> Avenue South) is under the jurisdiction of the Idaho Transportation Department (ITD) Subsequently, Council authorized URS to complete a 2012 concept plan (approved in 2014) for the preferred realignment (known as Alternative 1A). This plan resulted in, (1) assumptions regarding how the improved roadway on 7<sup>th</sup> Street South and Yale Avenue would be developed, (2) a cost estimate for the realignment under those assumptions, and (3) the number of additional lane miles that Nampa would control if the realignment were completed.

ITD has expressed interest multiple times in this alternative since 2012, including a formal presentation to the ITD Board. However, with the passage of time, ITD would like to have an updated cost estimate using current information for the same set of assumptions that were in the 2014 concept plan.

Nampa's Public Works Director has been asked by ITD to prepare a benefit/cost analysis for Alternative 1A. ITD uses benefit/cost ratios as one very important prioritizing criteria as they prepare their five-year construction programs. To calculate this ratio requires an assessment of travel time savings as major components of benefit. Updated costs would provide the cost component.

URS (now AECOM) prepared all above-referenced prior studies. The attached Scope of Work and budget (see Exhibit B), in the amount of \$53,890.00 time and material not to exceed (T&M NTE), provide for updating costs and determining benefit for Alternative 1A. Funding will be provided by Street Division's fiscal year 2019 budget

AECOM did not submit a Statement of Qualifications (SOQ) to be considered for the 2018-2019 City hiring roster. As the selection process has passed, additional consultants can be considered for addition to the City's first choice consultant hiring roster. AECOM has submitted its SOQ (see Exhibit C) for consideration. Public Works recommends adding AECOM to the first-choice roster.

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **authorize addition** of AECOM to 2018-2019 Request for Qualifications First Choice Hiring Roster, and **authorize the Mayor and Public Works Director** to sign **Miscellaneous Professional Services Term Agreement**, and authorize the **Mayor and Public Works Director** to sign **Task Order** for Scope of Work with AECOM for Benefit/Cost Ratio Determination for SH-45 Realignment in the amount of \$53,890.00 time and material not to exceed (T&M NTE) for Street Division. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #5-12.** - Mayor Kling presented the request to **award** the **bid** to **Paul Construction Inc.** and **authorize** the **Mayor** to **sign contract** for the South Sugar Street Pedestrian Activated Crosswalk & North Nampa Bike and Pedestrian Improvements project.

Daniel Badger presented a staff report explaining that through multiple funding applications the City of Nampa was awarded Federal Funds to design and construct multimodal improvements around the City of Nampa.

Funding is through the Federal Transit Authority (FTA) Grant Program and administered by Valley Regional Transit (VRT).

Total estimated project funding for KN 19959 is \$590,000 with the federal allocation being \$472,000 (80%) and the City of Nampa's match portion being \$118,000 (20%). Two project sites are included as follows:

- Key No. 19959: 14<sup>th</sup> Ave. Bike Boulevard & Pedestrian Improvements - construct pavement markings and signing for a Bike Boulevard through north Nampa from 1st Street N. to Garrity Blvd., through Lakeview Park and construct pedestrian ramp improvements (see Exhibit A, Vicinity Map).
- Key No. 19959: N. Sugar St. Pedestrian Activated Crosswalk - construct a Pedestrian Activated Crosswalk (Rectangular Rapid Flashing Beacon – RRFB) across N. Sugar Street at the Indian Creek Pathway (see Exhibit B, Vicinity Map).

The City of Nampa's match will be paid out of FY19 Streets Budget.

Construction is anticipated to begin in June with completion in August, pending availability of the electrical equipment for the pedestrian activated crosswalk.

The City of Nampa received two bids for the South Sugar Street Pedestrian Activated Crosswalk & North Nampa Bike and Pedestrian Improvements project. The apparent low bidder is Paul Construction Inc. with a bid amount of \$512,976.50. All necessary public bidding requirements appear to be satisfied (See Exhibit C, Bid Tabulation)

Estimated project costs:

Design & Construction Inspection Services	\$ 88,340.00
Construction	\$512,976.50
<i>Total Estimated Costs</i>	<i>\$601,316.50</i>

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Engineering recommends award of the South Sugar Street Pedestrian Activated Crosswalk & North Nampa Bike and Pedestrian Improvements project to Paul Construction Inc., in the amount of \$512,976.50.

Overage of \$11,316.50 will be accounted for through the efficient use of the \$60,000 contingency item specified within the contract to maintain the project budget.

**MOVED** by Bruner and **SECONDED** by Haverfield to **award** the bid to **Paul Construction Inc.** and **authorize** the **Mayor** to sign contract for the *South Sugar Street Pedestrian Activated Crosswalk & North Nampa Bike and Pedestrian Improvements project*. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the  
MOTION CARRIED

**Item #5-13.** – The following Resolution was presented:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, DIRECTING STAFF TO PROCEED WITH **CONTRACTING FOR PHASE II OF THE NAMPA WASTEWATER TREATMENT PLANT IMPROVEMENTS AND APPROVING PROJECT PACKAGING AND PROJECT DELIVERY CONTRACTING METHODS**.

**MOVED** by Haverfield and **SECONDED** by Hogaboam 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 **29-2019** and directed the clerk to record it as required.  
MOTION CARRIED

❖ (7) Unfinished Business ❖

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAMPA, IDAHO, TO **CREATE LOCAL IMPROVEMENT DISTRICT NO. 163** FOR NAMPA, IDAHO, FOR CITY **UTILITY EXTENSIONS AND CONNECTIONS**; PROVIDING FOR THE LEVYING OF ASSESSMENTS UPON THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS AND FOR THE BASIS OF MAKING SAID ASSESSMENTS; SETTING FORTH THE PROPERTIES TO BE INCLUDED IN SAID DISTRICT; AND PROVIDING FOR MAKING THE ASSESSMENT ROLL. (Applicant Engineering Department)

The Mayor declared this the first reading of the Ordinance.

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

**MOVED** by Hogaboam and **SECONDED** by Haverfield to **pass** the preceding **Ordinance** under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4440** and directed the Clerk to record it as required.

MOTION CARRIED

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

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **2008 W. ORCHARD AVENUE**, COMPRISING APPROXIMATELY 3.50 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE **ANNEXED** INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE RD (TWO-FAMILY (DUPLEX) RESIDENTIAL) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Pontifex Capital, LLC representing Bob Taunton, Taunton Group LLC)

The Mayor declared this the first reading of the Ordinance.

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

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **pass** the preceding **Ordinance** under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4441** 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 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)**
- 8-3. 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)**
- 8-4. 1st reading of ordinance for Annexation and Zoning to RS-6 (Single-Family Residential Districts/Zones) 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) **(PH was 5-20-2019)**
- 8-5. 1st reading of ordinance for Annexation and Zoning to RD (Two-Family (Duplex) Residential District/Zone) 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) **(PH was 5-20-2019)**
- 8-6. 1st reading of ordinance 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).
  - a. Zoning Map Amendment from RS-8.5 (Single-Family Residential Districts/Zones) to RS-7 (Single-Family Residential Districts/Zones) for approximately 25 acres, and Zoning Map Amendment from RS-8.5(Single-Family Residential Districts/Zones) to RP (Residential Professional District/Zone) 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; **(PH was 5-20-2019)**

Regular Council  
June 3, 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.

**MOVED** by Haverfield and **SECONDED** by Hogaboam to **adjourn** into **executive session** at 9:04 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. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**MOVED** by Haverfield and **SECONDED** by Bruner to **conclude the executive session** at 9:28 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. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**MOVED** by Haverfield and **SECONDED** by Bruner to **adjourn** the **meeting** at 9:29 p.m. The Mayor declared the

MOTION CARRIED

Passed this 17th day of June 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
NAMPA CITY CLERK