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

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

Mayor Kling amended the agenda by moving item #3-1. Dan Holtry and the Nampa Football Team to agenda or non-agenda item and by removing item #9-1. Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (j) to consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code due this item being finished in the 5:00 p.m. Special Council meeting.

(1) Consent Agenda (Action Items)

MOVED by Haverfield and SECONDED by Bruner to approve the Consent Agenda with the above-mentioned amendments; Item #1-1. - Regular Council Minutes of August 5, 2019; Special Council Minutes of August 5, 2019; Bicycle and Pedestrian Advisory Committee Minutes of June 13, 2019; Board of Appraisers Minutes; Airport Commission Minutes of July 8, 2019; Council on Aging Minutes of June 10, 2019; Planning & Zoning Commission Minutes of July 23, 2019; Fire Negotiation Minutes of August 8, 2019a; Library Commission Minutes; Nampa Development Corporation Minutes of June 18, 2019: 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) Annexation and Zoning to RS-4 (Single Family Residential – 4000 sq. ft minimum lot size) zoning district at 1104, 1210, 1306 and 1318 Lone Star Rd, a 13.73 acre parcel located in the SE ¼ of Section 20 T3N R2W BM, for Springbrook Subdivision Preliminary Plat (59 single family detached lots for 4.3 dwelling units per gross acre), for Mason and Associates representing Lanco, Inc. (ANN-00126-2019 and SPP-00043-2019); 2) Annexation and Zoning to IL (Light Industrial) zoning district for manufacturing facilities at 39 N Picard Lane. (A 7.83 acre or 341,054 sq. ft portion of the SE ¼ of Section 24 T3N R2W BM – Tax 19044 in the S ½) for Tom Hines. (ANN-00127-2019); 3) Rescission of Annexation and Zoning Development Agreement between Trust 1, LLC and the City of Nampa recorded 09/12/2006 as Inst. No. 200674066 repealing the Development Agreement applicable to the property at 17155 and 17175 Star Road. (On the west side of Star Road, north of Cherry Lane, being a 20.12-acre portion of the SE ¼ of Section 6 T3N R1W BM), for the City of Nampa Planning and Zoning Department. (DAMO-00032-2019); Item #1-5. - Authorize to Proceed with Bidding Process: 1) None; Item #1-6. - Authorization for execution of Contracts and Agreements: 1) Authorize Mayor to Sign, (1) Nampa Municipal Airport Land Lease Agreement, and (2) Memorandum of Lease for Recording with Hangar North, LLC for Lot 2435; 2) Authorize Mayor to Sign, (1) Nampa Municipal Airport Land Lease Agreement, and (2) Memorandum of Lease for Recording with Northwest Backcountry Aircraft, LLC for Lot 2440; Item #1-7. - Monthly Cash Report: 1) July 2019; Item #1-8. - Resolutions: 1) None; Item #1-9. - License for 2019: a) Renewal Alcohol: 1) None; b) New Alcohol: 1) None; Item #1-10 - Miscellaneous Items: 1) None. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. MOTION CARRIED
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):

- Head Coach Dan Holtry and members of the Nampa High Football Team – Donnie Estrada, Alec Jensen, Spencer Kipp, Carlos Puente, Owen Andrews, Jace Mann, Cade Smith, Braden Draper participated in a birthday party for Christian Larson
- Lee Raby, 2322 E. Aruba Drive (Island Subdivision) – requested the police help with the speeding in the area of his address
- Margie Potter, Salvation Army, 403 12th Avenue South – Friday they gave out 500 stuffed back packs and about 68 were in foster care – thanked all of the volunteers
- William Landon Rex, 1216 Holly Street – Municipal Code 3-4-9 No person shall maintain, permit, cause or contribute to anything within the city which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property AND 3-4-10 It shall be unlawful for any person owning, leasing, occupying, or having charge of any premises to maintain, keep or allow any nuisance to remain on such premises longer than five (5) days, or sooner if deemed expedient by a code enforcement official. This shall not only include all nuisances on private property, but nuisances situated on public property adjacent to or contiguous with private property including areas behind curbs, sidewalks, parking areas, and property to the center of alleys and ditches. Said five (5) day period, or sooner if deemed expedient by a code enforcement official, shall commence after written notice is served as provided in section 1-1-14 of this code. The written notice of the five (5) day period, or sooner if deemed expedient by a code enforcement official, shall be served upon any adult occupying the premises on which the nuisance is located and upon the owner of the nuisance, if known. If no occupant of the premises or owner of the nuisance can be found, a notice affixed to any building on the premises shall constitute notice to the owner or occupant of the premises, and the owner of the nuisance. If there is no building on the premises, such notice may be affixed elsewhere on the premises. Provided, however, no additional or further notice shall be required for subsequent or continuing violations. This section shall not apply with regard to any such nuisance located in an enclosed building or so located on the premises as not to be readily visible from any public place or from any surrounding private property. This section shall not apply to partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicles or parts thereof which are stored or parked in a lawful manner on private property in connection with the business of
a licensed dismantler, licensed salvage yard or junk dealer or when storing or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.

- Michael Mirium, 3100 South Montego Way, speeding in the area in which he lives.
- Jerry Boyce, 3400 Brennan Drive – taxes in Nampa.

✦ Mayor Kling’s and Council Comments ✦

- None

✦ (3) Agency/External Communications ✦

- None

✦ (4) Staff Communications ✦

Item #4-1. – Deputy Public Works Director Jeff Barnes presented a staff report to update the council on current projects as follows:

Update to 2019 Street Division Chip Sealing Campaign – Chip sealing, fog sealing, paint striping and thermoplastic application in Zone D1 and Zone D2 is now 100% complete and crews have returned to normal work duties

Street Division staff is happy to report training by its chip spreader and distributor operators again made quite a difference in this year’s chip sealing campaign. Reduction in application rates dropped another 1.1 pounds per cubic yard on top of the 2 pounds that were reduced last year. Prior years chip was applied at 23.8 lbs. per cubic yard and now is being applied at 20.7 lbs. per cubic yard

- Adjustments and configurations of dispersal gates reduced the amount of chip from 21.8 lbs. per cubic yard to 20.7 lbs. per cubic yard
- For the first time since 2009 Street Division staff chip sealed approximately 1,190,000 square feet of pavement within subdivisions utilizing a newly designed spec for ¼” chip. Numerous calls have been received with citizens asking how they too might be considered for a chip seal
- 1.1 lb. less rock per cubic yard means less sweeping and more efficient cleanup; estimated increase of time efficiency is about 3.5%. Reduction in cleanup time for sweeping is less wear and tear on sweepers and for only the second time in history there were zero rock chip claims
- The continued utilization of temp staff allowed crews to start sweeping within ten hours of starting the chip seal campaign. Traditionally, cleanup has begun after placement of all chips, approximately after two weeks. This also potentially helps reduce rock chip claims as well as making it safer for the public while traveling
Kudos to Street Division staff for a job well done during this year’s chip sealing campaign.

**Open House for Middleton Road Corridor Improvements** - Five construction projects worth $12.2 million dollars are scheduled in the next 18 months on Middleton Road between I-84 and Greenhurst Road (see Attachment A).

Each of the five projects will help to improve safety, efficiency, and livability along this critical north/south arterial in west Nampa.

The five projects are listed below according to the anticipated construction timeline:

1. Middleton Road and Smith Avenue Signalized Intersection (Fall 2019 – Winter 2020).
   - Approximate cost $583,000 ($43k City of Nampa match; $540,000 Local Highway Safety Improvement Program (LHSIP) grant)

2. Middleton Road Rebuild from Greenhurst Road to Roosevelt Avenue (Winter – Summer 2020).
   - Approximate cost $2,500,000 (100% City of Nampa pavement management funds)

   - Approximate cost $6 million (100% Idaho Transportation Department (ITD) (no City of Nampa match)

4. Middleton Road and Lone Star Road Signalized Intersection (Summer—Fall 2020).
   - Approximate cost $1,914,000 ($400k City of Nampa match; $1,514,000 Local Highway Technical Assistance Council (LHTAC) grant)

5. Middleton Road and Orchard Avenue Signalized Intersection, Nampa Highway District No. 1 (NHD) (2021)
Approximate cost $2,200,000 ($1.8m NHD; $400k City of Nampa utility match)

The City of Nampa held an open house on February 21, 2019, to discuss the Middleton Road Rebuild Project (Greenhurst Road to Roosevelt). Public feedback indicated that road closures with a faster construction time is preferred over leaving a lane open and extending the construction time. Staff is taking this into consideration when scheduling construction.

Staff is working to stage the construction timelines to reduce traffic impacts as much as possible.

An additional public open house will be held with the City of Nampa, NHD and ITD on September 24, 2019, to communicate with the public and answer questions. Additional details regarding the time and place are forthcoming.

(5) New Business

Item #5-1. - Mayor Kling presented the request to award bid and authorize the Mayor to sign the contract with Cascade Enterprises, Inc. for the Fire Station #1 Boiler and Extractor Project.

Facilities Supervisor Brian Foster presented a staff report explaining that the Fire Department has identified the need to replace the Boiler and install two new extractors (commercial washing machines) at Fire Station #1. The project is to be funded by the Fire Department. The expenditure was approved as part of the 2019 budget for an amount of $94,000. The $94,000 is coming from budget account 1003510.5350.

Documents have been reviewed and approved by Legal.

The cost of the project will be $94,000.

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 replace the Boiler and install two extractors that have already been purchased by the Fire Department at Fire Station #1.

Facilities Development procured bids for the project using an Informal Bid Process. A pre-bid walk through was conducted at the project site on July 23, 2019 at 10:00 a.m. A Public Bid.

Opening was held on July 31, 2019 at 2:00 p.m.

A total of two (2) bids were received on July 31, 2019. The apparent low bid was received from Cascade Enterprises, Inc.
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 Haverfield to award the bid and authorize the Mayor to sign the contract with Cascade Enterprises, Inc. for the Fire Station #1 Boiler and extractor project not to exceed the contract amount of $94,000. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-2. – The following Resolution was presented:

Jeff Barnes presented a staff report explaining that the City of Nampa engaged HDR Engineers for a concept study in early 2017. Purpose of the study was to develop conceptual alternatives for improving safety and freight mobility on Franklin Boulevard immediately south of Interstate 84. Its intersections with Industrial Road and 3rd Avenue North both have severe safety and congestion issues that prompted the study.

Four preliminary alternatives were prepared. HDR and Nampa City staff expanded this with addition of a fifth alternative and multiple considerations of the first and third original alternatives. HDR’s final concept paper was submitted in mid-2017. (see Exhibit A)

Staff, with Council endorsement, applied to Idaho Transportation Department (ITD) and COMPASS to compete for a freight grant to narrow the alternatives to a single option and construction.

That grant was approved as a project titled “3rd Avenue North and West Industrial Road Intersection Improvements” with a total budget of $5,774,000; $500,000 of the total is in FY2020 for preliminary engineering. The City of Nampa match for $500,000 is $37,000 and is included in the draft FY2020 City of Nampa budget. All other funds are from the Federal Highway Administration.

This project requires a National Environmental Policy Act (NEPA) study to review all alternatives, including the favored alternative, for challenges that a detailed investigation would uncover that were not a part of the concept study. NEPA studies also require a significant level of public involvement that was not a part of the concept study.

Conceptual design of the final NEPA approved alternative will follow immediately after the NEPA evaluation and is included in the scope of work for this solicitation.

The State/Local Agreement (Project Development) (see Exhibit B) identifies commitments of the City of Nampa, the Idaho Transportation Department and the Local Highway Technical Assistance Council to complete the NEPA study and initiate design for the NEPA approved design alternative.
THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF NAMPA, HEREAFTER CALLED THE CITY, FOR DEVELOPMENT OF INTERSECTION OF THIRD AVENUE NORTH AND WEST INDUSTRIAL ROAD.

MOVED by Haverfield and SECONDED by Rodriguez to pass the resolution and approve the State/Local Agreement (project development) for 3rd Avenue North and West Industrial Road Intersection improvements along Franklin Boulevard (Project No. A022(103)/Key No. 22103) as presented to complete the National Environmental Policy Act study and initiate design for the approved design alternative. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 37-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-3. – The following Resolution was presented:

Jeff Barnes presented a staff report explaining that the intersection of North Franklin Boulevard and East Karcher Road is part of a critical urban freight corridor needing additional safety and capacity improvement.

The Nampa Citywide Transportation Plan indicates the intersection warrants expansion based on projected traffic volumes.

To prepare a concept project and pursue federal funding, Engineering staff contracted with Nampa City consultant Keller and Associates (approved by Council in November 2016) to analyze both a signal and roundabout alternative.

The concept report examined three options: traffic signal; offset roundabout and centered roundabout. Council subsequently accepted Keller and staff recommendation to construct an offset roundabout (see Exhibit A) based on traffic efficiency, reduction in serious injury accidents, reduced lifecycle/construction cost, aesthetics and lower right-of-way acquisition costs.

The roundabout will reduce freight and vehicle delays supporting Nampa City goals of prioritizing public safety, building quality infrastructure and providing economic opportunity.

Staff submitted the concept design for Idaho Transportation Department (ITD) freight grant funding and was awarded a total of $1,644,000 for the project. The City of Nampa’s match of 7.34% will be $120,669. These funds are in the City of Nampa’s impact fee budget for fiscal year 2019.

The property owner on the northwest quadrant, from whom most of the needed right-of-way would come, decided in early 2019 to develop that ground. Staff worked with Keller and the property
owner to identify the exact right-of-way needed and concluded an amicable purchase. Small corner acquisitions on the northeast and southeast corners are the last right-of-way remaining to be purchased.

To move the project forward, a State/Local agreement must be executed with ITD to govern management of the project. The attached agreement (see Exhibit B) is recommended for approval.

THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF NAMPA, HEREAFTER CALLED THE CITY, FOR DEVELOPMENT OF FRANKLIN BOULEVARD AND KARCHER ROAD INTERSECTION.

MOVED by Rodriguez and SECONDED by Skaug to pass the resolution and approve the State/Local Agreement (project development) for the Franklin Boulevard and Karcher Road Intersection Development (Project No. A022(102)/Key No. 22102) as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 38-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-4. – The following Resolution was presented:

Deputy Public Works Director Nate Runyan presented a staff report explaining that the Nampa Wastewater Program design activities for Phase II Upgrades at the Nampa Wastewater Treatment Plant (WWTP) are underway. The Phase II Upgrades are to be constructed in five project groups. The first is Project Group D, which includes construction of Primary Digester No. 5 and a new Waste Gas Burner in 2020.

The WWTP currently has one Waste Gas Burner and Ignition System manufactured by Varec Biogas. The Primary Digester No. 5 project includes adding a second Waste Gas Burner. The existing Waste Gas Burner will be relocated as part of Phase II Upgrades.

The new Waste Gas Burner needs to be compatible with the existing Waste Gas Burner. The equipment, instrumentation and controls need to support the existing flare during installation and long term WWTP operations.

The Varec Biogas manufactured Waste Gas Burner equipment is familiar equipment for the WWTP operations and maintenance staff. By maintaining a single equipment type, the City of Nampa will obtain better workforce efficiency, minimize the risk of failures from unfamiliar systems, and reduce the need for additional training.
Idaho Statute 67-2808 allows for sole source expenditures “where the compatibility of equipment, components, accessories, computer software, replacement parts, or services is the paramount consideration”.

As required by this statute, a legal notice of the sole source procurement will be published in the local paper.

A resolution has been prepared stating the City of Nampa’s intent to procure the Waste Gas Burner and Ignition System from Varec Biogas. (Attachment 1)

Public Works staff have reviewed and recommend approval of the resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, DECLARING THAT THERE IS ONLY ONE VENDOR, WITHIN THE MEANING OF IDAHO CODE SECTION 67-2808(2), FOR ACQUISITION OF A WASTE GAS BURNER AND IGNITION SYSTEM FOR PROJECT GROUP D OF PHASE II UPGRADES TO THE CITY OF NAMPA WASTEWATER TREATMENT PLANT AND DIRECTING STAFF TO PROCEED WITH A SOLE SOURCE ACQUISITION PURSUANT TO IDAHO LAW.

MOVED by Bruner and SECONDED by Haverfield to pass the resolution and authorize the Mayor to sign the resolution declaring the City of Nampa’s intent to sole source the procurement of the Waste Gas Burner and Ignition System from Varec Biogas as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 39-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-5. - Mayor Kling presented the request to authorize the Mayor to Sign Memorandum of Understanding between the Nampa Highway District #1 and the City of Nampa for the Star Road and Cherry Lane Roundabout Project.

Nampa City Engineer Daniel Badger presented a staff report explaining that the Nampa Highway District #1 (NHD) and the City of Nampa are partnering in the construction of a roundabout at the intersection of Star Road and Cherry Lane. (see Exhibit A)

The intersection is experiencing a low level of service for traffic operation with long vehicle delay times and needs increased capacity at certain times of day.

NHD and the City of Nampa desire to enter into a Memorandum of Understanding (MOU) (see Exhibit B) which outlines the following responsibilities:
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o NHD will manage the project and bear all project related costs, regardless of annexations, unless otherwise agreed to by separate agreement or amendment to this MOU.

o Once the project is built, the City of Nampa will assume responsibility for and bear the costs of the operation, maintenance and repair of the illumination, including related hardware, software and power.

Nampa City staff will attend periodic progress meetings, provide specifications for the illumination, and will review and comment on planning, engineering, public involvement, and construction documents.

Date of construction will be determined by completion of the design process and funding availability.

Design and right-of-way acquisitions is planned for fiscal years 2019-2020, and construction is anticipated in fiscal years 2020-2021.

Nampa City staff support entering into this MOU with NHD.

MOVED by Bruner and SECONDED by Rodriguez to authorize the Mayor to sign Memorandum of Understanding between the Nampa Highway District #1 and the City of Nampa for the Star Road and Cherry Lane Roundabout Project. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #5-7. – The following Resolution was presented:

Recreation Center Director Kortnie Mills presented a staff report explaining that in FY 2019 Nampa City Council approved $80,000 for the replacement of the carpet on the cardio mezzanine at the Nampa Recreation Center. The current carpet is worn-out and difficult to maintain.

The current carpet will be replaced with a high-quality 6mm rubberized flooring from Mondo. This product was selected because of its durability, ease in maintenance and over 20-year life span. The Facilities Department procured bids for the project using single source procurement. Single source procurement was necessary due to supplier territory and only one vendor being able to provide the preferred flooring. Single source procurement requires a 14-day notice be posted in the legal section of the newspaper prior to the signing of the contract. Such notice was posted on August 9, 2019. Staff is requesting that the Mayor signs the contract on, or shortly after, August 23, 2019.

The time frame to complete this project is of the essence: Each year, the Nampa Recreation Center has a four-day closure to do annual maintenance. The flooring replacement will be done during
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this annual closure that takes place September 5th through September 8th. Scheduling the floor replacement during this time will have minimum impact on our business operations.

Staff recommends accepting the proposal from the contractor Wall 2 Wall Commercial Flooring. The bid is under the budgeted amount and is proposed at $57,728. Wall 2 Wall Commercial Flooring, the contractor, will provide all management, supervision, labor, material, supplies and equipment and will plan schedule, coordinate and assure effective performance of all services described. In addition, the contractor will be required to provide necessary bonds, insurance and other documents before the agreement can be executed and issued the Notice to Proceed.

All documents have been reviewed and approved by Legal.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, DECLARING THAT THERE IS ONLY ONE VENDOR, WITHIN THE MEANING OF IDAHO CODE SECTION 67-2808(2), FOR ACQUISITION AND INSTALLATION OF RUBBER SPORT FLOORING FOR THE NAMPA RECREATION CENTER AND DIRECTING STAFF TO PROCEED WITH A SOLE SOURCE ACQUISITION PURSUANT TO IDAHO LAW.

MOVED by Hogaboam and SECONDED by Levi to pass the resolution and award the bid and authorize the Mayor to sign the contract with Wall 2 Wall Commercial Flooring on August 23, 2019 for the Nampa Recreation Center Mezzanine Flooring project not to exceed the contract amount of $57,728 as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 40-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-8. - Mayor Kling presented the request to authorize the Mayor to sign the Taco Time site MOU between ITD, Mussell Construction and the City of Nampa for operational or safety improvements on the state roadway system within the City of Nampa.

Jeff Barnes presented a staff report explaining that the Mussell Construction is constructing a new Taco Time at the corner of 10th Avenue South and 3rd Street South.

As part of their permit for the project, Idaho Transportation Department (ITD) required the reconstruction of their corner to a 30-foot radius. The current radius is approximately 7 feet.

After further discussions between Mussell, ITD and Nampa City staff, an agreement was reached to forgo this improvement for a cash-in-lieu of construction payment in the amount of $18,000.
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The payment shall be made to the City of Nampa and is required to be utilized for operational or safety improvements on the state roadway system within Nampa.

Nampa City and ITD staff shall identify an appropriate project to allocate the funds toward.

Staff recommends approval of the Memorandum of Understanding. (see exhibit A)

Councilmembers asked questions.

MOVED by Bruner and SECONDED by Rodriguez to authorize the Mayor to sign the Memorandum of Understanding between the City of Nampa and Mussell Construction. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #5-9. - Mayor Kling presented the request to award the bid and authorize the Mayor to sign the contract for the FY19 Signal Equipment Procurement Zone B1 project with Econolite Control Products, Inc.

Daniel Badger presented a staff report explaining that the Streets Division will upgrade existing signal cabinets and adjust corridor timing at five (5) intersections in the city, three (3) of which are shared with ITD (Exhibit A):

1. Flamingo Avenue & Happy Valley Road
2. Stamm Lane & Happy Valley Road
3. Garrity Boulevard & Flamingo Avenue
4. Garrity Boulevard & Stamm Lane
5. Garrity Boulevard & Kings Road

This is part of the City of Nampa’s Asset Management Program implemented in 2007 to strategically and cost effectively replace equipment.

The City of Nampa has entered into a Cooperative Agreement with ITD (KN 13471) to participate in the cost of the work up to $76,778.00. (Exhibit B)

The Streets Division has budgeted $234,570 in the FY19 budget.

The City of Nampa received two (2) bids for the FY19 Signal Equipment Procurement Zone B1 project:

6. Econolite Control Products, Inc
7. Quality Electric, Inc.
The apparent low bidder is Econolite Control Products, Inc. for the amount of $144,500.00.

The Street Division will install and maintain the signal cabinets and all related equipment.

Engineering Division has reviewed the bids and recommends award to Econolite Control Products, Inc.

MOVED by Hogaboam and SECONDED by Rodriguez to award the bid and authorize the Mayor to sign the contract for the FY19 Signal Equipment Procurement Zone B1 project with Econolite Control Products, Inc. in the amount of $144,500.00. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

❖ (7) Unfinished Business ❖

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

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, LYING ON THE SOUTH SIDE OF GREENHURST ROAD BETWEEN S. MIDLAND BOULEVARD AND S. MIDDLETON ROAD, COMPRISING APPROXIMATELY 95.16 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE RS 6 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 6,000 SQUARE FEET) AND BC (COMMUNITY BUSINESS) ZONES; 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. (Annexation & Zoning Greenhurst and Midland)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Skaug and SECONDED by Bruner to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting
YES. The Mayor declared the ordinance duly passed, numbered it correcting Ordinance 4430 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 2720 SUNNY RIDGE ROAD AND 905 E. SKY RIDGE LANE, NAMPA, IDAHO, 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 RA (SUBURBAN 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; 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 Joshua and Julia Morrison)

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 correcting Ordinance 4191 and directed the Clerk to record it as required.

**MOTION CARRIED**

**Item #7-3.** – The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, TO MODIFY THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT TO WHICH THOSE CERTAIN PARCELS OF REAL PROPERTY, COMMONLY KNOWN PHEASANT MEADOWS SUBDIVISION, OF NAMPA, CANYON COUNTY, IDAHO, COMPRISING APPROXIMATELY 1.187 ACRES, MORE OR LESS, ARE SUBJECT, DESCRIBED IN ORDINANCE NO. 3847 AND RECORDED ON NOVEMBER 7, 2008, AS INSTRUMENT NO. 2008059426, RECORDS OF CANYON COUNTY, IDAHO, SO AS TO INCLUDE
ADDITIONAL ANNEXED PROPERTY (DESCRIBED HEREINBELOW) TO EXPAND THE
SUBDIVISION TO 101 BUILDABLE LOTS AND 10 COMMON LOTS ON A TOTAL OF
29.81 ACRES, MORE OR LESS; DIRECTING THE CITY PLANNING DIRECTOR TO
ALTER THE USE AND AREA MAP ACCORDINGLY; DETERMINING THAT CERTAIN
ADJACENT LANDS, LYING ON THE EAST SIDE OF S. GRAYS LANE, WEST OF S.
HAPPY VALLEY ROAD AND NORTH OF E. AMITY AVENUE, COMPRISING
APPROXIMATELY 16.52 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY
LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND
THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS
PART OF THE RS 7 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY
AREA” OF AT LEAST 7,000 SQUARE FEET) ZONE; DECLARING SAID LANDS BY
PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY
OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND
PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL
MAPS OF THE CITY OF NAMPA, IDAHO; PROVIDING AN EFFECTIVE DATE;
PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES, RESOLUTIONS,
ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; 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. (Modification of Annexation and Zoning Development Agreement for Schultz)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Bruner and SECONDED by Rodriguez to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the ordinance duly passed, numbered it correcting Ordinance 4379 and directed the Clerk to record it as required.

MOTION CARRIED

Item #7-4. – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS
16261, 16285, AND 16317 N. MADISON ROAD, COMPRISING APPROXIMATELY 4.025
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 IL (LIGHT
INDUSTRIAL) 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 Adler Industrial LLC represented by Kent Brown)

The Mayor declared this the first reading of the Ordinance.

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

MOVED by Levi and SECONDED by 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 4457 and directed the Clerk to record it as required.

MOTION CARRIED

Item #7-5. – The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, VACATING A TEN (10) FOOT WIDE PORTION ON THE SOUTH SIDE OF THAT CERTAIN RIGHT-OF-WAY KNOWN AS E. SHERIDAN AVENUE, ADJACENT TO THE REAL PROPERTY COMMONLY KNOWN AS 923 E. SHERIDAN AVENUE, NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH. (Applicant Carey Lytle)

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 Rodriguez 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 4458 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 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)

8-2. 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)

8-3. 1st reading of Ordinance for Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) and Conditional Use Permit for a Towing Business at 3315 Caldwell Blvd. (A .9 acre or 39,204 sq. ft parcel being Tax 4-A in Block 1, Portner Subdivision in the NW ¼ Section 7 T3N R2W BM), for Byron Healy. (ZMA-00106-2019, CUP-00138-2019) (PH was 6-17-2019)

8-4. 1st reading of Ordinances for Annexation and Zoning to RML (Limited Multiple-Family Residential) at 1111 E. Iowa Ave. (A .34 acre or 14,938 sq. ft. portion of NE ½, SE ¼ Section 34, T3N, R2W, BM) for Anthony Sparks for construction of a Fourplex. The Planning and Zoning Commission recommended RD Zoning (ANN 121-19) (PH was 7-15-2019)

8-5. Annexation and Zoning to BC (Community Business) for .525 acres or 22,866 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot C at 0 N. Franklin Blvd.; Zoning Map Amendment from AG (Agricultural) to BC (Community Business) for 2.24 acres or 97,574 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot B at 1414 E. Karcher Rd. for Dean Anderson. The Planning and Zoning Commission recommended approval (ANN 122-19, ZMA 107-19) (PH was 8-5-2019)

8-6. Action Item: Zoning Map Amendment from RML (Limited Multiple-Family Residential) to IL (Light Industrial) for a 2.38 acre or 103,673 sq. ft. portion of the NE ¼ NW ¼ of Section 23, T3N, R2W, BM located at 1504 Garrity Blvd. for Dean Loni R. Monson. The Planning and Zoning Commission recommended approval (ZMA 108-19) (PH was 8-5-2019)

✦ (6) Public Hearings ✦

Item #6-1. - Mayor Kling opened a public hearing for annexation and zoning to RS6 (Single Family Residential – 6,000 sq. ft.) zoning district for Calvary Springs Subdivision at 1713 E. Iowa Ave. (64 single family detached lots on 16.79 acres for 3.81 dwelling units per gross acre - a 16.79-acre or 731,372 sq. ft. portion of the NW ¼ SW ¼ Section 35, T3N, R2W, BM) for Kent Brown
representing Trilogy Idaho. The Planning and Zoning Commission recommended approval (ANN 123-19).

MOVED by Haverfield and SECONDED by Skaug to continue the public hearing to the next regular council meeting of September 3, 2019. 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 FY 2020 budget.

Finance Director Doug Racine presented the following staff report:

Fiscal 2020 Budget Summary.

The Fiscal 2020 budget process accumulated budget input for General Revenue, Special Revenue, Enterprise, Impact Fees and Capital Project funds. The values presented herein represent the City of Nampa’s budget for Fiscal 2020.

Nampa's Fiscal 2020 budget totals $193,169,793, a $10,306,729, or 5.6% increase over Fiscal 2019's Amended budget of $182,863,064. As compared to the Original Council approved budget for Fiscal 2019, the budget increased $21,090,136. The City of Nampa is drawing on fund balances & sanitation fees to support the increases in streets, while the increases in wastewater & stormwater are supported by Loan proceeds and fund balance spending.

The primary drivers of the change, compared to the Fiscal 2019 original budget, are as follows:

• Public Safety Investments (Fire & Police) of $2.6M
  o Police Labor & Benefits costs, including 11 new Staff, increased $1.5 million
  o Fire Labor & Benefits, including 3 Additional FD Personnel, Increased $1.1 million
• Increased investment in Street projects of $2.5 million
• Incremental increases in Wastewater Treatment, primarily construction projects, of $8.6 million
• Sanitation operational increases of $1.1 due to Volume and CPI based rate changes
• Health Care Cost increases of $1.0 million
  o Police Department @ 9% or $425,108
  o Fire Department @ 9% or $204,819
  o All other Departments @7% or $396,226

Nampa City Budget Highlights for Fiscal 2020:

City FTE Changes:
Revenue Impacts:

Property tax growth has been limited to a 2%, out of the 3% maximum. Combined with new construction, annexation and shared state revenues, the city revenues from taxes increased by $2.6 million as listed below:

- Decreased Tax Levy. The valued decreased from .007914464 in fiscal 2019 to .007043070 (Estimated) in fiscal 2020
- 2% property tax increase totaling approx. $798k
- Excluded 1% foregone property tax of $396,000
- New construction property taxes of $1.4 million
- Increased Shared State/County Shared revenues of $382,186
- Increased annexation property taxes of $33,834.

Changes to Other Funds:

- DEQ loan Proceeds (Wastewater) $14.2 million
- Wastewater construction Projects totaling $30.1 million
- Water construction Projects totaling $3.9 million

Total Capital Investments:
Fiscal 2020 Budget Metrics

<table>
<thead>
<tr>
<th>Budget By Cost Category</th>
<th>Fiscal 2020 (Council Approved)</th>
<th>Fiscal 2019 (Pre Amendment)</th>
<th>Variance</th>
<th>% Change</th>
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<td>Operations</td>
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<td>Debt</td>
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<tr>
<td>Total Budget</td>
<td>193.2</td>
<td>172.1</td>
<td>21.1</td>
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<table>
<thead>
<tr>
<th>Budgeted Revenues By Type</th>
<th>Fiscal 2020</th>
<th>Fiscal 2019</th>
<th>Variance</th>
<th>% Change</th>
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<td>Fees for Service</td>
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<tr>
<td>Interfund Transfers</td>
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<td>Grants &amp; Loans</td>
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<td>Total Revenues (in millions)</td>
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<td>172.1</td>
<td>21.09</td>
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定期理事会
8月19日，2019

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<tr>
<th>预算按城市功能</th>
<th>财政年2019</th>
<th>占总数%</th>
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<td>公共工程</td>
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<td>公共安全</td>
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<td>公园、记录、图书馆等</td>
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<td>总政府，GO债券</td>
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<tr>
<td>社区发展</td>
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<td>0.7%</td>
</tr>
<tr>
<td><strong>总计预算（以百万计）</strong></td>
<td><strong>193.2</strong></td>
<td><strong>100.0%</strong></td>
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</tbody>
</table>

预算按功能图

收入按类型

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Regular Council  
August 19, 2019

### Budgeted Revenues By Type

<table>
<thead>
<tr>
<th></th>
<th>Fiscal 2020</th>
<th>Fiscal 2019 Variance</th>
<th>% Change</th>
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<tbody>
<tr>
<td>Fees for Service</td>
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<td><strong>172.1</strong></td>
<td><strong>21.09</strong></td>
</tr>
</tbody>
</table>

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No one appeared in favor of or in opposition to the request.
Regular Council
August 19, 2019

Councilmember Bruner asked questions and made comments on the Valley Ride.

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

MOTION CARRIED

MOVED by Rodriguez and SECONDED by Haverfield to approve the FY2020 budget with the understanding that the VRT portion of the budget would be discussed and the September 3, 2019 meeting and authorize the ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-3. - Mayor Kling opened a public hearing for Council consideration of its authority under Idaho Code § 63-802(1)(f) to disclaim the right to recover all (or any portion) of FY 2020’s forgone revenue.

Doug Racine presented explained that we were able to complete the budget at 2%. The resulting savings was $396,000 that is forgone. The request before the Council is to consider placing that into disclaimed status which means that it is no longer eligible at any future time to be pulled back into the City of Nampa budget.

Mayor and Councilmembers asked questions and made comments.

No one appeared in favor of the request.

Those appearing in opposition to the request were: Jerry Boyce, 2401 Brennan Drive; Hubert Osborne 4199 East Switzer Way. A Community member spoke out and agreed with what had already been said.

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

MOTION CARRIED

Mayor and Councilmembers asked questions and made comments.

MOVED by Skaug and SECONDED by Bruner to disclaim the right to recover all (or any portion) of FY2020 forgone revenue and authorize the Nampa City Attorney to draw the appropriate Resolution. The Mayor asked for a roll call vote with Councilmembers Rodriguez,
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Levi, Haverfield, Bruner, Skaug voting YES. Councilmember Hogaboam voting NO. The Mayor declared the

MOTION CARRIED

**Item #6-4.** - Mayor Kling opened a **public hearing** for **Zoning Map Amendment** from BC (Community Business) to IL (Light Industrial) for a 2.92 acre or 127,195 ft. portion of Lot 19 of Midway Subdivision at **2806 Landon Lane** in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM for **Thiel & Thiel, LLC**. The Planning and Zoning Commission recommended approval (ZMA 109-19).

Lucas Hanson, 4114 Nelson Lane, Caldwell presented the request.

Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for a zoning map amendment from BC (Community Business) to IL (Light Industrial) for property located at 2806 Landon Lane and the purpose is for a portion of the property is already zoned Light Industrial. The request is to rezone the BC portion to IL to be able to construct flex space on the property for Thiel & Thiel LLC.

**General Information**

**Planning and Zoning Commission Recommendation:** Approval with no conditions attached.  
**Planning & Zoning History:** Originally the northerly ¼ of the parcel was annexed and zoned BC and the southerly ¼ of the parcel was annexed and zoned IL. **Status of Applicant:** Property Owner. **Rezone Location:** 2806 Landon Lane. **Property Size:** A 2.92 acre or 127,195 sq. ft. portion of Lot 19 of Midway Subdivision in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM. **Existing Zoning:** BC (Community Business). **Proposed Zoning:** IL (Light Industrial). **Existing Land Use:** Partially vacant/undeveloped property. **Surrounding Land Use and Zoning:** North-Industrial, M1 (County Light Industrial) - South-Commercial, BC - East-Commercial, BC - West-Commercial, BC and R2 (County Medium Density Residential).

**Comprehensive Plan Designation:** General Commercial but bordering Light Industrial zoning which extends to the Light Industrial Comprehensive Plan designation to the north along the railroad corridor to the northeast.

**Applicable Regulations:** Rezones or zoning map amendments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and agree with the adopted comprehensive plan for the neighborhood. Staff supports the requested zoning map amendment from BC to IL as it complies with the existing Light Industrial designation to the northeast under the map note: “The mapped boundary between two adjoining land use designations is considered flexible and may be interpreted as being stretchable to include the abutting parcels in the direction of either designation.”

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Special Information

Public Utilities: 10” and 12” sewer mains located in Landon Lane and across the north end of the proposed rezone area. 10” water mains located in Landon Lane and adjacent the northerly property line. No irrigation service available. Public Services: All present. Transportation: The property has frontage on and existing access from Landon Lane on the west side.

Environmental: The rezone would have little effect on the adjoining properties. The future use of the property for flex space is compatible with existing land uses on the parcel as well as with surrounding property uses.

Correspondence: No written correspondence has been received from any area property owners, residents or business owners regarding opposition to or support for the requested rezone from BC to IL.

Staff Findings and Discussion

The requested rezone is appropriate. Industrial use of the parcel is interpreted as being in conformance with the Light Industrial designation stated on Comprehensive Plan future land use map. The requested zoning map amendment is interpreted as complying with this designation.

If the Nampa City Council votes to accept the Planning and Zoning Commission recommendation and approve the rezone the following findings are suggested:

1) Rezone of the subject property to IL is reasonably necessary in order to allow the applicant to utilize the southerly balance of the parcel in the same manner as the northerly ¼ of the parcel.
2) Rezone of the subject property to IL is in the interest of the property owner and is interpreted to conform to the adopted comprehensive plan designation of Light Industrial.
3) The proposed Light Industrial flex space use of the subject property will be compatible with the existing commercial/industrial uses already established in the area.
4) The use of a development agreement to establish any conditions for the requested zoning amendment serves no purposes.

Recommended Conditions of Approval

If the Nampa City Council accepts the Planning and Zoning Commission recommendation and approves the zoning map amendment from BC to IL, no conditions of approval are required.

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

MOTION CARRIED

MOVED by Haverfield and SECONDED by Rodriguez to approve the Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) for a 2.92 acre or 127,195 ft. portion of Lot 19 of Midway Subdivision at 2806 Landon Lane in the NE ¼ of the SW ¼ of Section 8, T3N, R2W, BM for Thiel & Thiel, LLC 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 #6-5. - Mayor Kling opened a public hearing for annexation and zoning to RA (Suburban Residential) for 2.30 acres or 100,188 sq. ft. located at 1460 Lake Lowell Avenue in a portion of the SW ¼ of the SE ¼ of Section 30, T3N, R2W, BM for Jared and Melissa Lindsay for a 2-parcel split. The Planning and Zoning Commission recommended approval (ANN 125-19).

Jared Lindsay, 11460 Lake Lowell Avenue presented the request.

Principal Planner Rodney Ashby presented the following staff report explaining that the request is for annexation and zoning to RA (Suburban Residential) for 2.30 acres or 100,188 square foot at 11460 Lake Lowell Avenue for a two-parcel split. The applicant Jared and Melissa Lindsay states that the reason for the application is to “annex and split into two parcels”.

General Information

Planning and Zoning History: The Planning & Zoning Commission recommended approval of the requested annexation and zoning with all conditions of staff as noted in the “Recommended Conditions” section of this report and as indicated on the attached P&Z Commission Action Letter. The property is a part of a three-property enclaved area. Annexation Location: 11460 Lake Lowell Ave located in a portion of the SW ¼ of the SE ¼ of Section 30, T3N, R2W, BM. Total Size: 2.30 acres or 100,188 sq. ft. Existing Zoning: County (unzoned on PDF map and GIS data) Comprehensive Plan Designation: Low Density Residential. Surrounding Land Use and Zoning: North- Single family home on 1.66 acres, County Enclave - South- Carriage Hills North residential subdivision, City- RS8.5 - East- Vacant land (farmland), City- RD - West- Vacant land (farmland), City- RS8.5.

Applicable Regulations: In order for a property to be annexed it must be contiguous with the city limits or be enclosed by other properties so annexed. The enclosed area connects with the city limits on its east, south, and west sides.
Existing Uses: Residential parcel with single family dwelling and landscaped yard on the western half of the property. Vacant land on the eastern half of the property.

Special Information

Public Utilities: 12” water main in Lake Lowell Ave. An 8” sewer main is available approximately 800’ to the east in Lake Lowell Ave and S Carriage Hill Way intersection. A 12” irrigation main is available in Lake Lowell Ave. Public Services: Police and fire already service city incorporated areas near the location.

Transportation: Access to the existing home is from a private common driveway on the west side of the property. This shared driveway is accessed from Lake Lowell Ave. The future property created from a lot split, will also be accessed from the common driveway.

Correspondence: No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to IL.

The Nampa Highway District #1 indicated that they had no objection subject to the City of Nampa annexing the Lake Lowell Ave right-of-way along the frontage of the subject property.

The Nampa Engineering Division noted that water sewer, and irrigation systems have capacity to serve the property and supported the application with the following conditions:

1. Applicant/Owner shall dedicate 40’ of public right-of-way measured from the Section line along the entire frontage of Lake Lowell Avenue with the annexation.
2. Access to the property for both future lots shall be maintained from the existing private access along the west side of the property. No new accesses to Lake Lowell Avenue are allowed.
3. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to Nampa City services.
4. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City of Nampa at the time of property development/redevelopment, and prior to connection to Nampa City services.
5. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
6. Applicant/Owner shall comply with all Nampa City Codes, Policies, and Standards in place at the time of property development/redevelopment.

Though the Boise Project Board of Control indicated they had no facilities on the property, they pointed out that they do possess a valid water right. They state that “Local irrigation/drainage
ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

The Nampa & Meridian Irrigation District had no comment.

The Idaho Transportation Department had no comment.

Nampa Building Department had no conditions at this time.

Nampa Code Enforcement had no code violations at this time.

**Staff Findings and Discussion**

The location is shown on the comprehensive plan “future land use map” as being compatible with the zoning that has been requested. The Comprehensive Plan strongly encourages “in-fill development” for the many benefits that are outlined in the plan. Though this may not feel like a typical in-fill development because of the lack of the area being fully developed out, it qualifies as in-fill because it is an enclaved property. If the Nampa City Council votes to approve the requested annexation and zoning, the following findings are suggested:

1) The requested annexation property is part of an enclaved area and the property connects with the city limits along its east, south, and west boundaries.

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

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

4) The property owner requested annexation and zoning to RA (suburban residential) in order to split the property into two lots and for connection to city utility services.

Though the Nampa Highway District has stated that the right-of-way in front of the property along Lake Lowell is managed by the District, the existing right-of-way was annexed into the city under Ordinance 4396 and 4405 in April of this year. Additional right-of-way requested as a condition of approval by Nampa Engineering Division, will be annexed and zoned at time of approval of this request and will become the responsibility of the City of Nampa.

The applicant will need to work with Boise Project Board of Control at time of application for a building permit to address any concerns about water rights and existing irrigation ditches running through the property.
Recommended Conditions of Approval

If the Commission recommends approval of the Annexation and Zoning to the Nampa City Council staff recommends the following conditions of approval:

1. Applicant/Owner shall dedicate 40’ of public right-of-way measured from the Section line along the entire frontage of Lake Lowell Avenue with the annexation.
2. Access to the property for both future lots shall be maintained from the existing private access along the west side of the property. No new accesses to Lake Lowell Avenue are allowed.
3. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to Nampa City services.
4. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City of Nampa at the time of property development/redevelopment, and prior to connection to Nampa City services.
5. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
6. Applicant/Owner shall comply with all City of Nampa Codes, Policies, and Standards in place at the time of property development/redevelopment.
7. Applicant shall work with Boise Board of Control to address stated concerns.
8. Applicant shall provide a Word Document legal description for the subject parcels and the 40’ (forty feet) of right-of-way required to be dedicated along the frontage of the property before the approval ordinance shall be published.

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

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

MOTION CARRIED

MOVED by Haverfield and SECONDED by Hogaboam to approve the annexation and zoning to RA (Suburban Residential) for 2.30 acres or 100,188 sq. ft. located at 1460 Lake Lowell Avenue in a portion of the SW ¼ of the SE ¼ of Section 30, T3N, R2W, BM for Jared and Melissa Lindsay for a 2-parcel split with staff conditions and authorize the Nampa City Attorney to draw up the appropriate Ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED
Item #6-6. - Mayor Kling opened a public hearing for modification of annexation and zoning Commercial and Residential Development Agreements between Centennial Development LLC and the City of Nampa recorded 6/1/2006 as Inst. No. 200642352 amending Exhibit “B” Conceptual Plan changing the BC zoned area use from a conceptual Commercial/Office plan to a Public Storage Facility plan and amending the Commercial Development Agreement to apply only to the 13.34 acre BC zoned area situated in a portion of Lots 15 and 16 of Cortland Place located in the SE ¼ of the SE ¼ of Section 2, T3N, R2W BM at the NW corner of 11th Avenue North and Cherry Lane – for Jeff Likes. The Planning and Zoning Commission recommended denial (DAMO 030-19).

Jeff Likes, 1119 East State Street, Eagle, ID presented the request.

Councilmembers expressed their feeling that it should go back to Planning and Zoning due to the changes that have taken place.

Kristi Watkins presented the following staff report explaining that the request is for Modification of an Annexation & Zoning Commercial/Residential Development Agreements between Centennial Development, LLC and the City of Nampa amending Exhibit “B” Conceptual Plan changing the BC zoned area use from a conceptual Commercial/Office plan to a Public Storage Facility plan and amending the Commercial Development Agreement to apply only to the 13.34 acre BC zone area for GJS Enterprises, LLC (owner) and Jeff Likes, applicant. Property location is a 13.34 acre land located in a Community Business (BC) Zone situated in a portion of Lots 15 and 16 of Cortland Place located in the SE 1/4 of the SE ¼ of Section 2, T3N, R2W, BM, 0 Cherry Lane, Parcel #R2093300000, (hereinafter the “Property”).

History of Property and Commentary

May 1, 2006 – Ord #3568 – Annexation and Zoning to BC with Development Agreement, (Approved)

May 30, 2019 – Submitted application for Development Agreement Modification (Denied by P & Z)

August 7, 2019 – Received revised layout of the site from the applicant.

June 3, 2019 – Moratorium/Hold on Storage Unit Developments. (Applications received prior to this date will continue through the normal city process).

The Nampa City Council, at their June 3, 2019 meeting placed a 180-day moratorium on new storage unit proposals. The application you are reviewing was received on May 30, 2019, by the Planning and Zoning Department prior to the passage of the moratorium and will proceed through
the process. After the 180 days, if a Conditional Permit is determined to be required in the BC (Community Business) zoning district as per code changes, this development will hold “grandfather” status as an existing allowable use in the BC (Community Business) zoning district as stated in NCC §10-3-2: Schedule of District/Zone Land Use Controls in place prior to June 3, 2019. At the time of application for building permit, the project will need to meet all city codes that are in place at that time.

**Development Agreement Modification**

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

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

The Nampa Comprehensive Plan designation is currently Medium Density Residential. However, the Comprehensive Plan that was adopted in January 2004, would have been referenced in the Annexation of this property. The 2004 Future Land Use map showed a Neighborhood Center at this location. A Neighborhood Center was described as “Within a Neighborhood Center area uses considered to be desirable include mixes of light commercial, public and higher density residential facilities.” Therefore, a BC (Community Business) zone was allowed to be emplaced upon this property and a Commercial/Office Plan was submitted as the proposed light commercial use in the development agreement (specific uses were not defined).

Nampa’s current Comprehensive Plan (Chapter 8 Community Design):

8.1 Building Design:
The overall size and shape of a new building(s) can have a huge impact on the surrounding area and on how the development is perceived by the community…The key is to create a building whose size and shape generally complements the size and shape of surrounding buildings.

8.3.3 Entries
Buildings entries should be placed in a location that is easily identifiable from the street, while secondary entrances should be easily accessible and convenient to parking and delivery areas that serve buildings, but they should not dominate the site.

8.3.4 Commercial Design Issues:
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a. Richness and surfaces and textures;  
b. Use of durable, low maintenance materials;  
c. Significant wall articulation;  
d. Pitched roofs and shed roofs;  
e. Roof overhangs;  
f. Traditional window rhythm;  
g. Articulated mass and scale;  
h. Significant landscape and hardscape elements;  
i. Landscaped and screened parking;  
j. Comprehensive and appealing monument signs;  
k. Clear visibility of entrances and retail signage;  
l. Clustering of buildings to provide pedestrian courtyards and common areas and;  
m. Step-down of buildings scale along pedestrian routes and building entrances.

Goal 1: Improve the physical appearance and image of the City of Nampa  
Objective 1: Continue to support the Nampa building and site design standards.  
Objective 2: Develop a sense of community that meets the needs of the citizens by creating a visually stimulating and aesthetically pleasing community.  
Objective 3: Maintain, develop or expand design review guidelines that assist citizens, business owners, and design professionals to contribute positively to surrounding commercial and residential neighborhoods.

NCC § 10-34 outlines the requirements for building and site design in Commercial zones in Nampa. They are in a sense, standards akin to “Conclusions of Law”.  

NCC § 10-1-19 specifically references Public Mini Storage Facility Design regulations.  

Elements to be reviewed through the Nampa Design Review process include, but are not limited to, structure appearance, project design and layout, lighting and security, signage, landscaping, location of trash receptacles, pedestrian amenities, and fencing.

Attached hereto is a copy of Ordinance no. 3568 -- the [original] Development Agreement. The basic nature of the amendments proposed to said Agreement are as noted above in the “Requested/Needful Actions Recommendation” section of this report. Also attached is a copy of the applicant’s proposed Amended and Restated Development Agreement. This document appears to conform to the requested action and the concept described by the Applicant. The City of Nampa’s legal council will be asked to review the agreement before final approval and signature.

Correspondence received up to Wednesday, August 14 indicates no comments in regard to this request.
Planning and Zoning Decision – (reference P & Z minutes dated July 9, 2019) – Denied because of concerns about 1) compatibility, 2) compliance with the intent of the 2004 Comprehensive Plan; and 3) location of the subject property on the northwest corner of 11th Ave N and Cherry Ln.

Since then, the layout of the site has been revised to include a mix of uses more in line with the original proposed “neighborhood center” intended for that area. The proposed office buildings line the frontage around the corner on 11th Ave N and Cherry Lane with allowance for the future round-a-bout. This layout decreases the size of the storage unit facility to 8.8 acres and increases the setback/landscaped area along the north and west boundaries.

Recommended Condition(s) of Approval

If the Council votes to approve the requested Development Agreement Modification application as proposed by the Applicant, staff recommends including the following Condition(s) of Approval in your recommendation to the Council:

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

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

Mayor and Councilmembers asked questions and made comments.

Councilmembers asked questions.

No one appeared in favor of the request.

Those appearing in opposition to the request were: Donald Batze 7354 Alpine Dr. Nampa, ID; Audrey Schlapia 7161 Cherry Lane Nampa, ID; Sarah Hart 7326 Alpine Drive Nampa, ID; Beverly Miguel 7238 Lattigo Drive Nampa, ID; Mike Tolman 7448 Alpine Drive Nampa, ID; Laura Buckston, 322 South Middle Creek Drive, Nampa, ID.

Daniel Badger explained that the 4-way stop has been authorized and is being worked on by the Street Department and the round-about is not in foreseeable future.

The applicant presented a rebuttal to questions that were brought forward in testimony.
MOVED by Hogaboam and SECONDED by Rodriguez to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the

MOTION CARRIED

MOVED by Hogaboam and SECONDED by Skaug to deny the request for modification of annexation and zoning Commercial and Residential Development Agreements between Centennial Development LLC and the City of Nampa recorded 6/1/2006 as Inst. No. 200642352 amending Exhibit “B” Conceptual Plan changing the BC zoned area use from a conceptual Commercial/Office plan to a Public Storage Facility plan and amending the Commercial Development Agreement to apply only to the 13.34 acre BC zoned area situated in a portion of Lots 15 and 16 of Cortland Place located in the SE ¼ of the SE ¼ of Section 2, T3N, R2W BM at the NW corner of 11th Avenue North and Cherry Lane – for Jeff Likes. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-7. - Mayor Kling opened a public hearing for modification of annexation and zoning development agreement Canyon County Lake Estates, LLC and the City of Nampa recorded 1/26/2006 as Inst. No. 200604068 amending Exhibit “B” Conceptual Plan changing use from a conceptual Neighborhood Commercial-Office plan to a Public Storage Facility plan in a BN (Neighborhood Business) Zoning District at 905 S. Middleton Rd. (A 4.81-acre portion of the NE ¼ of the NE ¼ of Section 31, T3N, R2W BM) for Jeff Hatch representing Marc Ikebasu. The Planning and Zoning Commission recommended approval (DAMO 031-19).

Jeff Hatch, Hatch Design Architecture, 511 Briarcrest Drive presented the request. Councilmembers asked the applicant questions.

Rodney Ashby presented the following staff report explaining that the request is for Modification of an Annexation & Zoning Development Agreement between Canyon County Lake Estates, LLC and the City of Nampa amending Exhibit “B” Conceptual Plan changing use from a Neighborhood Commercial-Office plan to a Public Storage Facility plan at 905 S. Middleton Rd for Marc Ikebasu (owner) and Jeff Hatch (applicant).

The Nampa Planning & Zoning Commission approved a CUP (Conditional Use Permit) for a Public Storage Facility in a BN (Neighborhood Business) Zoning District, and recommended approval of the Development Agreement Modification to modify the approved concept plan land use from Neighborhood Commercial-Office to Self-Storage Units.
General Information

Comprehensive Plan: General Commercial. Zoning: BN (Neighborhood Business). Existing Land Use: Vacant Farmland. Property Area and Location(s): A 4.81-acre portion of the NE ¼ of the NE ¼ of Section 31, T3N, R2W, BM) at 905 S Middleton Rd (hereinafter the Property”)

Planning and Zoning History

December 19, 2005 – Ord #3528 – Annexation and Zoning to BN with Development Agreement, Approved.

January 10, 2017 – Nampa Planning & Zoning Commission approved a Conditional Use Permit for Storage Units, conditional upon the applicant obtaining approval of a development agreement modification from Nampa City Council.

July 26, 2017 – No Development Agreement Modification application was submitted, and the CUP expired.

June 1, 2019 – Submitted application for Development Agreement Modification and Conditional Use Permit.

June 3, 2019 – Moratorium/Hold on Storage Unit Developments. (Applications received prior to this date will continue through the normal city process).

July 9, 2019 – The Nampa Planning & Zoning Commission approved a CUP (Conditional Use Permit) for a Public Storage Facility in a BN (Neighborhood Business) Zoning District, and recommended approval of the Development Agreement Modification to allow for self-storage units, rather than the previously approved Neighborhood Commercial-Office uses.

The Nampa City Council, at their June 3, 2019 meeting, placed a 180-day moratorium on new storage unit proposals. The application you are reviewing was received on June 1, 2019, by the Planning and Zoning Department prior to the passage of the moratorium and will proceed as usual through the process for entitlement. A building permit will need to be obtained to construct any storage units on the subject property. Storage unit construction shall comply with the current zoning code at the time of permit application. Though the Nampa City Attorney’s office has determined that the moratorium does not prohibit the applicant from obtaining a building permit during the moratorium period, the applicant has stated their intent to wait for the adoption of changes to the zoning code before requesting building permits. They have indicated their intent to comply with any zoning code changes the Nampa City Council adopts for storage units.
Applicable Regulations

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

Criteria to guide the Council regarding the requested Development Agreement Modification(s) are absent from state statute or City of Nampa ordinance. Thus, approving or not approving the Development Agreement Modification becomes a purely subjective matter/decision on the part of the City of Nampa as [controlling] party to/of the Development Agreement contract associated with this report. Nampa City Council may choose to consult the Nampa City’s Comprehensive Plan for guidance, but the plan is only intended to guide actions and not to be considered regulatory. Some sections of the Comprehensive Plan that may be considered guidance in this area are highlighted under “Staff Findings & Analysis” in this report.

The BN (Neighborhood Business) zoning district requires a CUP (Conditional Use Permit) for storage units. The Planning & Zoning Commission approved a CUP on conditions of the applicant obtaining Nampa City Council approval of the Development Agreement Modification.

The BN zone is a transitional zone between commercial development and residential development. A CUP for storage units in the BN zoning district also requires additional conditions by code. These conditions are found in NCC § 10-1-19. In summary, the code states that storage unit developments in the BN and RP districts shall:

(A)– Locate buildings within three hundred feet (300’) from a collector or arterial street.
(B) – 1. Include façade changes, 2. Limit materials to masonry, glazing, and EIFS, 3. Include changes in color and materials, 4. Construct residential style roofing, 5. Include earth tone colors, 6. Ensure offices have 25% glazing, 7. Limit height to 10’ at eaves.
(C) – 1. Ensure drives are at least 22’ wide, 2. Pave drive aisles, 3. Allow storage buildings to be used as side and rear yard border fence/wall, except abutting residential use or district where a 6-8’ fence shall be constructed, 4. Ensure front yard setbacks comply with conditions of zone, 5. Place office closest to the front of the property.
(D)– 1. Limit lighting to property, 2. Limit number of light poles to 2 per one hundred 100’ of service drive (can’t light outside of parcel), 3. Place electric feeds underground, 4. Not install floodlights, 5. Place security cameras in a way to ensure privacy of neighboring properties, 6. Set audible alarms’ decibel levels to industry standards.
(E) Only allow signs as permitted for each zoning district.

NCC § 10-14-10 (B) Landscaping Adjacent to Residential District: All sites having a common boundary line with a residential classified property shall have erected and maintained a view
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obscurring wall, fence or coniferous hedge not less than five feet (5’) nor more than six feet (6’) in height for screening purposes and controlling access.

NCC § 10-14-5 (D) Interior Yards: When interior lot lines of a property zoned BN abut property zoned residentially, interior yards (setback) not less than fifteen feet (15’) wide/deep shall be required opposite the residential district.

NCC § 10-33-4(A)1 Corridor Buffering: Fifteen foot (15’) wide landscaped buffer areas shall be provided/emplaced along arterial and collector street frontages when any property abutting the same is developed…

NCC § 10-34 outlines the requirements for building and site design in Commercial zones (including the BN zone) in Nampa. They are in a sense, standards akin to “Conclusions of Law”.

Attached hereto is a copy of Ordinance no. 3528 -- the [original] Development Agreement. The basic nature of the amendments proposed to said Agreement are as noted above in the “Requested Action” section of this report.

Also attached is a copy of the applicant’s proposed Amended and Restated Development Agreement. This document appears to conform to the requested action and the concept described by the Applicant. The City of Nampa’s legal council will be asked to review the agreement before final approval and signature.

**Correspondence**

- Jonathan & Elizabeth Leach of 12852 S Salorgne Way, Nampa, submitted an e-mail opposing the Conditional Use Permit and the Development Agreement Modification. Staff mistakenly indicated in the Planning & Zoning Public Hearing staff report that no citizen opposition had been received. At the hearing, multiple residents in the area testified against the proposed project for the same reasons Mr. and Mrs. Leach stated in their e-mail including:
  1. That the industrial appearance and feel of a self-storage unit development is inconsistent with the neighborhood and residential atmosphere of the area.
  2. That the number of self-storage units in the area and in the city exceeds the demand and need, as evidenced by the adopted moratorium.
  3. That storage units will obstruct the view of residential neighbors who bought their homes for the view.
  4. That storage units will bring customers to the property at all hours of the day and night and cause a safety and privacy concern for residents nearby.

The Leach’s also recommend that any future storage units should be built in more rural areas prior to construction of residential subdivisions, so that new residents can choose whether to
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build or move into a home near existing storage units. All communication from Mr. and Mrs. Leach has been attached to this report.

- A petition with resident signatures of sixty (60) properties was submitted to the Planning & Zoning Commission at the July 9, 2019 meeting. Attached is the petition letter and signatures.
- Nampa & Meridian Irrigation District (NMID): requires a filed Land Use Change Application to review prior to final platting. An existing easement of the Fox Lateral must be protected.
- Nampa Engineering Division does not oppose the application. However, they raised the following concerns:
  1. Though the required right-of-way along the frontage, has already been dedicated, a 25’ chamfer at the intersection is still needed.
  2. The property line dimensions reflected on the conceptual site plan do not appear to accurately reflect the parcel size based on County records and do appear to reflect the already dedicated 50’ of public right-of-way along S. Middleton Road and Lake Lowell Avenue. The Applicant should confirm the parcel dimensions and adjust the site plan accordingly.
  3. Access to the property shall meet the City of Nampa’s Access Management Policy and shall be coordinated with the City of Nampa’s Engineering Division.
  4. Secondary emergency access is subject to the review and approval of Nampa Fire Marshall.

Nampa Engineering Division requested conditions as outlined in the Staff Recommended Conditions section of this report and in the attached memo from Caleb LaClair.

- Nampa Highway District #1 had no comment.

Staff Findings and Fact

The following sections of the Nampa 2035 Comprehensive Plan may help provide some guidance for approving or denying the requested development agreement modification.

- Chapter 5: Land Use
  - Goal 9
    - Objective 18
      - Strategy 1: Enhance the quality of neighborhoods by including visually appealing architectural elements and streetscapes that encourage pedestrian movement, facilitates community interaction, and promotes public safety.
      - Strategy 2: Preserve and enhance the distinct identities and historic character of existing neighborhoods and structures.
  - Goal 10
    - Objective 19
      - Strategy 1: Create neighborhood shopping opportunities for goods and services that are conveniently available to area residents.
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- Objective 22
  - Strategy 1: Identify areas within the City of Nampa that are lacking certain types of services.

- Chapter 8: Community Design
  - 8.4: The design issues facing industrial land use may not be based as much on building scale, massing, or entry issues, but more on the visual impacts to adjacent properties and issues such as: noise, vibration and odors. These issues would have a significant impact to adjacent and nearby properties. In addition, the City of Nampa could consider the following in reviewing industrial property development:
    a. Take caution when planning to build new industrial development near residential properties.
    b. Create design criteria for industrial development which is adjacent to or near residential development.

Regarding the strategy to enhance neighborhood quality through visually appealing architecture and streetscapes, Nampa City Council may consider the conditions in place identified under “Applicable Regulations” regarding architectural conditions for storage units in a BN zone. In addition, Council may want to consider the landscaping buffers already in place for the property. A minimum 15’ (fifteen feet) landscaping buffer is required along both midland and Lake Lowell, but in the BN district, corner properties are also required to have a 20’ setback on both roadways, which also must be landscaped. In addition, the property lines abutting residential districts shall have a minimum setback of 15’. Since the Deer Flat Nampa Lateral 150’ easement extends beyond this required 15’, a much larger buffer is already in place along that property line and the applicant has indicated that buffer on their concept drawing.

Regarding concerns about safety and privacy, Council has the ability to place conditions of hours of operation on the development if they choose. Lighting standards are already in place to prevent lighting spilling to neighboring properties but also to enhance the safety of the development. Surveillance cameras are also legally prevented from pointing anywhere but within the property. Finally, storage unit structures in a BN district, shall not exceed 10’ in height at the edge of eaves. Recreational Vehicle awnings or coverings shall not exceed 16’ in height. The property is at a lower elevation than most residential properties in the area.

Relating to concerns about storage units not matching the neighborhood, Nampa City Council will need to determine whether changes the Development Agreement proposed land use from office and retail that may support the residential area to storage units. It may be argued that both of these uses fulfill a demand from residents of Nampa. Some have argued that the homes in the area, especially those in the Carriage Hill subdivision, were developed large enough for storage and RV parking to be located on each property. Over time, storage unit developments have gone from looking very industrial, to more recently being set back, with landscaping, and with variation in wall planes and materials. Some have argued that they are still an industrial use, while others claim
they are a supportive use for residential homes. Concerns over the proliferation of storage units in Nampa, led to the request to staff to revise the Nampa City Code and to place a moratorium on storage units until that was completed. Nampa City Council has full authority to grant or deny this application for a Development Agreement Modification based on any reasoning they determine is appropriate.

**Recommended Condition(s) of Approval**

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

1. That the Applicant, as Owner/Developer shall enter into a Modified Development Agreement (contract) with the City of Nampa for the Property. The Agreement shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the properties as contemplated by the Applicant and agreed to and conditioned by the City of Nampa through its Council or executive departments or outside agencies properly involved in the review of the Applicant’s request(s).
2. Access to the property shall meet the City of Nampa’s Access Management Policy and shall be coordinated with the City of Nampa’s Engineering Division.
3. Secondary emergency access is subject to the review and approval of Nampa Fire Marshall.
4. Applicant/Owner shall dedicate a 25’ chamfer of public right-of-way at the intersection of Middleton Road and Lake Lowell Avenue.
5. The Developer shall perform a turn-lane warrant analysis with the site improvement application to determine if turn lanes are required for the proposed access. A more detailed Traffic Impact Study will be required if the development is expected to generate more than 100 new trips during any peak hour or 1,000 new daily trips (total in/out) in accordance with City of Nampa 2015 Transportation Impact Study Policy. Access location and configuration is subject to Nampa Engineering Division approval.
6. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to Nampa City services.
7. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City of Nampa at the time of property development/redevelopment, and prior to connection to Nampa City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the subject property.
8. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer. The following utility extensions are required in addition to those needed to serve the development.
   a. 12’ pressure irrigation main in Lake Lowell Ave; and,
b. 8” sewer main either through the subject property or in Middleton Road to serve properties to the south.

9. Sidewalk and drainage improvements shall be constructed on the Lake Lowell Ave and Middleton Road frontages in accordance with Nampa City Code Section 9-3-1 Pavement widening is not required except for turn lanes as identified by traffic analysis.

Mayor and Councilmembers asked questions and made comments.

Numerous emails and letters were received along with a petition all in opposition to the request.

Those appearing in favor of the request were: Jerry Dickerson 3615 S Raintree Nampa ID; Sam Huff 13440 Lonestar Nampa, ID; Hugo Castillo 101 11th Ave South; Greg Ferney 1006 W. Sanetta Street, Nampa, ID; Jerilyn Briten 14221 Orchard Ave, Caldwell, ID; Jamie Wilson 14740 Valli Hi Ln, Caldwell, ID 83607; Sergio Gutierrez 12205 S Red Hawk Place, Nampa, ID; Sue Hays 15339 N. Shiko Way, Nampa, ID; Justin Walker 12674 S Carriage Hill Way, Nampa, ID; Gloria & David Arredondo 2003 W. Cross Creek Dr. Nampa, ID.

Those appearing in opposition to the request were: Walley Tuck 12888 S Salorgne Way, Nampa, ID 83686; Kathleen Tuck 12888 S Salorgne Way Nampa, ID; Barry Martin 11464 W Rosette Dr Nampa, ID; Kyle Ahrberg 12395 Landau Way Nampa, ID; Jon Leach 12852 South Salorgne Way, Nampa, ID; Caleb Leach 12882 South Salorgne Way, Nampa, ID; Laurel Buckston, 322 South Middle Creek, Nampa, ID.

The applicant presented a rebuttal to the questions brought forward.

Councilmembers asked questions of the applicant and made comments.

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

MOTION CARRIED

MOVED by Bruner and SECONDED by Rodriguez to deny the request for modification of annexation and zoning development agreement Canyon County Lake Estates, LLC and the City of Nampa recorded 1/26/2006 as Inst. No. 200604068 amending Exhibit “B” Conceptual Plan changing use from a conceptual Neighborhood Commercial/Office plan to a Public Storage Facility plan in a BN (Neighborhood Business) Zoning District at 905 S. Middleton Rd. (A 4.81-acre portion of the NE ¼ of the NE ¼ of Section 31, T3N, R2W, BM) for Jeff Hatch representing Marc Ikebasu. The Mayor asked for a roll call vote with Councilmembers Hogaboam, Levi,
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Skaug, Rodriguez, Bruner voting YES. Councilmember Haverfield voting NO. The Mayor declared the

MOTION CARRIED

Item #6-8. - Mayor Kling opened a public hearing for a variance to City of Nampa Zoning Ordinance Sections: 10-7-6-B Minimum front property line width required shall be one hundred fifty (150) ft; and, 10-7-6-D Minimum property side/rear yard setbacks shall be ten (10) ft, for property located at 614 Hawthorne St, within an RA (Suburban Residential) zoning district. The property has a substandard lot width for the RA zone of 109 ft; and the applicant is also requesting a reduced setback of five (5) ft from the north property line to allow for construction of a 36 ft x 70 ft garage/pole barn, for Cody Foreman. (VAR-00077-2019)

Cody Foreman, 614 Hawthorne Street presented the request.

Norm Holm presented the following staff report explaining that the request is for a variance of the required 150-foot lot width and required 10-foot side building setback in the RA (Suburban Residential) zoning for the construction of a pole barn garage/shop at 614 Hawthorne Street for Cody Foreman.

Requested Action(s): Variance to City of Nampa Zoning Ordinance Sections 10-7-6 B. and D. for the RA (Suburban Residential) zoning district allowing a reduced property line width of 109’ rather than 150’ and a reduced side yard setback on the north side of the lot of 5 ft. rather than 10 ft.

Purpose/Applicant Explanation: The owner/applicant is requesting the variance(s) in order to construct a new Pole Barn Garage/Shop.

General Information


Applicable Regulations

10-24-1: [Variance] Purpose:
The Nampa City Council is empowered to grant variances to prevent or to lessen practical development difficulties, unique site circumstances and unnecessary physical, geographical hardships inconsistent with the objectives of zoning as would result from a literal interpretation and enforcement of certain bulk or quantifiable regulations prescribed by zoning ordinance.

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

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

10-24-2: Actions:

A. Granting of Variance Permit: The council may grant a variance permit with respect to requirements for fences and walls, site, area, width, frontage, depth, coverage, front yard, rear yard, side yards, outdoor living area, height of structures, distances between structures or landscaped areas as the variance was applied for or in modified form if, based on application, investigation and evidence submitted, the council concludes the following:

1. Literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.
2. There are extraordinary 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.

10-7-6: PROPERTY AREA, WIDTH AND YARD REQUIREMENTS: The following minimum requirements shall be complied with: … (RA Zone)

B. Minimum front property line width required shall be one hundred fifty feet (150'). …
D. Minimum property interior (side/rear) yard setbacks required shall be not less than ten feet (10’) wide/deep, except where a utility easement is recorded adjacent to a side property line or rear property line in which case the interior yard setback shall then be either ten feet (10’) or the width of the easement, whichever is greater (more restrictive).

10-1-7 C. 1. LOT AREA EXCEPTIONS:

C. Lot Area Exceptions: The following exceptions shall be deemed to exist and to be eligible for legal, nonconforming status when demonstrated to be legitimate (a historical reality):
1. Lots of record with less than the area required by each use district of an imposed subdistrict which existed prior to June 11, 2002.

Special Information

Transportation/Access: The parcel has direct access from Hawthorne St. Environmental, Aesthetics/Landscaping: No changes are proposed except construction of the proposed Pole Barn Garage/Shop at the north side yard area to the east end of the lot. Citizen Input: At the time of the preparation of this staff report, no comments were received by property owners or nearby residents either opposing or supporting the requested variance(s).

Narrative/Comments

The applicant also requested a variance of Section 10-7-6 (A) for the RA (Suburban Residential) zoning district allowing a reduced lot area of 28,924 sq. ft. rather than the 30,000 sq. ft. required. However, staff research found that Section 10-1-7 C. 1. allows a lot area exception for “Lots of record with less than the area required by each use district of an imposed subdistrict which existed prior to June 11, 2002.” Since this lot existed prior to that date the lot area variance is not required.

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

If the Nampa City Council believes that there is no real topographical hardship associated with a variance application, then the applicant must argue that there is a “unique site circumstance” sufficient to justify their request. In the past, variances have been issued on a case by case basis where a unique situation could be determined to exist.
Regular Council  
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The Nampa City Council must determine if this request qualifies as a unique site circumstance providing the required justification for approval. The Nampa City Council is at liberty to either approve or deny. Either decision should not be construed as setting precedent, but consistency in the community/neighborhood and between applications is a desirable goal when dealing with case.

The owner/applicant would like to build a pole barn garage/shop approximately 36’ x 70’ in size. He is asking for a reduction from the 10’ side setback on the north property line to a 5’ setback. A 20-foot utilities setback on the back of the property forces him to build the shop length wise on the side of the property, to not waste the property. In addition, the actual lot width of this property approximately 109’. The existing RA zone requires a 150’ lot width. The applicant only has 109’ of lot width available and is required to obtain the lot width variance in order to construct the new building on the property.

Staff recommends that if the Nampa City Council votes to approve the variance the approval be based on the required findings of Section 10-24-2 of the Nampa City Code.

**Recommended Conditions of Approval**

Should the Nampa City Council vote to approve the requested variance, staff recommends the following conditions required by Planning and Engineering:

1) The applicant shall comply with all applicable requirements as may be imposed by Nampa 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 Nampa City divisions/departments.

2) The subject property is a portion of Lots 1 and 2, Block 2 of the Hawthorne Acres Subdivision. The recorded plat reflects a 10’ wide easement for underground utilities near the center of the lot and a 20’ wide utility easement along the easterly property boundary; see attached plat. The City of Nampa maintains a pressure irrigation main inside the 20’ wide easement.

3) The proposed garage/barn shall not encroach into either easement. Future building permit submittals shall properly reflect the location of these easements relative to the property and proposed placement of the garage/barn.

4) It may be possible to vacate the central 10’ easement, as the City of Nampa does not maintain any utilities within the easement. Vacation of the easement would require application via the Nampa Planning Department, including verification by other utility purveyors and approval by Nampa City Council.

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

MOTION CARRIED

MOVED by Skaug and SECONDED by Hogaboam to grant the variance to City of Nampa Zoning Ordinance Sections: 10-7-6-B Minimum front property line width required shall be one hundred fifty (150) ft; and, 10-7-6-D Minimum property side/rear yard setbacks shall be ten (10) ft, for property located at 614 Hawthorne St, within an RA (Suburban Residential) zoning district. The property has a substandard lot width for the RA zone of 109 ft; and the applicant is also requesting a reduced setback of five (5) ft from the north property line to allow for construction of a 36 ft x 70 ft garage/pole barn, for Cody Foreman with staff conditions and findings of fact. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-9. - Mayor Kling opened a public hearing for adoption of the 2018 International Property Maintenance Code (IPMC) to Title 4, Chapter 11 of the Nampa City Code; Repeal of the 1997 Uniform Code for the Abatement of Dangerous Buildings as set forth in NC 04-02-01; and revision to penalties and violations set forth in NC 04-01-05 to reference Idaho State Code 18-113.

Building and Safety Director Patrick Sullivan presented the following staff report explaining that the Building Safety Department will be presenting the proposed adoption of the 2018 IPMC at a public hearing on August 19, 2019. This code replaces the 1997 Uniform Code for the Abatement of Dangerous Buildings (UCADB). The reason for the code adoption is due to the limited scope and enforcement available under the 1997 code and need to prevent urban blight and severe deterioration of buildings in our community.

The existing 1997 UCADB code allows buildings to deteriorate to a 60% structural failure condition prior deeming the building in violation which in many cases is too late to salvage the structure. One of the many improvements included in the 2018 IPMC code is the regulation of the maintenance of exterior building finishes, windows, and roofs to a minimum standard; ensuring that buildings are kept watertight, minimizing the primary cause of structural failure.

The 2018 IPMC also prescriptively regulates the minimum maintenance requirements for existing buildings and references adopted building, mechanical, electrical, plumbing codes sections which simplifies the notification and enforcement process.

The Building Safety Department investigates up to 100 code violation complaints annually including 6 notices for dangerous building conditions and 50 notices for remediation for fire
damaged structures. The adoption of the 2018 IPMC will enable our Department to more effectively manage building code violations and dangerous conditions associated with existing buildings.

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

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

MOTION CARRIED

MOVED by Rodriguez and SECONDED by Haverfield to adopt the 2018 International Property Maintenance Code (IPMC) to Title 4, Chapter 11 of the Nampa City Code; Repeal of the 1997 Uniform Code for the Abatement of Dangerous Buildings as set forth in NC 04-02-01; and revision to penalties and violations set forth in NC 04-01-05 to reference Idaho State Code 18-113 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

(5) New Business

Item #5-6. - Mayor Kling presented the request to authorize Fleet Services Division to Proceed with Purchase of 11 (eleven) 2020 Chevrolet Tahoe PPV (Pursuit Police Vehicle) 4x4s, Not to Exceed Total Estimated Purchase Price of $541,500.00 From the Fiscal Year 2020 Budget.

Daniel Badger presented a staff report explaining that the Fleet Services Division requests authorization to purchase eleven (11) 2020 Chevrolet Tahoe PPV (Pursuit Police Vehicle) 4x4s from the fiscal year 2020 budget.

Six (6) units will be purchased from Gen Gov funds as replacement vehicles

- Four (4) patrol units and two (2) K9 units
  - Not to exceed estimated purchase price of $299,000

Five (5) units will be purchased from police impact funds to support additional community growth

- Not to exceed estimated purchase price of $242,500

The purchase of the eleven (11) new patrol vehicles was approved by Council in the approved fiscal year 2020 budget.

Vehicles will be purchased off of the existing Idaho state vehicle contract or an existing Request for Proposals (RFP) contract “piggyback,” whichever is in the best interests of the taxpayers.
The 2020 model year is unique in that the manufacturer will close order banks early to reconfigure plant operations for the newly redesigned 2021 model vehicles.

The manufacturer operates on a first come first serve basis. The consent to purchase request is being made at this time to avoid an extended delivery delay due to the early order cutoff date for the 2020 model year.

The City of Nampa will not take delivery of the new vehicles until after October 1, 2019.

MOVED by Hogaboam and SECONDED by Rodriguez to authorize the Fleet Services Division to proceed with purchase of 11 (eleven) 2020 Chevrolet Tahoe PPV (Pursuit Police Vehicle) 4x4s, not to exceed total estimated purchase price of **$541,500.00** from the fiscal year 2020 budget. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

**MOTION CARRIED**

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

AN ORDINANCE  APPROPRIATING FUNDS FOR A TWELVE MONTH PERIOD FROM THE FIRST DAY OF OCTOBER, 2019 TO AND INCLUSIVE OF THE THIRTIETH DAY OF SEPTEMBER, 2020 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF NAMPA FOR SAID FISCAL YEAR, SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, DIRECTING THE CITY CLERK TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE COUNTY COMMISSIONERS AND IDAHO SECRETARY OF STATE, AND PROVIDING AN EFFECTIVE DATE.; REFERENCING SOURCES AND USES OF FUNDS AND APPROPRIATING MONIES; SPECIFYING A PROCESS FOR EXPENDITURE OF FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:

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<tr>
<th>GENERAL FUND</th>
<th>ENTERPRISE &amp; SPECIAL REVENUE FUNDS</th>
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<tr>
<td>Nampa City Clerk</td>
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<td>Code Enforcement</td>
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<td>Economic Development</td>
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<td>Engineering</td>
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<td>Facilities Development</td>
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<td>Fire</td>
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Regular Council
August 19, 2019

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<tr>
<th>Service</th>
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<th>Service</th>
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<td><strong>SUBTOTAL</strong></td>
<td><strong>$113,835,977</strong></td>
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**GRANT FUNDS** $9,076,610

**CAPITAL PROJECTS & DEBT SERVICE FUNDS**
- Capital Projects $2,024,730
- Development Impact Fees $7,508,264
- GO Bond Debt Service $2,694,750
- **SUBTOTAL** $12,227,744

**GRAND TOTAL** $193,169,629

Section 2: That the amount of money derived from funds or sources created by law for specific purposes is hereby appropriated for such purposes.

Section 3: That the Finance Department is hereby authorized and required upon presentation of the proper vouchers, approved by the Council as provided by law, to draw checks on the funds stated and against the appropriations as made in the preceding sections of this Ordinance, in favor of the parties entitled thereto.

Section 4: That this Ordinance shall be in full force and effect upon publication.
The Mayor declared this the first reading of the Ordinance.

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

MOVED by Bruner and SECONDED by 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 4459 and directed the Clerk to record it as required.

MOTION CARRIED

Item #5-11. – The following Resolution was presented:
A RESOLUTION OF THE CITY OF NAMPA, IDAHO, AN IDAHO MUNICIPAL CORPORATION, DISCLAIMING $396,939.00 OF ITS FORGONE AVAILABLE INCREASE GENERATED BY THE PROPERTY TAX TO BE CERTIFIED IN SEPTEMBER 2019.

MOVED by Bruner and SECONDED by Haverfield to pass the resolution as presented. Mayor Kling asked for a roll call vote with Councilmembers Rodriguez, Levi, Skaug, Haverfield, Bruner voting YES. Councilmember Hogaboam voting NO. The Mayor declared the resolution passed, numbered it 41-2019 and directed the clerk to record it as required.

MOTION CARRIED

Item #5-12. – The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL ADDING TITLE 6, CHAPTER 11 TO THE NAMPA CITY CODE, PERTAINING TO THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; AMENDING TITLE 4, CHAPTER 2, SECTION 04-02-01, OF THE NAMPA CITY CODE, PERTAINING TO BUILDING CODES ADOPTED BY THE CITY OF NAMPA; AMENDING TITLE 4, CHAPTER 1, SECTION 04-01-05, PERTAINING TO PENALTIES FOR VIOLATING BUILDING CODES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant Building 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 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 4460 and directed the Clerk to record it as required.

MOTION CARRIED

♦️ (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) (j) to consider labor contract matters authorized under section 67-2345A [74-206A] (1)(a) and (b), Idaho Code was concluded at the Special Council meeting at 5:00 p.m.

MOVED by Haverfield and SECONDED by Rodriguez to adjourn the meeting at 10:51 p.m. The Mayor declared the
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MOTION CARRIED

Passed this 2nd day of September 2019.

____________________________________
MAYOR

ATTEST:

____________________________________
NAMPA CITY CLERK