

NAMPA CITY COUNCIL REGULAR MEETING MINUTES
June 6, 2022

Mayor Kling called the meeting to order at 5:30 p.m.

Mayor conducted the Swearing-in ceremony for Dale Reynolds to Seat 4 of the City Council.

Clerk made note that Councilmembers Rodriguez, Bruner, Jangula, Reynolds, Haverfield, and Bower were present.

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

MOVED by Haverfield and **SECONDED** by Jangula to **Approve the Consent Agenda** which had the following items presented:

Item #1-1. - Minutes

- a. Regular Council Meeting – May 16, 2022
- b. Special Council Meeting – May 19, 2022
- c. Planning & Zoning Commission – May 10, 2022
- d. Bicycle & Pedestrian Advisory Committee – April 14, 2022

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. - Plat Approvals

- a. Final
 - Subdivision Final Plat Approval for Lekeitio Village No. 3 Subdivision in a RS7 (Single-Family Residential 7,000 sq. ft) zoning district; addressed as 17390 & 0 N Can Ada Rd. - parcels #R303900000 & #R3039201000 (totaling 16.32 acre parcel located in the N 1/2 of the SW 1/4 of Section 6, T3N, R1W, BM) for Tim Mokwa/Hayden Homes Idaho, LLC representing Encore Lekeitio Village, LLC (SPF-00197-2022). Original Concept: 62 residential lots and 6 common lots.
 - Subdivision Final Plat Approval for Sweetwater Glen No. 2 Subdivision in a RS7 (Single-Family Residential 7,000 sq. ft) zoning district; addressed as 0 & 8620 Ustick Rd. - portions of parcels #R3437101000 & R3437100000 (totaling 16.17 acres & located in the E 1/2 of the SW 1/4 of Section 34, T4N, R2W, BM) for TOLL Southwest LLC, Adam Capell representing DRP ID 1, LLC (SPF-00198-2022). Original Concept: 53 single-family residential lots and 11 common lots.

- Subdivision Final Plat Approval for Maple Leaf Subdivision in a RP (Residential Professional) zoning district; addressed as 0, 4921 & 5009 Stamm Lane - parcels #R2501000000, R2501101000, & R2501100000 (totaling 7.81 acres & located in the SW 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM) for Landmark Pacific Development Inc. (SPF-00192-2022). Original Concept: 54 single-family residential lots, 1 commercial lot, and 3 common lots.
- b. Condo
- Subdivision Condo Plat Approval for Midland Executive Condos; a .19 acre parcel at 1115 N. Midland Blvd (Parcel #: R1307801100) in the RD (Two Family Duplex Residential) zoning district, located in the SE ¼ of Section 17, T3N, R2W, BM; for Gaven J. King (SPC-00007-2022). Original Concept: Build a duplex building and create two condominium spaces to be owned individually.

Item #1-4. - Authorize Public Hearings

- a. Variance of NCC 10-1-8.D.1 to allow a 6' fence to extend into the front yard area not closer than 20' from the front property line along 5th Ave S for a property addressed as 312 5th Ave S. (a .16 acre parcel in the SW ¼ of Section 22, T3N, R2W, BM) in the DB (Downtown Business) zoning district, for Teno Jimenez (VAR-00117-2021).
- b. Development Agreement Modification, Subdivision Preliminary Plat, and Planned Unit Development for the Cherry Grove Subdivision and rescinding of a 2008 addendum (instrument #2008024563) outlining sewer requirements at that time, on a property at 0 Elm Ln (Parcel # R3422900000); totaling 74.35 acres in the RS8.5 (single-family residential) zoning district (located in the SW 1/4 of Section 26, T4N, R2W, BM) for KB Home Idaho LLC representing Ruben J. and Sara Asumendi (DAMO-00056-2022, SPP-00103-2022, & PUD-00010-2022). Original Concept: Development Agreement Modification to increase density to 3.64, replace the concept plan exhibit, and modifications to Exhibit C Conditions of Approval to allow the proposed Cherry Grove Subdivision. Preliminary Plat Subdivision & Planned Unit Development for 271 single-family homes and 35 common lots, meeting the RS8.5 PUD densities- 17.2% qualified open space.

- c. Annexation and Zoning to RMH (Multiple-Family Residential) zoning district and potential development agreement for the Happy Valley Townhomes at 604 N Happy Valley Rd. (Parcel # R2287700000, totaling 2.92 acres in the NW ¼ of Section 19, T3N, R1W, BM, Nampa), for Steve White representing Happy Valley Townhomes, LLC (ANN-00239-2022). Original Concept: 48 total units in 12 four-plex buildings.
- d. Annexation and Zoning to IL (Light Industrial) zoning district, and development agreement, at 15861, 15859, & 0 McDermott Rd (3 parcels totaling 36.7 acres #R304370000, R304340000, & R304380000, located in the NE 1/4 of Section 17, T3N, R1W, BM) for Will Goede representing ATSAW GP LLC. (ANN-00236-2022). Original Concept: 2 industrial flex space buildings totaling 703,300 sq. ft.

Item #1-5. - Authorize to Proceed with Bidding Process

- a. None

Item #1-6. - Authorization for Execution of Contracts and Agreements

- a. None

Item #1-7. - Monthly Cash Report

- a. None

Item #1-8. - Planning & Zoning Formal Findings

- a. None

Item #1-9. - Licenses for 2022

- a. Alcohol Renewal

Name	Address	Type	Points
Mongolian BBQ Nampa	1123 Caldwell Blvd	On Premise Beer & Wine	0
Vape	1023 12 th Ave S	Off Premise Beer & Wine	0
Lifestyle Cafe	1225 1 st St S	On Premise Beer & Wine	0

- b. Alcohol New

- None

Item #1-10. - Miscellaneous items

- a. None

Item #1-11. - Approval of Agenda

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

MOTION CARRIED

❖ **(2) Public Forum** ❖

- JJ Campbell, P.O. Box 134, Nampa (6975 Sterling Creek Rd, Jacksonville, OR) spoke on the need for drug addiction and alcohol recovery programs.

❖ **(3) Proclamation** ❖

Item #3-1 – Elder Abuse Awareness Month

Jeannie Strohmeyer and Alyssa Groen, Family Justice Center accepted the Proclamation and thanked the Council for their support.

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

Item #4-1. – None

❖ **(5) Staff Communications** ❖

Item #5-1. – Public Works Staff Report

Jeff Barnes, Public Works-Water Resources spoke on the following items: (1) Upcoming Public Works magazine; (2) Chip and Seal program that started June 6th; (3) Tom Points, Public Works Director is speaking at a conference in Sun Valley regarding the drought; and (4) Wastewater Treatment Plant project update.

❖ (6) New Business ❖

Item #6-1 – Request for Reconsideration of Development Agreement Modification to modify the concept plan (Exhibit B) and conditions of approval (Exhibit C) of Ordinance No. 3584, changing the site plan, the number of buildings, associated parking, and conditions, and future Subdivision Preliminary Plat for the Falcon Townhouses Subdivision on 3 parcels addressed as 0 Lake Lowell Ave. - parcel #'s R32045000, R32045012, & R32045013 in a RD (Two-Family Residential) zoning district (three parcels totaling 7.8 acres in the SE 1/4 of Section 30, T3N, R2W, BM, Nampa, Canyon County) for Delta LLC/M Ataul Karim (DAMO-00054-2022). Revised Concept: 56 single-family attached townhouse units in 14 buildings, and 2 common lots (50,205 sq. ft.), and 1 open space lot (41,823 sq. ft.).

Victor Villegas, Legal stated that this was not a Public Hearing item and was limited to what was contained in the request for reconsideration letter.

MOVED by Bruner and **SECONDED** by Rodriguez to **Deny** the request for reconsideration. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-2 – Appointment of Councilmember to serve as liaison to the Nampa Library Board.

Rick Hogaboam, Mayor's Office presented the item to Council.

MOVED by Reynolds and **SECONDED** by Bower to **Appoint Councilmember Victor Rodriguez** to serve as liaison to the Nampa Library Board. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-3 – Resolution for the Appointments of Councilmember Dale Reynolds to the Valley Regional Transit Board and Mark Steuer, Director of Strategic Initiatives (Public Works), as Alternate.

MOVED by Rodriguez and **SECONDED** by Haverfield to **Pass the Resolution as presented.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the resolution passed, numbered it **36-2022** and directed the Clerk to record it as required.

MOTION CARRIED

Item #6-4 – Appointment of Mark Steuer, Director of Strategic Initiatives (Public Works), to serve as alternate to the COMPASS Board.

MOVED by Rodriguez and **SECONDED** by Bruner to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES.**

MOTION CARRIED

Clerk's Note: Rick Hogaboam and Mayor introduced Kari Seely, the Mayor's new Executive Assistant.

Item #6-5 – Appointments to the Nampa Districting Committee:

- a. **Matthew Johnson, Zone 1**
- b. **Adrian Castaneda, Zone 2**
- c. **Anthony Berlin, Zone 3**
- d. **Stephanie Binns, Zone 4**
- e. **Kathleen Tuck, Zone 5**
- f. **Ray Booze, Zone 6**
- g. **Troy Minnick, At-Large**
- h. **Jane Zornik, At-Large**
- i. **Nathan Cleaver, At-Large**

Rick Hogaboam, Mayor's Office presented the item to Council.

MOVED by Bruner and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES.**

MOTION CARRIED

Item #6-6 – Economic Development, Community Development Program recommending to decrease the 2022 Annual Action Plan funding allocation by \$89,552.00, as presented.

MOVED by Haverfield and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-7 – Authorize the Parks and Recreation Department to sign a Task Order agreement with T-O Engineers Inc. for the rebuild design services of the Centennial Golf Course parking lot in the amount of (Not To Exceed) \$75,970.

MOVED by Rodriguez and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-8 – Authorize Parks and Recreation to execute the proposed agreement with BerryDunn to perform the Parks and Recreation Master Plan for the amount (not to exceed) \$140,000. Funded with Parks Impact Fees.

Darrin Johnson, Parks and Recreation responded to Council’s questions.

MOVED by Haverfield and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-9 – Authorize the Mayor to sign a Memorandum of Understanding with the Idaho Fish and Game allowing Parks Staff to clean two restroom vaults one time each week.

MOVED by Haverfield and **SECONDED** by Jangula to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-10 – Authorize Engineering Division to proceed with the execution of the Utility Relocation Cost Agreement with Idaho Power in the amount of \$192,000 for the Franklin Road Widening, Star Road to SH-16 project.

MOVED by Bruner and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-11 – Authorize Engineering Division to proceed with the execution of the Utility Relocation Cost Agreement with Idaho Power in the amount of \$178,220 for the Franklin Boulevard and Birch Lane Intersection project.

Daniel Badger, Engineering responded to Council’s questions.

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-12 – Authorize Mayor and Public Works Director to sign Task Order Amendment with Parametrix to provide an environmental review for the Franklin Road Widening project in the amount of \$67,170.00 (T&M NTE).

Daniel Badger, Engineering responded to Council’s questions.

MOVED by Bruner and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-13 – Award bid to Thueson Construction, Inc. and authorize Mayor to sign contract for the Kings Road and Victory Road Intersection Improvement project in the amount of \$2,655,776.60.

Daniel Badger, Engineering responded to Council’s questions.

MOVED by Haverfield and **SECONDED** by Bower to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-14 – Award quote to Professional Construction Services and authorize Mayor to sign contract for Manhole & Valve Collar Adjustments FY22 in the amount of \$50,000.

Daniel Badger, Engineering responded to Council’s questions.

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: At 6:34 p.m., Mayor announced that Council would move to the Public Hearing portion of the agenda.

Item #6-15 – Award quote to Ewing Co. and authorize Mayor to sign contract for the Wastewater Shop Crane project in the amount of \$98,995.00.

MOVED by Bruner and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-16 – Award bid to Ground Innovations, LLC and authorize Mayor to sign contract for the Annual Irrigation Pipeline Replacement FY22 project in the amount of \$576,698.00.

Daniel Badger, Engineering responded to Council's questions.

MOVED by Haverfield and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-17 – Engineering Division presenting applicant's request for deferral of subdivision improvements for the Haven Creek Subdivision.

Daniel Badger, Engineering presented the item to Council.

MOVED by Haverfield and **SECONDED** by Reynolds to **Deny** the applicant's request for deferral. Mayor asked for a roll call vote with Councilmembers Rodriguez, Jangula, Reynolds, Haverfield, and Bower voting **YES** and Councilmember Bruner voting **NO**.

MOTION CARRIED

Item #6-18 – Award bid to Dasco of Idaho, Inc. and authorize Mayor to sign contract for 2nd and 4th Street Waterline Replacement project in the amount of \$1,190,010.00.

MOVED by Reynolds and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-19 – By Resolution, authorize the Nampa Police Department to submit an application for the DOJ Community Oriented Policing Services Grant to fund one school resource officer for Elevate Academy for a total of up to \$125,000 over three years.

MOVED by Rodriguez and **SECONDED** by Haverfield to **Pass the Resolution as presented.** Mayor asked for a roll call vote with all Councilmembers present voting **YES**. Mayor declared the resolution passed, numbered it **37-2022** and directed the Clerk to record it as required.

MOTION CARRIED

❖ (7) Public Hearings ❖

Item #7-1 – Zoning Map Amendment from IP (Industrial Park) to IL (Light Industrial) zoning district, and potential development agreement; in order to expand the display of Campbell Tractor Co. used equipment for sale at 0 N. Franklin Blvd. (Parcel #R3121400000); located on 5.04 acres in the NW ¼ of Section 14, T3N, R2W, BM) for Fran Kar Properties LLC (ZMA-00162-2021).

Mayor opened the public hearing.

Steve Grey, Campbell Tractor Company presented the request.

Parker Bodily, Planning & Zoning presented the item to Council and spoke on an additional condition of approval (#3) being recommended by staff to require a 15 ft landscape buffer and full frontage requirements. Daniel Badger, Engineering responded to Council's questions.

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

MOVED by Haverfield and **SECONDED** by Bower to **close the public hearing.** Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Rodriguez and **SECONDED** by Jangula to **Approve** the Zoning Map Amendment from IP (Industrial Park) to IL (Light Industrial) zoning district in order to expand the display of Campbell Tractor Co. used equipment for sale at 0 N. Franklin Blvd. (Parcel #R3121400000) for Fran Kar Properties LLC (ZMA-00162-2021) with all conditions of staff and conclusions of law, **including the new condition of approval as presented.** Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-2 – Zoning Map Amendment from IP (Industrial Park) to IL (Light Industrial) zoning district, and potential development agreement; in order to allow storage of materials and equipment (including recycling containers) outside, rather than within a building as required in the IP zone, at 1517 Madison Ave (a.48 acre parcel in the NW ¼ of Section 15, T3N, R2W, BM) for Dennis Harmon representing Sheli Sandlin (ZMA-00163-2021).

Mayor opened the public hearing.

Patrick Mckeegan, Applicant Representative, 2419 S Annett St, Boise presented the request.

Rodney Ashby, Planning & Zoning presented the item to Council.

Clerk's Note: It was discovered that the complete Staff Report was not submitted for the Council packet and the Mayor confirmed with Legal that it was acceptable to pause the item until after Item #7-3 to allow staff time to obtain the project materials for presentation to Council.

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

MOVED by Haverfield and **SECONDED** by Bower to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Rodriguez to **Approve** Zoning Map Amendment from IP (Industrial Park) to IL (Light Industrial) zoning district at 1517 Madison Ave for Dennis Harmon representing Sheli Sandlin (ZMA-00163-2021) to include the conditions of approval in the staff report **and a development agreement to include a 15 foot separation landscape buffer around the perimeter of the site, a 6 foot vinyl site-obscuring fence around the perimeter of the site, and a maximum height of 18 feet of the stacked units to ensure they wouldn't fall outside of the property lines.**

Clerk's Note: Prior to the vote, a substitute motion was provided.

MOVED by Bower and **SECONDED** by Reynolds to **Continue the item to the first regular Council meeting in July 2022**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-3 – Annexation and Zoning to BC (Community Business) zoning district, potential development agreement, and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd (Parcel #'s R211430100 & R211430000, totaling 4 acres in the NW ¼ of Section 1, T2N, R2W, BM, Nampa), for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022). Original Concept: 84 unit apartments in 6 buildings.

Mayor opened the public hearing.

Joshua Hubert, Applicant, 3203 Karsan Ct, Nampa presented the request.

Parker Bodily, Planning & Zoning presented the item to Council. Daniel Badger, Engineering; Cody Swander, Parks and Recreation; and Kristi Watkins, Planning & Zoning responded to Council's questions.

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

MOVED by Haverfield and **SECONDED** by Rodriguez to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Bruner to **Approve** the Annexation and Zoning to BC (Community Business) zoning district and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022) with all conditions listed in the staff report. **Motion withdrawn.**

Clerk's Note: After the motion but before a second, discussion took place on including potential amendments to the conditional use permit. Since this was not discussed with the applicant, the Mayor requested to re-open the public hearing. Councilmember Bruner withdrew his motion.

MOVED by Bruner and **SECONDED** by Jangula to **re-open the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Discussion ensued between Council and the applicant regarding potential amendments to the conditional use permit.

MOVED by Rodriguez and **SECONDED** by Haverfield to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Bruner and **SECONDED** by Rodriguez to **Approve** the Annexation and Zoning to BC (Community Business) zoning district and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022) with all conditions listed in the staff report **and, in addition, in the conditional use permit, confirming the 15% minimum landscape requirement, a 5 foot minimum landscape buffer around the north, south, and east sides of the property, sight-obstructing fencing on the north boundary and open fencing on the east boundary with the assumption that the south boundary is already fenced, and compliance with the current parking ordinance and ADA requirements.** Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: At 8:01 p.m., Mayor announced that Council would return to Item #7-2 for consideration.

Clerk's Note: At 8:54 p.m., Mayor announced a short recess.

Item #7-4 – Conditional Use Permit for Multi Story Conditioned Storage at District 208 for conditioned public storage units on two floors in an existing building in the BC (Community Business) zoning district in a 5.55 acre portion of a parcel addressed as 1509 Caldwell Blvd (A 34.86 acre portion of Lot 4, in Block 1 of Karcher Mall Subdivision situated in the NE ¼, Section 17, T3N, R2W, BM) for RHINO Holdings Nampa, LLC (CUP-00271-2022).

Mayor opened the public hearing.

Daniel Sekerak, Applicant Representative, 1322 Old River Rd, Cleveland, OH presented the request. Jon Wall, Applicant, responded to Council's questions.

Kristi Watkins, Planning & Zoning presented the item to Council.

Margorie Potter 1811 N Cobble Way, Nampa stated she was neutral to the request.

The following spoke in opposition to the request: Aaron Lafky, 504 Caldwell Blvd, Nampa; Justin Fredin, 877 Main St, Ste 1000, Boise; and Rosemary Nelson, 2400 Sundance Rd, Nampa.

MOVED by Rodriguez and **SECONDED** by Bower to **close the public hearing.** Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Rodriguez and **SECONDED** by Jangula to **Deny** the Conditional Use Permit for Multi Story Conditioned Storage at District 208 for conditioned public storage units on two floors in an existing building in the BC zoning district at 1509 Caldwell Blvd for RHINO Holdings Nampa, LLC (CUP-00271-2022) **because the project fails to comply with density, traffic impacts, location and affects the community in that area.** Mayor asked for a roll call vote with Councilmembers Rodriguez, Jangula, and Reynolds voting **YES** and Councilmembers Bruner, Haverfield and Bower voting **NO**. The Mayor broke the tie by voting **NO**.

MOTION FAILED

MOVED by Haverfield and **SECONDED** by Bower to **Approve** the Conditional Use Permit for **single or multi-story conditioned storage not to exceed 60,000 square feet** at District 208 for RHINO Holdings Nampa, LLC (CUP-00271-2022) with all conditions listed in the staff report. Mayor asked for a roll call vote with Councilmembers Bruner, Reynolds, Haverfield and Bower voting **YES** and Councilmembers Rodriguez and Jangula voting **NO**.

MOTION CARRIED

Item #7-5 – Authorize the allocation of \$222,801.59 in CDBG funding for Facility and Park Improvements to be carried out as part of the 2022 Annual Action Plan.

Mayor opened the public hearing.

Matt Jamison, Economic Development presented the item to Council.

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

MOVED by Haverfield and **SECONDED** by Jangula to **close the public hearing.** Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bower to **Authorize the allocation of \$222,801.59** as listed in the staff report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: Mayor announced Council would now continue with the regular agenda order, starting with Item #6-15.

❖ (8) Unfinished Business ❖

Item #8-1 – 1st reading of ordinance for Annexation and Zoning to RS8.5 (Single-Family Residential 8,500 sf.) zoning district, potential Development Agreement, and Subdivision Preliminary Plat for Terrace Falls Subdivision at 0 E Locust Lane (parcel # R2886601100, located in the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 6, T2N, R1W, BM) for Cleve & Murvelle Cushing Trust representing Cushing Family Trust (ANN 219-21 & SPP 094-21). Original Concept: 97 single-family lots; and 21 common lots; for a 2.12 gross density and a 3.58 net density

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 0 EAST LOCUST LANE, NAMPA, IDAHO, (PARCEL NUMBER R2886601100) COMPRISING APPROXIMATELY 48.47 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED RS 8.5 (SINGLE-FAMILY RESIDENTIAL 8,500 SF); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS ZONED RS 8.5 (SINGLE-FAMILY RESIDENTIAL 8,500 SF) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; SUBJECT TO THE TERMS OF THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE APPLICANT AND THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK 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.

MOVED by Haverfield and **SECONDED** by Rodriguez to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4673** and directed the Clerk to record it as required.

MOTION CARRIED

Item #8-2 – 1st reading of ordinance for Annexation and Zoning to BC (4.5 acres), IL (3.66 acres), RMH (16.15 acres), & RS6 (22.09 acres) - all located within four parcels numbered: #R3078101100, R3078100000, R3078301100, & R3078300000 (addressed as 7755, 0, 0, & 0 Ustick Rd), and potential development agreement, for Trestle Creek Subdivision (to be subdivided at a future date), a mixed-use development including commercial, industrial, multi-family, single-family attached and detached, and open space land uses (located in the NW 1/4 of Section 2, T3N, R2W, BM, Canyon County) for Jane Suggs/Gem State Planning representing Endurance Holdings LLC (ANN 212-21)

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 7755, 0, 0 AND 0 USTICK ROAD, NAMPA, IDAHO, (COUNTY PARCELS R3078101100, R3078100000, R3078301100, & R3078300000) COMPRISING APPROXIMATELY 46.4 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY, AND PORTIONS OF SAID LANDS SHOULD BE ZONED AS FOLLOWS: BC (COMMUNITY BUSINESS - 4.5 ACRES), IL (LIGHT INDUSTRIAL - 3.66 ACRES), RMH (MULTIPLE FAMILY RESIDENTIAL - 16.15 ACRES), & RS6 (SINGLE FAMILY RESIDENTIAL 6000 SQ. FT. - 22.09 ACRES); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY, AND TO DESIGNATE PORTIONS OF SAID PROPERTY AS BC (COMMUNITY BUSINESS - 4.5 ACRES), IL (LIGHT INDUSTRIAL - 3.66 ACRES), RMH (MULTIPLE FAMILY RESIDENTIAL - 16.15 ACRES), & RS6 (SINGLE FAMILY RESIDENTIAL 6000 SQ. FT. - 22.09 ACRES) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; SUBJECT TO THE TERMS OF THAT CERTAIN DEVELOPMENT AGREEMENT ENTERED INTO BETWEEN THE APPLICANT AND THE CITY OF NAMPA; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK 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.

MOVED by Haverfield and **SECONDED** by Reynolds to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4674** and directed the Clerk to record it as required.

MOTION CARRIED

Item #8-3 – 1st reading of ordinance for Zoning Map Amendment to adjust the boundaries of existing zoning districts to the following areas: RP (Residential Professional) to 4.31 acres, RS4 (Single-family Residential 4,000 sf) to 5.2, 9.85, 19.46, 15.4, & 7.81 acres, RS6 (Single-family Residential 6,000 sf) & BC (Community Business) to 4.57 acres; from RS6 (Single Family Residential 6,000 sf) to 10.81 acres, RS7 (Single-family Residential 7,000 sf) to 13.10 acres, & RP (Residential Professional) to 4.31 acres; and potential development agreement; and Preliminary Plat for Reflections Edge Subdivision all located on parcel #'s R3239201100, R32392000000, R32394010D0, R32394010C0, R32394010F0, R3239501200, and R3239500000 - all addressed as 0 E Railroad St (parcels totaling 97.8 acres located in the NE 1/4 of Section 36, T3N, R2W, BM) for Estates 81, LLC (ZMA-00165-2021 & SPP-00102-2021). Original Concept: 1 commercial lot, 28 RP zoned residential lots, 261 RS4 zoned residential lots, 37 RS6 zoned residential lots, and 36 RS7 residential lots, 25 common lots (14.45 acres), and 26.04 acres of right of way.

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

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO TO ADJUST BOUNDARIES OF EXISTING ZONING DISTRICT FOR CERTAIN LANDS COMMONLY KNOWN AS PARCEL NUMBERS R3239201100, R32392000000, R32394010D0, R32394010C0, R32394010F0, R3239501200, and R3239500000 ALL ADDRESSED AS 0 E RAILROAD ST., NAMPA, TO THE FOLLOWING: RP (RESIDENTIAL PROFESSIONAL) TO 4.31 ACRES, RS4 (SINGLE-FAMILY RESIDENTIAL 4,000 SF) TO 5.2, 9.85, 19.46, 15.14, & 7.81 ACRES, RS6 (SINGLE-FAMILY RESIDENTIAL 6,000 SF) & BC (COMMUNITY BUSINESS) TO 4.57 ACRES; FROM RS6 (SINGLE-FAMILY RESIDENTIAL 6,000 SF) TO 10.81 ACRES, AND RS7 (SINGLE-FAMILY RESIDENTIAL 7,000 SF) TO 13.10 ACRES; DETERMINING THAT SAID BOUNDARY ADJUSTMENT IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; SUBJECT TO THE TERMS OF THAT CERTAIN DEVELOPMENT AGREEMENT ENTERED INTO BETWEEN THE APPLICANT AND THE CITY OF NAMPA, AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH.

MOVED by Haverfield and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4675** and directed the Clerk to record it as required.

MOTION CARRIED

❖ **(9) Pending Ordinances** (Postponed Due to Lack of Supporting Documentation) ❖

- 9-1. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) (**PH was 12-07-2020**) (with City Attorney for ordinance and DA)
- 9-2. Vacation of an approximately 322' by 5.45' (approximately 1,754 sq. ft) water main easement, a portion of 0 S Rising Sun Dr., county parcel #R3210338400 (located in the NW 1/4 of Section 32, T3N, R2W, BM) for Epic Development Idaho, LLC (VAC-049-21) (**PH was 04-19-2021**)
- 9-3. Zoning Map Amendment from RS6 (Single Family Residential 6,000 sf) to RP (Residential Professional) zoning district; and potential development agreement, at 3 N Midland Blvd. - Parcel # R1613101000; (a .45 acre parcel located in the SE 1/4 of Section 20, T3N, R2W, BM) for Ronald J Pierce (ZMA 159-21). Original Concept: to allow the conversion of an existing home into a three- bedroom apartment upstairs and two office spaces downstairs (**PH was 02-22-2022**)
- 9-4. Annexation and Zoning of 126.27 acres south of Amity Rd and west of Happy Valley Rd to RS6 (Single-Family Residential 6,000 sf. - 64.33 acres), RMH (Residential Multiple Family - 15.86 acres), BC (Community Business - 5.24 acres), & IL (Light Industrial 40.84 acres) zoning districts, and potential development agreement, for Chisum Estates Subdivision at 0, 0, 0, 3915, & 3611 Amity Ave, and 0, 0, & 0 E Railroad St. (parcel #s R3238900000, R221600000, R323900000, R3239100000, R3239501200, R32394010F0, R32392011A0, R3238901000); and Planned Unit Development for the proposed RS6 zoned properties, and Subdivision Preliminary Plat for Chisum Estates Subdivision for the above referenced properties excluding parcels

- R32392011A0, R32394010F0, & R3239501200; (all located in the N 1/2 of Section 36, T3N, R2W, BM, City of Nampa, Canyon County, Idaho, for Triple Crown Investments LLC / Lance Thueson representing Thornton-Gallup LLC (ANN 220-21, PUD-008-21, & SPP 095-21). Original Concept: 191 single-family lots; 1 multi-family lot for 186 units, 2 commercial lots, 11 industrial lots, 35 common lots, and 24.26 acres of right-of-way, for a RS6 gross density of 2.97 and a 6.98 net density; a RMH gross density of 11.73 and a net of 30.74; with 19.7% in open space **(PH was 03-07-2022)**)
- 9-5. Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning districts, and potential development agreement; at 0 E Chisholm Dr (parcel #R3118700000); located on a 13.10 acre portion of the NW ¼ of Section 14, T3N, R2W, BM) for Jeff Hatch - Hatch Design Architecture representing Brivan Idaho LLC (ZMA-00154-2021). Original Concept: 120,000 sf industrial flex complex **(PH was 03-21-2022)**
- 9-6. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement; at 0 & 16989 Madison Rd, (parcels #R3100900000 & R3104700000) totaling 21.09 acres and located in the N 1/2 of Section 10, T3N, R2W, BM) for William Juarez representing Jim Cox (ANN-00227-2021). Original Concept: A partially completed office industrial building at 16989 Madison and construction of a 4,800 sf shop with 3 overhead doors, an office, restroom, utility room and storage on the property addressed as 0 Madison Rd. **(PH was 04-18-2022)**
- 9-7. Zoning Map Amendment from RS6 PUD (Single Family Residential 6,000 sf) to RD (Two-Family DUPLEX Residential) zoning district; development agreement modification to rescind and replace the existing agreement (Ordinance 3610); and Subdivision Preliminary Plat for Middlebury North Subdivision at 0, 0, & 0 Midway Road (Parcel #'s R32799010A0, R3279800000, & R32799010B0); totaling 121.09 acres (located in the S 1/2 of Section 13, T3N, R3W, BM) for Jane Suggs - Gem State Planning representing Endurance Holdings LLC (ZMA-00156-2021, DAMO-00051-2021, & SPP-00097-2021). Original Concept: 244 single family lots, 36 duplex lots, 38 4-plex lots, 69 common lots, and 28.79 acres of right-of-way - totaling 468 dwelling units and over 24% common area, for a gross density of 3.86 and a net density of 7.57. **(PH was 05-02-2022)**
- 9-8. Annexation and Zoning to IL (Light Industrial) zoning district at 29 N Happy Valley Rd (a 1.49 acre parcel # R3174300000, located in the SE 1/4 of Section 24, T3N, R2W, BM) for Rogelio H. Gallegos (ANN-00232-2022). Original Concept: Establish the existing shop on the property as an auto repair business w/ caretaker residence. **(PH was 05-16-2022)**

- 9-9. Annexation and Zoning to RS22 (Single-family Residential 22,000 sq. ft.) zoning district at 703 W Dooley Ln (a 3.47 acre parcel # R2926101000, located in the SW 1/4 of Section 4, T2N, R2W, BM) for Blake Wolf representing Robert & K. Virginia Peirsol Revocable Trust (ANN-00231-2022). Revised Concept: To enable a future subdivision of four single-family homes. (PH was 05-16-2022)
- 9-10. Annexation and Zoning to RS22 (Single-Family Residential 22,000 sq. ft.) zoning district, potential development agreement, and Subdivision Short Plat for Happy Rails Subdivision at 0 S. Happy Valley Rd. (Parcel #R3239601000, a 3.02 acre parcel in SE ¼ of Section 36, T3N, R2W, BM, Nampa, Canyon County), for HECO Engineers, representing Luis Arizmendi (ANN-00228-2021 & SPS-00041-2021). Original Concept: 4 single family lots, 1 common lot. (PH was 05-16-2022)

❖ (10) Executive Session ❖

Item #10-1 – Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)(f)

- Idaho Code 74-206 (1)(f), To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement

MOVED by Reynolds and **SECONDED** by Jangula to **Adjourn into Executive Session** at 10:27 p.m. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bower to **Adjourn out of Executive Session** at 10:38 p.m. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Reynolds and **SECONDED** by Bower to **Adjourn the meeting** at 10:39 p.m. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Regular Council Meeting Minutes
June 6, 2022

Passed this 20th day of June 2022.

MAYOR

ATTEST:

NAMPA CITY CLERK