



City of Nampa
Regular Council Meeting
October 17, 2016
Regular Council - 6:30 PM
Public Hearings - 7:00 PM

Call to Order and Pledge to Flag

Invocation – Phillip Valauez - Victorious New Beginnings

Roll Call

All matters listed within the Consent Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember or citizen so requests in which case the item will be removed from the Consent Agenda and placed on the Regular Agenda.

Proposed Amendments to Agenda

Any Items Added Less Than 48 Hours Prior to the Meeting Are Added by Council Motion at This Time

Consent Agenda

- 1) Minutes of the Regular Council Meeting – September 19, 2016 and October 3, 2016
- 2) Minutes of the Special Council Meeting – March 30, 2016, June 2, 2016, September 7, 2016, September 22, 2016
- 3) Minutes of the Airport Commission Meeting – N/A
- 4) Nampa Bicycle and Pedestrian Advisory Committee - N/A
- 5) Board of Appraisers Minutes – N/A
- 6) Planning & Zoning Commission Meeting - September 27, 2016
- 7) Library Board Meeting – N/A
- 8) IT Steering Committee Meeting – N/A
- 9) Bills – N/A
- 10) The City Council Dispenses with the Three (3) Reading Rule of Idaho Code § 50-902 for all Ordinances
- 11) Final Plat Approvals
 - a) Red Hawk Ridge Park Subdivision the Plat contains 2 common lots on Approximately 3.64 acres in the RMH
 - b) Low Angle Subdivision the plat contains 4 single family residential lots on 7.63 acres
- 12) Authorize Public Hearings
 - a) Zoning Map Amendment from RD to BC at 320 11th Ave N for Adam Garcia Representing Angel Navarrete
- 13) Authorize to Proceed with Bidding Process
 - a) Well 1 & 2 Abandonment and Demolition project
- 14) Renewal of Agreements and Authorize Mayor to Sign
 - a) Farm Lease for Portion of Midway Park Property
- 15) Monthly Cash Reports
- 16) Resolutions – Disposal of Property with Value Under \$1000.00
 - a) 1989 Dodge B250 Tradesman Van - Facilities
- 17) Licenses for 2016-2017 (All Licenses Subject to Police Approval):

- a) Smashburger - 1467 Caldwell Blvd. Nampa 83651 On Premise Beer
- b) Boise Fry Company, on-premise beer, wine and liquor, 224 12th Avenue South

18) Approval of Agenda

Communications

- 19) None

Staff Communications

- 20) Staff Report – Michael Fuss

Unfinished Business

- 21) Second Reading of Ordinance Modifying the Zoning Development Agreement Between Dan R Turner and City of Nampa Amending the Recitals, Conditions, and Conceptual Plan to Provide for Revised Multiple Family Residential Site Development Plan and Building Design for Property Located at 921 E. Colorado Avenue for Shannon Robnett Representing Scott Thompson, Crane Creek Investments LLC

New Business

- 22) Mayor's Teen Council Bylaws Amendment
- 23) Authorize Mayor and Public Works Director to sign Task Order and Contract with JUB Engineers, Inc. for professional services on the Zone C Sewer Rehabilitation FY17 project
- 24) Authorize Mayor and Public Works Director to sign Task Order and Contract with JUB Engineers, Inc. for professional services on the E. Iowa Ave. Parallel Sewer Line & S. Queens Dr. Pressure Sewer Refurbishment project
- 25) Authorize Mayor and Public Works Director to sign Task Order and Contract with Keller Associates, Inc. for professional services on the Tio & Burke Lane Irrigation Supply & Pipeline project
- 26) Authorize Mayor and Public Works Director to sign Task Order and Contract with Keller Associates, Inc. for professional services on the FY17 Water projects
- 27) Authorize Mayor and Public Works Director to sign Task Order and Contract with Paragon Consulting for professional services on the South Nampa Multimodal Connectivity project
- 28) Authorize Mayor and Public Works Director to sign Task Order and Contract with SPF Water Engineering, LLC for professional services on the Storm Drain Repairs FY17 Phase 1 project
- 29) Authorize re-designation of 39th St. between Garrity Blvd. and Comstock St as an arterial and establish alignment
- 30) Authorize staff to take ownership of Castleton Lift Station, assess a special assessment and authorize Mayor to sign Outside City Services Agreement
- 31) Resolution of Intent to Create LID and Request for Public Hearing
- 32) Authorize staff to submit for additional FY17 Local Highway Safety Improvement Program (LHSIP) and Transportation Alternatives Program (TAP) grant funding, including City match dollars
- 33) Resolution to Declare Various Vehicles as Surplus Property, and 2) Dispose of Surplus Property as Identified by Staff for Water Division
- 34) Authorize Immediate Piggyback Purchase of Three (3) Light Duty Pickup Trucks under State of Idaho Contract for Water Division
- 35) Authorize Mayor and Public Works Director to sign Task Order with Brown and Caldwell for Fiscal Year 2017 Technical Support for Environmental Compliance Division

- 36) Authorize Mayor and Public Works Director to sign Task Order with Brown and Caldwell for Fiscal Year 2017 Wastewater Program Management Services for Wastewater Division
- 37) Authorize Mayor and Public Works Director to sign Task Order with CH2M HILL Engineers, Inc., for Software Support Services for Wastewater Division
- 38) Authorize Settlement Agreement with Evergreen Mobile Home Park for Utility Sewer Services
- 39) Authorization to Purchase Van for Facilities
- 40) Authorization to Purchase of 15 Golf Carts Using the Piggy Back Procurement Process
- 41) Bid Award for Office Tenant Improvements for Human Resources
- 42) Authorize Mayor to sign Encroachment Agreement with Rocky Mountain Companies for Primary Health site at northeast corner of Garrity Boulevard and North 39th Street

Public Hearings

- 43) Zoning Map Amendment from RS-6 to RA at 1409 Lake Lowell Ave for Jessica Selkow
- 44) Variance for Jessica Selkow in the proposed RA zoning district, which requires a 30,000 sq ft minimum lot size, for property located at 1409 Lake Lowell Ave.
- 45) Variance for Jacksons Food Stores at 612 Northside Boulevard 15 ft. landscaped setback from the property along Northside Blvd
- 46) Variance for Primary Health Medical Group at 3900 Garrity Blvd and 914 N 39th St located at the northeast corner of N 39th St and Garrity Blvd, to allow the construction and encroachment of 12 parking stalls within the existing right of way and setback area for N 39th St.

Adjourn

Next Meeting

- ◆ **Regular Council at 6:30 p.m. – Monday, November 7, 2016 City Council Chambers**

Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the Planning Department at Nampa City Hall, (208) 468-5484.

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the City Clerk.

REGULAR COUNCIL
September 19, 2016

Mayor Henry called the meeting to order at 6:30 p.m.

Clerk made note that Councilmembers Skaug, Haverfield, Levi, White, Bruner, and Raymond were present.

Mayor Henry amended the agenda by postponing item #45 under new business - Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (f) To Communicate With Legal Counsel for the Public Agency to Discuss the Legal Ramifications of and Legal Options for Pending Litigation, or Controversies not yet Being Litigated but Imminently Likely to be Litigated. The Mere Presence of Legal Counsel at an Executive Session Does not Satisfy This Requirement until the next regular council meeting of October 3, 2016.

MOVED by Haverfield and **SECONDED** by Raymond to **approve the Consent Agenda with the above mentioned amendments; Regular Council Minutes of September 6, 2016 and Special Council Minutes of September 7, 2016; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; Airport Commission Minutes of August 8, 2016; Planning & Zoning Commission Minutes; Library Commission Minutes; IT Steering Committee Minutes; department reports, bills paid;** The City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; **final and preliminary plat approvals:** 1) None; and **authorize the following public hearings:** 1) None; **Approve the following agreements:** 1) None; **Authorization to Proceed with the Bidding Process:** 1) Nampa Civic Center – Kitchen Refresh Project; Monthly Cash Report; **Resolutions – Disposal of Property with Value Under \$1,000.00:** 1) None; and **2015-2016 Licenses:** (all licenses subject to police approval): None; **approval of the agenda.** The Mayor asked for a roll call vote with all Councilmembers present voting **YES.** The Mayor declared the

MOTION CARRIED

No one from Steven Henager Scholarships was in attendance of the meeting.

Public Works Director Michael Fuss presented a staff report to update the council on current projects as follows:

Special City Council Meeting – Local Improvement Districts - A Special City Council meeting is scheduled for Thursday, September 22, from 9:00 a.m. to 11:00 a.m., in Nampa City Hall Council Chambers to discuss the future of the voluntary Local Improvement District (LID) funding program in Nampa. Staff has received a number of inquiries with respect to LIDs that are in need of direction:

- 1) *Should all costs be included in LID assessments?*
 - a. The voluntary LIDs have typically not included costs such as staff time, publishing, interim financing, etc. *Should this change?*
- 2) *Should individuals with poor or degraded sidewalks be forced to be involved in an LID, as opposed to being on a volunteer basis?*
 - a. Poor or degraded sidewalks have been treated on a complaint basis. Once a complaint is received, individuals are offered to volunteer in the LID, or

- turned to Code Enforcement for abatement. *Should sidewalks be proactively evaluated, or maintain the complaint basis approach?*
- 3) Developers have expressed a desire for LID financing for infrastructure investment.
 - a. *Should staff begin to evaluate a policy where development infrastructure is funded through LIDs?*
 - b. *Should development risk be bore more by the public for economic development incentive reasons?*
 - 4) In the past the City has been unwilling to foreclose on LID debt for nonpayment.
 - a. Canyon County has notified the City that it is unwilling to demand payment on LIDs for Nampa. *Is the City willing to foreclose on LID debt?*
 - b. The historical sidewalk LIDs are small considering the amount of debt necessary to effectively solicit public bonds. *Is the City willing to take on larger projects to facilitate public bond debt?*
 - c. *Is the City willing to go to the extra expense to create an issuance of tax exempt bonds, and should this cost be bore by those being assessed?*
 - d. *Does Council wish to continue to fund LIDs with City funds, essentially taking the debt and non-payment risk on itself?*
 - 5) *In general is it the City's desire to continue with the various LID programs and/or should the programs be expanded or contracted?*

The above and other questions will be explored at the Special City Council meeting on September 22. LID historical background information will also be presented. Staff looks forward to the discussion and direction from Council.

Public Hearing – Increase in Domestic Water Utility Rates - In follow-up to Council's direction at the September 7, 2016, Special City Council meeting, staff has scheduled a public hearing on Monday, October 3, for the proposed increase in domestic water utility rates. If Council chooses to approve rate increases following the public hearing, utility billing notifications can reach all Nampa customers by mid-December. Rate changes would be proposed for the first of the year 2017.

A PowerPoint presentation is being prepared for the public hearing. Please notify staff if there is specific information and/or questions Council or the public may want addressed and incorporated in the October 3 public hearing presentation.

Industrial Facility Expansion Benefits from Wastewater Capacity Loan - In the spring of 2016, Environmental Compliance Division staff informed Materne North America that wastewater discharge loadings were reaching permit capacity. Staff was informed the facility was developing a pretreatment work plan to identify wastewater capacity needs for current

production and future expansion. Staff worked with Materne to utilize the Industrial Wastewater Incentive Policy to secure a wastewater capacity loan. The loan allowed Materne time to complete a pretreatment work plan. The time allowed Materne to evaluate its options and make facility improvements to lower its wastewater discharge loadings. On September 1, 2016, Materne's wastewater capacity loan expired with discharge in compliance and the wastewater permit capacity returned to previous limits.

Nampa Wastewater Facility Plan – Critical Success Factors - The Wastewater Program Management Team (WPMT) has begun working on the 2017 Facility Plan for the Nampa Wastewater Treatment Plant. This plan will define the investments at the facility for the next 30 years. Within this task the WPMT revisited the critical success factors (CSFs) that had been used in the past for guiding decision making related to the wastewater program. Drawing from information in the 2011 City of Nampa Strategic Plan, the WPMT has developed the following CSFs to guide the 2017 Facility Plan:

1. Provide a healthy, professional environment that empowers our employees to succeed.
2. Preserve our natural resources and environment to promote a caring community where people live, work, play, worship, and raise their families.
3. Anticipate future regulatory requirements by considering economic ramifications to environmental action.
4. Stimulate economic development by efficient utilization of resources and providing sufficient utility capacity.
5. Maintain affordable wastewater service for rate payers through long-term, fiscally sound decision making.

The planning decisions in the 2017 Facility Plan will need to weigh these five CSFs to develop solutions. For example; while providing dependable and affordable wastewater service is a priority, the other CSFs must also be met to make the plan sustainable for the City. Please contact Nate Runyan, P.E., Deputy Public Works Director, with any comments or concerns regarding this facility planning process. Council feedback is always appreciated.

Parks Superintendent Cody Swander presented a staff report update on the Tree Maintenance Program. The City of Nampa Forestry Division is a small staff consisting of the Forester, one arborist and assistant seasonal staff. In order to work as efficiently as possible and ensure the City's trees are well cared for, we wanted to upgrade our system of knowing what condition our trees are in, how many we have and what work has been, or needs to be, accomplished. Our solution was found with Tree Plotter, a web-based database that allows cities to document and inventory their urban forest. Data collected allows the public and city staff to quickly see information about the makeup and health of Nampa's publicly owned trees. It also provides reporting features that assist with maintenance needs and the economic impacts of Nampa's forest.

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As the population of the City of Nampa increases we also see an increase in the number of trees growing in our community. Nampa Parks and Recreation maintains over 400 acres of land and we currently maintain more than 5,000 trees.

The Department of Lands has recently allowed cities in Idaho to use their software program which is a web-based mapping, analysis and planning tool called Tree Plotter. The State of Idaho has an agreement with the software company and the arrangement allows Tree Plotter be used by the City of Nampa at zero cost. The benefit to the State Lands Department is the information serves their interest by getting data about trees statewide. Other cities in Idaho that use Tree Plotter include Blackfoot, Shelley, Coeur d' Alene, Payette, and Eagle, among others. Other tree inventory software systems exist and are used in other cities. Boise, for example, uses a software system called iTree. However they work in much the same way.

In March of 2016 the Nampa Parks and Recreation Department started using Tree Plotter and began the process of collecting data for all trees located on City property. An intern was hired from Northwest Nazarene University and he spent the summer collecting and inputting tree data. Data was collected on all trees located in the downtown area, City Parks, City Hall, Kohlerlawn Cemetery, the Idaho Center and other properties owned by the City. At this time, no data was collected for trees located in the right-of-way or at the City operated golf courses.

The Tree Plotter program displays data and statistics in an easy to use format. The data displays information such as tree species, imagery, new tree planting, pruning, tree health, safety issues, pesticide applications, and tree removal. This information can be entered using an Ipad for onsite data entry.

It is recognized that better processes and systems need to be established in the coming years to help manage the growing urban forest within our City. With this data we can have better information that will allow us to provide a more efficient maintenance approach. Having the data will help Nampa Parks and Recreation with the following:

- Improve pruning schedules and zones
- Track and analyze tree health issues and pesticide application schedules
- Identify and monitor safety concerns
- Measure staff needs and productivity

We are excited to have this tool to help care for our urban forest.

The following Ordinance was read by title:

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AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO CHANGING THE NAME FOR A PORTION OF *NORTH MIDLAND BOULEVARD* TO *NORTH MERCHANT WAY*.

The Mayor declared this the second reading.

The following items were postponed due to lack of supporting documents: 22) Resolution for Comprehensive Plan Future Land Use Map Amendment from General Commercial to High Density Residential at 347 W. Orchard Avenue for Dean and Daren Anderson; 23) First Reading of Ordinance for a Rezone from RML and RS 6 to RMH at 347 W. Orchard Avenue for Dean and Daren Anderson; 24) First Reading of Ordinance Modifying the Zoning Development Agreement Between Dan R Turner and City of Nampa Amending the Recitals, Conditions, and Conceptual Plan to Provide for Revised Multiple Family Residential Site Development Plan and Building Design for Property Located at 921 E. Colorado Avenue for Shannon Robnett Representing Scott Thompson, Crane Creek Investments LLC; 25) First Reading of Ordinance Modifying the Annexation/Zoning Development Agreement Between Northwest Development Company, LLC and City of Nampa to Allow for a Rezone From RMH to RS 6; and Rezone from RMH to RS 6 for Glen Rimbey; 26) First Reading of Ordinance Amending Zoning Map from RS 8.5 to RA at 17155, 17175, 17225, 0 Star Road and 0 Cherry Lane approximately 27.069 Acres for John Low; 27) First Reading of Ordinance Amending Zoning Map from GB 1 to GBE at 16200 Idaho Center Blvd A 55.24 Acre Portion for the City of Nampa.

The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, AMENDING TITLE 10, CHAPTER 3 SECTION 10-3-1 AND 10-3-2, RELATING TO LAND USES IN THE GATEWAY BUSINESS ENTERTAINMENT ZONE; AMENDING TITLE 10, CHAPTER 4, SECTIONS 10-4-1, 10-4-2, 10-4-5, 10-4-6, 10-4-8, 10-4-9, AND 10-4-10 RELATING TO THE GATEWAY BUSINESS ENTERTAINMENT ZONE; AMENDING TITLE 10 CHAPTER 22, SECTIONS 10-22-1, 10-22-4, AND 10-22-6 PERTAINING TO PARKING IN THE GATEWAY BUSINESS ENTERTAINMENT ZONE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant City of Nampa)

The Mayor declared this the first reading.

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

MOVED by Skaug and **SECONDED** by Haverfield to **pass** the preceding ordinance under suspension of rules and approve the Summary of Publication. The Mayor asked for a roll call

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vote with all councilmembers present voting **YES** The Mayor declared the ordinance duly passed, numbered it **4281** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, **AMENDING TITLE 5**, CHAPTER 2, SECTION 5-2-25, PERTAINING TO THE OBLIGATION TO PLANT TREES IN CONNECTION WITH ONE- OR TWO-FAMILY RESIDENTIAL BUILDING PERMITS; **AMENDING TITLE 10**, CHAPTER 1, SECTIONS 10-1-2, 10-1-3, AND 10-1-18, RESPECTING DEFINITIONS AND FIGURES PROVIDED IN THE NAMPA COMPREHENSIVE ZONING ORDINANCE; AMENDING TITLE 10, CHAPTER 1, SECTION 10-2-8, PROVIDING PROCEDURES FOR PUBLIC HEARINGS UNDER THE ZONING ORDINANCE; DELETING AND REPLACING TITLE 10, CHAPTER 3, SECTION 10-3-9, RELATING TO NON-CONFORMING USES; DELETING AND REPEALING TITLE 10, CHAPTER 7, SECTION 10-7-10, PERTAINING TO THE CONTINUATION OF AGRICULTURAL USES AFTER RECLASSIFICATION OF AN RA (SUBURBAN RESIDENTIAL) DISTRICT; AMENDING TITLE 10, CHAPTER 8, SECTION 10-8-6, RELATING TO REQUIREMENTS FOR CERTAIN SIDE YARD SETBACKS; AMENDING TITLE 10, CHAPTER 10, SECTION 10-10-6, PERTAINING TO AREA, WIDTH AND SETBACK REQUIREMENTS IN RD (TWO-FAMILY [DUPLEX] RESIDENTIAL) DISTRICTS; AMENDING TITLE 10, CHAPTER 11, SECTION 10-11-5 PERTAINING TO AREA, WIDTH AND SETBACK REQUIREMENTS IN RML (LIMITED MULTI-FAMILY RESIDENTIAL) DISTRICTS; AMENDING TITLE 10, CHAPTER 12, SECTION 10-12-5, PERTAINING TO AREA, WIDTH AND SETBACK REQUIREMENTS IN RMH (MULTI-FAMILY RESIDENTIAL) DISTRICTS; AMENDING TITLE 10, CHAPTER 13, SECTION 10-13-5, PERTAINING TO AREA, WIDTH AND SETBACK REQUIREMENTS IN RP (RESIDENTIAL PROFESSIONAL) DISTRICTS; AMENDING TITLE 10, CHAPTER 16, SECTION 10-16-5, PERTAINING TO AREA, WIDTH AND SETBACK REQUIREMENTS IN BC (COMMUNITY BUSINESS) DISTRICTS; DELETING AND REPEALING TITLE 10, CHAPTER 21, SECTIONS 10-21-6 AND 10-21-7, PERTAINING TO NON-CONFORMING USES, VIOLATIONS AND PENALTIES IN THE CONTEXT OF ANIMAL ZONING REGULATIONS; AMENDING TITLE 10, CHAPTER 22, SECTION 10-22-5, RELATING TO PARKING AREA IMPROVEMENTS AND PLANTS; AMENDING TITLE 10, CHAPTER 23, SECTION 10-23-20, RELATING TO PERMANENT SIGNS PERMITTED IN THE BC/BF, GB1/GB2, AND THE IL/IH ZONES; AMENDING TITLE 10, CHAPTER 25, SECTIONS 10-25-6, 10-25-7, AND 10-25-13, RELATING TO CONDITIONAL USE PERMIT PROCEDURES BEFORE THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant City of Nampa)

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The Mayor declared this the first reading.

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

MOVED by Bruner and **SECONDED** by Raymond to **pass** the preceding ordinance under suspension of rules and approve the Summary of Publication. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4282** and directed the clerk to record it as required.

The following Resolution was presented:

Michael Fuss presented a staff report explaining that he needed to clear up the record from statements at the last special council meeting regarding hookup fees, I stated that we had not received feedback from the builders we have indeed received a letter dated July 22, 2016 and they are in opposition to the hookup fees as presented.

What you have before you is an action that we had an action from Council on the hookup fees but I was corrected by the City Attorney that we need to have a resolution to actually complete the action. So what you have before you is a number of resolutions.

First under item #31 is a resolution for the wastewater hookup fee to be implemented on November 15, 2016.

Councilmembers asked questions of staff concerning the builders opposition, which of the collection sheet amount is a three bedroom house (SE2) and when do they get to talk about the timing.

Karla Nelson is preparing a letter to go out to all of the building community, we are looking at all people that have pulled a building permit in the last year for a new resident and all commercial is who we are going to notify.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, IMPLEMENTING CHANGES IN THE RATES AND FEES CHARGED BY THE CITY OF NAMPA FOR WASTEWATER HOOKUP FEES.

MOVED by Raymond and **SECONDED** by Skaug to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers Haverfield, White, Skaug, Raymond voting **YES**. Councilmembers Levi and Bruner voting **NO**. The Mayor declared the resolution passed, numbered it **35-2016**, and directed the clerk to record it as required

MOTION CARRIED

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The following Resolution was presented:

Michael Fuss presented a staff report explaining that we are following the direction that we received at the last special council meeting an increase for irrigation hookup fees from \$329.00 per connection and then they do go up by size to \$520.00 on November 15, 2016.

Mayor explained that this is just the formal motion that was already approved at a previous meeting.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, **IMPLEMENTING A CHANGE IN THE RATE AND FEE CHARGED BY THE CITY OF NAMPA FOR AN IRRIGATION WATER HOOKUP FEE.**

Councilmembers had a discussion on having the timing of the hookup fees be the same.

MOVED by Skaug and **SECONDED** by Raymond to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers White and Raymond voting **YES**. Councilmembers Haverfield, Levi, Bruner, Skaug voting **NO**.

MOTION DENIED

Councilmember's wanted to have consistent dates on all of the fees so there is adequate time for disclosure to the building community of what the changes are going to be and how they can share that with their potential clients. The council wanted all the dates to be January 15, 2017.

MOVED by Skaug and **SECONDED** by Haverfield to **pass the resolution for irrigation hookup fees** with an amended date of January 15, 2017. The Mayor asked for a roll call vote with Councilmembers Bruner, Raymond, Haverfield, Skaug voting **YES**. Councilmembers Levi and White voting **NO**. The Mayor declared the resolution passed, numbered it **36-2016**, and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **continue discussion of domestic water hookup fees.**

Mayor Henry presented a staff report explaining that he has asked staff to prepare two different resolutions one with the full increase of \$2,950 effective November 15 and another to with doing half on November 2016 and the other half November 2017. If it is important to Council we can change those January 15, 2017 and January 15, 2018.

The following Resolution was presented:

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, **IMPLEMENTING CHANGES IN THE RATES AND FEES CHARGED BY THE CITY OF NAMPA FOR DOMESTIC WATER HOOKUP FEES.**

Councilmembers made comments on the fees and the dates.

MOVED by Haverfield and **SECONDED** by Skaug to pass the **resolution** with the date changes to January 15, 2017 and January 15, 2018 for a 50% increase on both. The Mayor asked for a roll call vote with Councilmembers Raymond, Skaug, Haverfield voting **YES** and Councilmembers Levi, White, Bruner voting **NO** the Mayor voted **YES** to break the tie. The Mayor declared the resolution passed, numbered it **37-2016**, and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry opened a **public hearing** for **variance** of rear deck setbacks and vacation of rear property line easements located at **814 W Trine Loop** for **Donald & Kendra Taylor**.

Donald and Kendra Taylor presented the request.

Planning and Zoning Director Norm Holm presented a staff report explaining that the request is for a variance of the required 5' deck setback from easterly property line, and for a vacation of the 12' utility, drainage and irrigation easement along a portion of the rear property line, and vacation of the 10' utility, drainage and irrigation easement along the remainder of the rear property line located at 814 West Trine Loop for Donald and Kendra Taylor.

The applicants have previously constructed a deck at least 1' within the required 5' setback and within the 10' & 12' easements and are requesting the setback variance and easement vacation in order to retain the deck at the existing location.

Applicable Regulations:

10-24-1: [Variance] Purpose:

The City Council is empowered to grant variances in order 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; and. 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, on the basis of 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.
- Section 10-8-6 D. for the RS District: "Minimum Property Structure and Parking Interior (Side/Rear) Yards: Shall be five feet (5') wide/deep, except where a utility easement is recorded adjacent to a side property line, there shall be provided a side yard (setback) at least the width of the easement on the development site or five feet (5'), whichever is greater. Where a utility easement is recorded adjacent to a rear lot line, the rear interior yard (setback) shall be the width of the easement on the development site or five feet (5'), whichever is greater."
 - State law does not require the consent of adjoining property owners to vacate easements.

Special Information

Planning & Zoning History: The applicant built the deck as a property improvement in 2012 without having realized the need to apply for and obtain approval via a building permit. They are selling the property and are moving to another location and need the matters resolved to complete the property sale.

Transportation: The property is accessed from S Midland Blvd via S Skyview Way to S Skyview D to W Trine Loop.

Environmental, Aesthetics/Landscaping: The dwelling and property is comparable with that of the other dwellings and properties existing in the neighborhood. Approval of the Variance and easement Vacation will have little effect on the immediate neighborhood, other than allowing the deck to remain as constructed 4 years ago.

Correspondence: At the time of the preparation of this Staff Report no letters or personal expressions of opposition to or support for the granting of the variance or the easement vacation have been received from any neighboring property owners, residents or utility companies. Fire, Building, and Engineering departments do not oppose the easement vacation.

Narrative/Comments

To justify a Variance request, an applicant must argue successfully to the Council that there is some aspect 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 request.

If the 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 times past, Variance Permits have been issued on a case by case basis where a unique situation could be determined to exist.

The applicant argues:

"We built the deck as a property improvement in 2012. The back parcel has a variance in elevation and there was a portion that was unusable. The original builder placed large Sandstone rocks to create a border to compensate the variance in elevation and then covered with black ground cover rock beyond the concrete patio. (SEE PICTURE - A) Due to the variance in

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elevation this also left a large "trough" along the back S, SE portion of rear parcel with a distance of 3 to 4 feet wide and roughly 45 feet long. (SEE PICTURE - B) Beyond this the land sloped down towards the SW, W side of parcel. This slope did not allow for the grass to grow on the top portion and left a swamp of collected water near the bottom.

We wanted to create an area on this side of the house that not only used the space but also increased the overall property value of our home. This project detailed to add a floating deck over the existing elevated land with the sandstone and black rock ground cover that then had two stairways down to a leveled portion of the land, create a retaining wall with brick, and a paver patio with fire pit. (SEE PICTURES - Ca (2012) & Cb (2016). We submitted the proper paper work with the ACC of Trinity Hills and approved. As first time homeowners we did not think beyond the bylaws of our Home Owners Association. We knew that no power ran to these areas, no sewer lines or other irrigation lines; we knew they were not a common area, nor an area of driveways, pedestrian walk ways or off street loading facilities, ONLY unusable landscaped land inside our property line."

It will be up to the City Council to determine whether or not the applicant's rationale qualifies as a unique site circumstance providing the required justification for approval. The City Council is at liberty to either approve or deny. And, the vote should not be construed as setting precedent, but consistency in the community/neighborhood and between applications is a desirable goal when dealing with case by case variance requests.

The proposed variance, if approved, would allow the applicant's deck to remain as presently located along the southeast side of the property situated within 5' of the southeasterly property line.

Planning staff sees possible justification for granting of the Variance on the basis of irregular topography, irregular rear property line position, and the location in which the dwelling was originally constructed on the lot.

Planning staff sees basis for denying the requested easement Vacation and recommends approval. The easements proposed for vacation are not needed for any public purposes and will resolve the existing easement encroachment.

Recommended Conditions of Approval

Should the City Council vote to approve this requested setback variance staff recommends establishment of the following conditions:

- 1) The applicant shall comply with all applicable requirements as may be imposed by City divisions/departments appropriately involved in the review of this request, e.g. Nampa Fire, Building, Planning & Zoning and Engineering, etc., as the Variance or easement Vacation

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approval shall not have the affect of abrogating requirements from those City divisions/departments.

- 2) The applicant/owner will be required to submit plans and obtain a building permit for the deck. This shall include the required inspection approvals.

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

MOVED by Haverfield and **SECONDED** by Bruner to **close the public hearing**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

MOVED by Raymond and **SECONDED** by Haverfield to **approve the variance** of rear deck setbacks and **vacation** of rear property line easements located at **814 W Trine Loop** for **Donald & Kendra Taylor** and authorize the 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

Mayor Henry presented a request to **authorize the Mayor to sign a MOU for Assessment of Fair Housing Collaborative Agreement** with the City of Boise, City of Meridian, City of Caldwell, Nampa Housing Authority and Boise City/Ada County Housing Authority

Community Development Program Manager, Jenifer Yost presented a staff report explaining that the as part of the CDBG the City of Nampa is required to assess barriers to Fair Housing Choice and develop a plan to address the barriers identified. The City completed the last Fair Housing assessment and plan in 2012. Under CDBG regulations the City is required to use a new process to assess Fair Housing challenges in the community as it relates to the region and neighboring communities. The region under the new process is the Boise-Nampa MSA which includes the counties of: Ada, Canyon, Owyhee, Gem and Boise Counties. Under the old process the City was required to review the City only. The City of Nampa would be the first submitter in the region under the new process with a submission in 2017.

HUD is encouraging regionalization efforts and to collaborate with other entities that need to also use the new process. The City of Boise has agreed to take the lead for the plan development and contractual relationship. As such HUD allows for the City of Nampa to postpone the implementation of the new process until the lead agencies, City of Boise, next Consolidated Plan with a due date of January 2021.

The attached MOU is a document of the intent for the entities to collaborate in a regional analysis and submission of the developed plan. There will be a cost-sharing for the plan development, including the regional analysis and goals as well as the individual jurisdictional

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analysis and goals. The exact break-out of the cost sharing will need to be decided and may have to wait for an amendment to the MOU in 2018/2019 and the CDBG allocation process. The MOU includes a termination clause in the event that the City determines that the agreement is no longer beneficial.

Councilmembers asked questions of staff

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Mayor** to **sign** a **MOU** for **Assessment of Fair Housing Collaborative Agreement** with the City of Boise, City of Meridian, City of Caldwell, and Nampa Housing Authority. The Mayor asked for a roll call vote with Councilmember White, Bruner, Haverfield voting **YES** Councilmembers Skaug, Levi and Raymond voting **NO** and the Mayor voting **YES** to break the tie. The Mayor declared the **MOTION CARRIED**

Mayor Henry presented a request to **amend** the **PY2012 CDBG Action Plan** to **increase funding** for the **Bike & Walk to Downtown Project**.

Jenifer Yost presented the following staff report explaining:

Project Name	Current Allocation	Proposed Allocation	Difference
2012 Bike & Ped Downtown Connection	\$115,959	\$147,488.43	+\$31,529.43
Total	\$115,959	\$147,488.43	\$31,529.43

BACKGROUND INFORMATION:

1.) Increase funding for the following project to CDBG Action Plan, PY 2012

City of Nampa **\$147,488.43**
2012 Bike & Pedestrian Downtown Connection

Description: To provide design & construction to connect two LMI neighborhood to Downtown; resulting in connection to city services and public transit corridors.

National Objective: LMI – Area

Staff Report: The City of Nampa was awarded Federal Transit Administration (FTA) Section 5316 grant and a Community Development Block Grant (CDBG) to improve multimodal accessibility in the downtown area by constructing a multi-use pathway adjacent to Front Street

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from 13th Avenue South to 15th Avenue South and a safety railing on the 16th Avenue Overpass. The bid for the project came in over the amount of funds made available for Phase 1 of the project.

On December 21, 2015 staff requested direction from City Council regarding the reuse of some unobligated funds from prior years and Council identified the 2012 Bike & Pedestrian Downtown Connection project for reuse of these funds. Staff awaited all costs to be itemized prior to coming to council for this amendment. These funds will result in the completion of the project.

MOVED by White and **SECONDED** by Haverfield to **amend** the **City of Nampa's Community Development Block Grant Program Year 2012 Action Plan** to reflect the following amendment: 1) 2012 Bike & Pedestrian Downtown Connection. The Mayor asked for a roll call vote with all Councilmember presented voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** an **encroachment agreement** with **M3 Development Company** for signage along **West Red Drive**.

Michael Fuss presented a staff report explaining that M3 Development Company has requested they be allowed to place permanent trellis sign monuments over public sidewalks (see Exhibit A) within the public right of way and within the 10 foot general utilities and irrigation easement along West Red Drive (see Exhibit B).

The general utility easement is typically used by Idaho Power, Intermountain Gas, Century Link, and Cable One. These utilities do not appear to be in conflict with the proposed sign locations.

The proposed sign locations are not within the vision triangle and will not obstruct vision for traffic turning onto Middleton Road from West Red Hawk Drive.

Engineering does not oppose granting the requested encroachment agreement.

MOVED by Bruner and **SECONDED** by Haverfield to **authorize** the **Mayor** to **sign** the **encroachment agreement** with **M3 Development Company**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **award bid** and **authorize** the **Mayor** to **sign** a **contract** with **Dahle Construction** for **Western Regional LS Parallel Force Main Project Construction**.

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Michael Fuss presented a staff report explaining that the Western Regional (see Exhibit A) is the largest lift station (LS) in the City in terms of number of pumps, total capacity, total horsepower and force main diameter (18-inch). The LS currently pumps into a single force main which is projected to reach full capacity by 2040. In addition, no viable pump-around solutions are available for most of the alignment during a failure.

This project is the first phase in a multi-phase project to install a parallel force main from the Western Regional LS to the waste water treatment plant. After the leak last winter, the remaining phases of the parallel force main were included and approved in the FY17 budget.

The City solicited formal bids for the project in accordance with I.C. § 67-2805(3) and four (4) contractors responded with the following bids:

- | | |
|---|--------------|
| 1) Anderson & Wood Construction Co., Inc. | \$275,123.74 |
| 2) Dahle Construction, LLC | \$189,490.50 |
| 3) Knife River Corporation - Northwest | \$199,993.00 |
| 4) Titan Technologies, Inc. | \$310,282.00 |

The Western Regional LS project has an approved FY16 Wastewater budget of \$700,000.

Engineering	\$ 78,540
Observation Estimate (10%)	\$ 18,949
Construction Bid	\$ 189,491
Total	\$ 286,980

T-O Engineers have provided a recommendation to award and the Engineering Division recommends awarding the bid to Dahle Construction, LLC.

MOVED by White and **SECONDED** by Haverfield to **authorize** the **Mayor** and **Public Works Director** to **sign** a **contract** with **Dahle Construction LLC** to construct the **Western Regional LS Parallel Force Main project**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign** **task order amendment** with **T-O Engineers** for **Western Regional LS Force Main Project**.

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Michael Fuss presented a staff report explaining that the Western Regional is the largest lift station (LS) in the City in terms of number of pumps, total capacity, total horsepower and force main diameter (18-inch). The LS currently pumps into a single force main which is projected to reach full capacity by 2040. In addition, no viable pump-around solutions are available for most of the alignment during a failure. The project will allow for economic growth of the City of Nampa.

The project will install a parallel force main (24-inch) from Old Karcher Road to the waste water treatment plant (see Exhibit A). The additional force main will provide near term redundancy and long term capacity. When the area around the LS is fully developed, both force mains will be needed to handle the inflows.

T-O Engineers (T-O) designed phase one of the project and has been retained to complete the remainder of the project. Initially the project was to be designed and constructed over a five-year period starting in FY16. A leak in the existing force main has necessitated the remainder of the project be completed in FY17.

The Western Regional LS project has a proposed FY17 Wastewater budget of \$2,500,000.

Bid savings of \$300,000 from the FY16 project budget of \$700,000 will be used to fund the design of FY17 project. Coordination with the Union Pacific Railroad (UPRR) was identified as the critical task during the project charter process. In order to design and construction the project by the end of FY17, permitting with UPRR should begin immediately.

<i>Engineering</i>	\$ 248,498
<i>Observation Estimate (6%)</i>	\$ 124,980
<i>Construction Estimate</i>	\$ 2,083,000
<i>UPRR License Agreement Est.</i>	\$ 175,000
Total	\$ 2,631,478

T-O Engineers has provided an initial Scope of Work and Labor Estimate to provide design, bidding assistance and construction support services for \$248,498.00 (see Exhibit B).

Councilmembers asked questions of staff.

MOVED by Skaug and **SECONDED** by Raymond to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order Amendment** with **T-O Engineers** to provide design and construction support services for the Western Regional LS Parallel Force Main project in the

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amount of **\$248,498.00** (T&M N.T.E.). The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign supplemental engineering agreement No. 1, Phase 1 Environmental** for the Purchase of Land in the Runway 11 Runway Protection Zone, Airport Improvement Program 27 with **J-U-B Engineers, Inc.**, for Nampa Municipal Airport.

Michael Fuss presented a staff report explaining that the On March 21, 2016, City Council authorized Nampa Municipal Airport staff to submit grant applications and certifications to the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funding in order to negotiate the purchase of private in land in the Runway Protection Zone at the Airport

In May 2016, FAA awarded the City a grant for AIP-27.

- The total project cost was \$62,926.22.

A Professional Services Agreement was put in place, as required by FAA, with City Consultant J-U-B Engineers, Inc., in order to assist with the grant funding process.

- The project began in May 2016.

The project stalled in August 2016 when the land owner notified the City through his attorney that he is no longer willing to allow access to his property.

City staff met with J-U-B, the FAA, and State Aeronautics to determine how to proceed.

- The decision was made to update the scope of work for the project.
- The updated scope eliminates topo and boundary survey, cultural resource survey, and site assessments that cannot be performed without access to the property.

Updates to the original scope of work will reduce the project cost by \$16,308.83, bringing the total cost to \$46,617.39.

On September 12, 2016, the Nampa Airport Commission met to review the Supplemental Engineering Agreement No. 1 with J-U-B (see Exhibit A).

The Commission moved to recommend City Council authorize the Mayor to sign the Supplemental Engineering Agreement No. 1 with J-U-B Engineers, Inc.

MOVED by Haverfield and **SECONDED** by Skaug to **authorize** the **Mayor** to **sign** a **Supplemental Engineering Agreement No. 1, Phase 1 Environmental** for the Purchase of Land in the Runway 11 Runway Protection Zone, Airport Improvement Program 27 with J-U-B

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- 50' x 60' hangar FY16 \$762.00
 FY17 \$771.00
 Increase of \$9.00/year
- 60' x 60' hangar FY16 \$914.00
 FY17 \$925.00
 Increase of \$11.00/year

A RESOLUTION OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AUTHORIZING A **FEE INCREASE FOR LAND LEASES** FOR THE NAMPA MUNICIPAL AIRPORT EFFECTIVE OCTOBER 1, 2016.

MOVED by Haverfield and **SECONDED** by Bruner to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **39-2016**, and directed the clerk to record it as required
MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** the **Airport Café Lease Agreement** with **Treasure Valley Road Runners, LLC** dba: The Tower Grill (Nathan Lindskoog) for Nampa Municipal Airport.

Michael Fuss presented a staff report explaining that on June 30, 2016, the previous café business, TNT Dynamite Grill, vacated the Nampa Municipal Airport.

Advertisement in the local newspaper began in June 2016 for a new café operator.

In August 2016 Airport staff received a proposal from Mr. Nathan Lindskoog to operate his business, Treasure Valley Road Runners, LLC dba: The Tower Grill, at the Airport.

- Nampa Airport Commissioners met on August 8, 2016, and reviewed the café proposal.
- Airport staff was given direction to negotiate a new café lease agreement with Mr. Lindskoog (Lessee).

A new lease was successfully negotiated between the City and Lessee.

- The lease is for five, one year terms.
- The monthly lease amount for the first four months is \$1,300.00.
- The monthly lease amount for the next eight months is \$1,600.00.

The café lease includes the expense for professional services for daily restroom cleaning at the terminal. The cost for this monthly service is \$600.00.

Mr. Lindskoog offered to clean the Airport restrooms on a daily basis.

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The lease will credit Mr. Lindskoog \$600.00 each month for terminal restroom cleaning.

Therefore, monthly net lease payments would be \$700.00 for the first four months and \$1,000.00 per month thereafter.

On September 12, 2016, the Nampa Airport Commission moved to recommend City Council authorize the Mayor to sign the one-year term Airport Café Lease Agreement for café services (see Attachment 1) with Lessee.

MOVED by Bruner and **SECONDED** by Haverfield to **authorize the Mayor to sign a one-year term Airport Café Lease Agreement with Treasure Valley Road Runners, LLC dba: The Tower Grill** (Nathan Lindskoog) for café services at Nampa Municipal Airport. he Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **authorize the Mayor to Sign a Land Lease with Federal Aviation Administration for Non-Directional Beacon at Nampa Municipal Airport.**

Michael Fuss presented a staff report explaining that on July 1, 1996, the City signed a sublease with the Federal Aviation Administration (FAA) for a Non-Directional Beacon (NDB) located on the Centennial Golf Course.

- The land in question is leased from the State of Idaho Health and Welfare Department.

A NDB is an aviation navigation aid.

- NDB navigation is becoming an obsolete technology. The FAA has begun transitioning away from NDB use.

The term of the sublease was from July 1, 1996, through September 30, 1996, with renewal on an annual basis until September 30, 2016, as long as the City continued to occupy the land (see Attachment A).

- The sublease agreement specified there would be no monetary consideration in the form of rental.

On March 11, 2016, the Airport Superintendent received a request from Raul Ramos, Real Estate Specialist with the FAA, for a new lease for the NDB location.

The new sublease would be from October 1, 2016, through December 31, 2019.

- The Idaho Health and Welfare Department approved of the sublease through December 31, 2019 (see Attachment B).
- The agreement has been reviewed and agreed to by City legal counsel.

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The sublease agreement specifies no monetary consideration for the rental.

On September 12, 2016, the Nampa Airport Commission moved to recommend that City Council authorize the Mayor to sign the NDB Land Lease (see Attachment C) dated October 1, 2016.

- o The Commission also directed staff to work with the FAA to create a plan to decommission the NDB by December 31, 2019.

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Mayor** to **sign** the **Land Lease agreement** with the **Federal Aviation Administration** for Non-Directional Beacon at the Nampa Municipal Airport. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

The following Resolution was presented:

Fire Chief Karl Malott presented a staff report explaining that the this an extension of June 15, 2016 presentation of the Master Plan study. Two of the items that were the outstanding, more futuristic were looking at a change in how we do dispatching and working on a more cooperative effort along the county lines as well with the other fire departments in this county and a fire district that the city would be annexed into.

In the meeting a week ago the Nampa Fire Protection District passed a resolution which essentially is the same as is being presented here tonight to look at a ADHOC committee that would look at the feasibility of the formation of the fire district. Without all of the pieces put together it is really a hard to make a informed decision so that is what the purpose of this committee would be.

Some of the reason that we looked at is complete transparency to the taxpayer for the cost of the fire and EMS services provided. The staple predictable model for future service needs, the commissioners would be more focused on running a fire district without the distractions of running many different departments, higher probability of securing regional grants for equipment and training, border to border continuity with other fire districts and then set boundaries to create a more stable fire district without the threat of annexation.

The decision to move forward with this study does not force the City to do anything, it does allow us to take an educated fact base analysis and make a decision based on whether it would be to the benefit of the taxpayers that we serve to move forward with this recommendation.

The makeup of the ADHOC committee would be one fire commissioner, two electors of the fire district, one city councilmember, two electors of the city, and non-voting members would be the Fire Chief, Deputy Fire Chief of operations, the Finance Director for the City, and the bookkeeper of the fire district.

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Councilmembers asked questions of staff.

A CONCURRENT RESOLUTION OF THE CITY COUNCIL OF NAMPA, CANYON COUNTY, IDAHO, IN **AGREEMENT WITH THE BOARD OF COMMISSIONERS OF NAMPA FIRE PROTECTION DISTRICT.**

MOVED by Levi and **SECONDED** by Haverfield to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **40-2016**, and directed the clerk to record it as required

MOTION CARRIED

This item was postponed until the next Council meeting of October 3, 2016 - to **adjourn into Executive Session** at Pursuant to Idaho Code 74-206(1) (f) To Communicate with Legal Counsel for the Public Agency to Discuss the Legal Ramifications of and Legal Options for Pending Litigation, or Controversies not yet Being Litigated but Imminently Likely to be Litigated. The Mere Presence of Legal Counsel at an Executive Session Does not Satisfy this Requirement as provided in [chapter 1, title 74](#), Idaho Code. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

The Mayor adjourned the meeting at 7:57 p.m.

Passed this 3rd day of October, 2016.

MAYOR

ATTEST:

CITY CLERK

REGULAR COUNCIL

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Mayor Henry called the meeting to order at 6:30 p.m.

Clerk made note that Councilmembers Skaug, Haverfield, Levi, White, Bruner, and Raymond were present.

Mayor Henry amended the agenda by adding to the consent agenda approval of 17b (consent agenda) – approval of an on-premise beer and wine license for Treasure Valley Road Runners LLC, located at 105 Municipal Drive and remove the postponed from items #25 - Resolution for Comprehensive Plan Future Land Use Map Amendment from General Commercial to High Density Residential at 347 W. Orchard Avenue for Dean and Daren Anderson and item #26 - First Reading of Ordinance for a Rezone from RML and RS 6 to RMH at 347 W. Orchard Avenue for Dean and Daren Anderson (unfinished business) and request to pass under suspension of rules and to postpone item #32 - Mayor's Teen Council Bylaws Amendment under new business.

MOVED by Haverfield and **SECONDED** by White to **approve the Consent Agenda with the above mentioned amendments; Regular Council Minutes; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; Airport Commission Minutes of August 8, 2016; Planning & Zoning Commission Minutes of September 13, 2016 amended; Library Commission Minutes; IT Steering Committee Minutes; department reports, bills paid; The City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; final and preliminary plat approvals: 1) None; and authorize the following public hearings: 1) Modification of Annexation & Zoning Development Agreement with Retail Property Acquisition LLC and City of Nampa at 2100 12th Avenue Road for Wal-Mart Real Estate Business Trust; Approve the following agreements: 1) Nampa Civic Center - renew 2nd year janitorial contract with Clearview Cleaning for the annual fee of \$59,520. No increase in fee was requested by contractor; 2) Nampa Library – renew 3rd year janitorial contract with AMS (Automated Maintenance Service) for the annual fee of \$74,400. No increase in fee was requested by the contractor; Authorization to Proceed with the Bidding Process: 1) 39th Street and Garrity Boulevard Intersection Project; 2) Crushed Aggregate for Chip Seal 2017 Project; 3) Amity Avenue and Chestnut HAWK Pedestrian Signal Project; 4) Waterworks Materials 2017 Purchase; Monthly Cash Report; Resolutions – Disposal of Property with Value Under \$1,000.00: 1) 911 In-A-Box, consisting of a Server, Network Switch, Phones and Cabling for Police Dept; and 2015-2016 Licenses: (all licenses subject to police approval): Mother Earth Micro Brews - 1428 Madison Avenue – On Premise Beer & Wine; Treasure Valley Road Runners LLC, 105 Municipal Drive for a on-premise beer and wine license; approval of the agenda. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the**

MOTION CARRIED

Ross Hoffman, Assistant Director of Admissions, with Steven Henager who introduced two Nampa women who were each awarded \$15,000 Mayor's Scholarships from Steven Henagar College. Stephanie Whittington and Belinda Guardado wrote essays to compete for the financial awards. Stephanie is working toward a medical specialist associate degree. Belinda plans to

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earn an associate degree in business management and accounting. Both programs will run 20 months.

Public Works Director Michael Fuss presented a staff report to update the council on current projects as follows:

End of 2016 Irrigation Season – Water Division crews will be shutting down the City’s pressurized irrigation system on Friday, October 7.

The majority of Nampa’s irrigation water comes from canals operated by Nampa Meridian, Pioneer, and Boise Kuna Irrigation Districts. Water staff was notified by the underlying districts that delivery of irrigation water to Nampa will end on October 6 and/or October 7. In order to coincide with these underlying districts end of season dates, the City is scheduling the same.

The Mayor’s office issued a press release on September 26 to notify Nampa utility customers of this year’s end of irrigation season.

Excavation and Trenching Policy Update - In follow-up to staff’s presentation of September 6, no questions and/or suggested changes have been received from Council regarding the Excavation and Trenching Policy. Therefore, staff will move forward to implement this Public Works policy the day of this report.

Final National Pollutant Discharge Elimination System Permit Received - After nearly four years of negotiations, staff and the Wastewater Program Management Team (WPMT) are pleased to report the Environmental Protection Agency (EPA) issued the City the final version of the renewed National Pollutant Discharge Elimination System (NPDES) permit. The new permit, which becomes effective November 1, 2016, and expires on October 31, 2021, will establish new limits for phosphorus and temperature discharge at the Nampa wastewater treatment plant. The WPMT and staff are in the process of reviewing the final permit and reviewing EPA's response to comments submitted by the City and others on the draft permit. An update will be provided to Council when this review has been completed.

Grant Funding Award-Federal Transit Administration Multimodal Projects –

- 2012 the City, in partnership with Valley Regional Transit (VRT) and the Community Planning Association of Southwest Idaho (COMPASS), began competing for Federal Transit Administration (FTA) grants to build bike and pedestrian infrastructure improvements.
- Since then, the City has received \$3,829,000 in grants to design and construct several multimodal projects, most of which are in the vicinity of schools. These FTA grants are

based on 80% federal share with a 20% City share. The majority of the projects have yet to be constructed due to funding backlogs at the FTA.

- In May 2016, Council approved two Sub-recipient Agreements with VRT which stated the City had met the FTA “Pre-Award Authority” milestone, confirming project expenditures are grant reimbursable following funding award, expected in the fall of 2016.
- Subsequently, Council authorized Engineering to move forward with design for the following projects (prior to FTA award).
 - o Nampa High School/Lake Lowell Avenue Roadway Frontage and Pedestrian Improvements (Key # 18977).
 - o Skyview High School/Greenhurst Road Multimodal Improvements (Key # 19069)
 - o Pedestrian Hybrid (HAWK) Signal at Amity Avenue and Chestnut Street.(Key # 12760).
 - o Bike and Walk to Downtown Phase II—Multimodal Pathway (Key # 12760).
- On September 16, 2016, VRT notified the City that FTA grant funding was awarded and available for reimbursement for all of the projects mentioned above.
- In addition, FTA funding was awarded for the South Nampa Multimodal project which includes improvements at the following locations:
 - o Skyview High School—Powerline Road and Blakeslee Drive Rapid Flashing Beacon (RFB) (Key # 19590).
 - o Centennial Elementary—Lake Lowell Avenue and Mason Lane RFB (Key # 19590).
 - o Iowa Elementary—Iowa Avenue Sidewalk and RFB (Key # 19590).
- Staff and City consultant, Paragon Consulting, are in the process of negotiating the Professional Services Agreement for the South Nampa Multimodal Project.

Engineer Division Fiscal Year 2017 Bidding Plan – Tom Points, P.E., City Engineer, Engineering Division, will present the attached Fiscal Year 2017 Bidding Plan on the day of this report (see Attachment A).

Library Director Chris Cooper and Library Service Supervisor Beth Neunaber presented the following report on the Smithsonian Water Ways exhibit:

Water Matters Project Goals

- Raise appreciation for water as a vital resource for life.
- Educate citizens and students about critical resource issues.
- Bring people to an understanding about what water means culturally, socially, spiritually, and to their community;

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- Inspire people to conserve and protect water as an important resource.

Why Water?

- Water is a critical natural resource.
- Water is also a cultural resource. It *means* something to people.
- Many Americans don't always stop to take account of their interconnectedness with water.
- Many communities are recognizing that their water resources are becoming more limited or that those resources are endangered.

Water/Ways Main Themes

- Water is at our core.
- Water shapes things – physically and culturally.
- Water is much more than the wet stuff from the faucet.

Quench

- How We Make Water Work.
 - Electricity and Manufacturing
 - Agriculture
 - Home
 - Flipbook: Water and Work

HIGH DESERT OASIS

The Life-Giving Force of Water in Canyon County

Visitors will see eight panels with a Local focus on Water-related Themes

1. **Nampa – the Early Years**
2. **Indian Creek**
3. **Cultural and Recreational Use of Water**
4. **Agriculture and Irrigation**
5. **Idaho Dept. of Environmental Quality –**

“The Boise Watershed”

1. **City of Nampa, Environmental Compliance –**
“Storm Drain Exhibit” (Where does your water go?)
7. **Idaho Power – *“Caring for the Snake River”***
8. **Deer Flat Wildlife Refuge – *“Wildlife Habitat, Lake Lowell”***

Water/Ways Specs

- 650-700 square feet of floor space
- 5 free-standing exhibition sections
- Will stand in the Nampa Public Library's lobby

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Grant funds, Sponsors & Projected costs

Grants:

\$1,500 – Awarded to Host Sites to use toward exhibit costs
\$ 200 – Awarded to Host Sites for two IHC Speakers Bureau (expert speakers)
Nampa Public Library received a \$1,500, Idaho Humanities mini-grant
Requires \$1,500 match

Sponsorship funds:

\$ 300 – D. L. Evans Bank
\$ 500 – CH2M
\$ 1,000 – Friends of the Nampa Public Library
\$5,000 Total Revenue

Anticipated Costs:

- \$1,700 Equipment & Display costs for local exhibit
- \$1,625 Design & printing of local panels
- \$775 PSA, 30-Second Video
- \$400 Printing, distribution advertising posters
- \$300 Prizes and project costs for Poetry Contest
- \$200 IHC Speakers Bureau
- **\$5000 Total Costs**

Let's Make a Splash!

- **Grand Opening of Water/Ways Exhibit**
 - Sat. 10/22 10:00 a.m.
- **Gary Eller, Songs of Early Idaho Waterways**
 - Tue. 10/25 6:30 p.m.
- **Adam Sowards, Idaho's Water at Work & Play**
 - Sat. 10/29 1:00 p.m.
- **Treasure Valley Water User's Association Panel**
 - Tues. 11/15 6:30 pm

Finance Director Vikki Chandler presented a staff report on the software RFP explaining that the On August 17, 2015, the Mayor and City Council authorized staff to move forward with the acquisition of a new Enterprise Resource Planning system (“ERP”) to automate and update the City’s finance software and to determine whether such enterprise-wide solutions could also meet the functionality needs of other activities, such as utility billing, payroll and human resources. Staff and the City’s consultant, Eide Bailly, have prepared an RFP for dissemination to potential bidders. In anticipation of its issuance, staff is hereby providing the Mayor and Council with this Executive Summary of the RFP and the current progress toward acquiring the software.

Background:

The City's current system environment is de-centralized with several disparate business applications and customized solutions for reporting and integrating portions of financial transactions from the various systems. Not all business applications have been interfaced and therefore duplicate data entry is common. Certain departments within the City have undergone business process improvement activities in order to streamline many of their manual processes however they have encountered limitations with the current business applications environment when trying to automate the remaining manual processes.

The central financial accounting system is Springbrook. Currently more than 20 business applications within the City either provide data to Springbrook or receive data therefrom. IT has had to write more than 80 interfaces to allow imports to and exports from other software City systems and to provide necessary reports. In many cases the same data has to be hand entered 2 or 3 times in order to have it available in all of the necessary systems. Broadly, goal of this project is to acquire a software system that will simplify the process of entering, tracking and reporting necessary information, reduce or eliminate the need for customizations and interfaces and simplifying the IT environment thereby saving money for the City and its taxpayers.

A team has been put together to oversee and guide the process. The team consists of Tina Combs, Debbie Bishop, Adria McCaw, Carly Oppie, Vikki Chandler, Deborah Spille, Kent Rock, Tom Points, Darrin Johnson and the City's consultant, Shelley Earsley of Eide Bailly (the "Team").

Status:

RFP Development:

Staff and the City's consulting firm, Eide Bailly, have spent the past few months gathering requirements and preparing the RFP. Members of the Team have met with Finance, Human Resources, Utility Billing, Clerks, IT, GIS, Economic Development/Code Enforcement, Airport, Library, Parks and Recreation, Cemetery, Fleet and Public Works to determine and document the City's requirements. Eide Bailly has compiled the information into an RFP which has been reviewed by the affected staff and the Team. Legal has also reviewed the document.

This process has identified the goals and benefits expected from the new ERP solution that are identified in the request for proposals.

The team, with input from affected departments, has also developed evaluation criteria which will be used to evaluate and score the proposals. That information is also included in the RFP.

RFP Issuance and Proposal Timeline:

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The Team intends to issue the RFP on October 4. The calendar for proposal-related activities is shown below.

RFP Activity	Date
RFP Issued	October 4, 2016
Intent to Propose Responses Due by 4:00 pm MDT	October 11, 2016
RFP Questions Due by 1:00 pm MDT	October 13, 2016
City Responses to RFP Questions	October 18, 2016
Proposal Responses Received by 1:00 pm MST	November 10, 2016
Initial Evaluation & Due Diligence	November – December
Product Demonstrations, References & Site Visits	December – January
Final Evaluation & Clarification	January – February
Negotiation & Contract Approval	January – February

Summary:

The project Team has endeavored to gather broad input from all the departments in order to acquire a solution provider, product and services that will best meet the City’s needs for long term. The process is on track to begin implementation by the end of March.

The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, **CHANGING THE NAME** FOR A PORTION OF *NORTH MIDLAND BOULEVARD* TO *NORTH MERCHANT WAY*; PROVIDING FOR AN EFFECTIVE DATE OF FEBRUARY 1, 2017; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.

The Mayor declared this the third reading.

MOVED by Skaug and **SECONDED** by Haverfield to **pass** the preceding ordinance and summary of publication as presented. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4283** and directed the clerk to record it as required.

The following Resolution was presented:

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RESOLUTION OF THE NAMPA CITY COUNCIL, PURSUANT TO IDAHO CODE § 67-6509(c) **ADOPTING AMENDMENTS TO THE MAP COMPONENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF NAMPA, IDAHO, AN IDAHO MUNICIPAL CORPORATION.** (Applicant Dean & Daren Anderson – 347 West Orchard Avenue)

MOVED by Haverfield and **SECONDED** by Raymond to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **42-2016**, and directed the clerk to record it as required

MOTION CARRIED

The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO TO PROVIDE RMH (MULTIPLE-FAMILY RESIDENTIAL) ZONE DESIGNATION FOR CERTAIN LANDS, COMMONLY KNOWN AS **347 W. ORCHARD AVENUE**, NAMPA, IDAHO; DETERMINING THAT SAID ZONING IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF NAMPA, IDAHO; **REZONING** SAID PROPERTY FROM **RML** (LIMITED MULTIPLE-FAMILY RESIDENTIAL) AND **RS 6** (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 6,000 SQUARE FEET) TO **RMH** (MULTIPLE-FAMILY RESIDENTIAL); PROVIDING FOR RECORDATION; INSTRUCTING THE CITY ENGINEER TO DESIGNATE SAID PROPERTY AS RMH (MULTIPLE-FAMILY RESIDENTIAL) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant Dean & Daren Anderson)

The Mayor declared this the first reading.

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

MOVED by Raymond and **SECONDED** by Levi to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4284** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, TO MODIFY THE **ANNEXATION & ZONING DEVELOPMENT AGREEMENT** TO WHICH THAT CERTAIN REAL PROPERTY COMMONLY KNOWN AS **921 E. COLORADO AVENUE**,

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NAMPA, IDAHO, COMPRISING APPROXIMATELY 1.377 ACRES, MORE OR LESS, IS SUBJECT, DESCRIBED IN ORDINANCE NO. 3579 AND RECORDED ON JUNE 20, 2006, AS INSTRUMENT NO. 200642614, RECORDS OF CANYON COUNTY, IDAHO, AMENDING THE “RECITALS,” “CONDITIONS” AND “CONCEPTUAL PLAN” FOUND THEREIN; DIRECTING THE CITY PLANNING DIRECTOR TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant Shannon Robnett)

The Mayor declared this the first reading.

The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, CHANGING THE ZONING DESIGNATION SO AS TO **REZONE** CERTAIN REAL PROPERTY COMMONLY KNOWN AS **16427, 16437, 16451, AND 16463 11TH AVENUE N.**, NAMPA, IDAHO, FROM **RMH** (MULTI-FAMILY RESIDENTIAL) TO **RS 6** (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 6,000 SQUARE FEET), AND TO MODIFY THE “RECITALS” AND “AGREEMENT” SECTIONS OF THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT TO WHICH SAID PROPERTY IS SUBJECT, DESCRIBED IN ORDINANCE NO. 3489 AND RECORDED AS INSTRUMENT NO. 200561243, RECORDS OF CANYON COUNTY, IDAHO, IN CONJUNCTION WITH SAID REZONE; DIRECTING THE CITY PLANNING DIRECTOR TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant Glen Rimbey)

The Mayor declared this the first reading.

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

MOVED by Haverfield and **SECONDED** by Levi to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4285** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO TO PROVIDE **GBE** (GATEWAY BUSINESS ENTERTAINMENT) ZONE DESIGNATION FOR CERTAIN LANDS, COMMONLY KNOWN AS **16200 N. IDAHO CENTER BLVD.**, NAMPA, IDAHO;

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DETERMINING THAT SAID ZONING IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF NAMPA, IDAHO; REZONING SAID PROPERTY FROM GB1 (GATEWAY BUSINESS) TO GBE (GATEWAY BUSINESS ENTERTAINMENT); PROVIDING FOR RECORDATION; INSTRUCTING THE CITY ENGINEER TO DESIGNATE SAID PROPERTY AS GBE (GATEWAY BUSINESS ENTERTAINMENT) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant City of Nampa)

The Mayor declared this the first reading.

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

MOVED by Haverfield and **SECONDED** by Bruner to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4286** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO TO PROVIDE RA (RESIDENTIAL SUBURBAN) ZONE DESIGNATION FOR CERTAIN LANDS, COMMONLY KNOWN AS **17155, 17175, 17225, AND "0" STAR ROAD, AND "0" CHERRY LANE**, NAMPA, IDAHO, COMPRISING APPROXIMATELY 27.069 ACRES, MORE OR LESS; DETERMINING THAT SAID ZONING IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF NAMPA, IDAHO; **REZONING** SAID PROPERTY FROM **RS 8.5** (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 8,500 SQUARE FEET) TO **RA** (RESIDENTIAL SUBURBAN); PROVIDING FOR RECORDATION; INSTRUCTING THE CITY ENGINEER TO DESIGNATE SAID PROPERTY AS RA (RESIDENTIAL SUBURBAN) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant John Low)

The Mayor declared this the first reading.

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

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MOVED by Raymond and **SECONDED** by Haverfield to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4287** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, **VACATING** THOSE CERTAIN TEN AND TWELVE FOOT UTILITY, DRAINAGE AND IRRIGATION EASEMENTS LOCATED ALONG THE REAR PROPERTY LINE OF **814 TRINE LOOP** IN THE TRINITY HILLS SUBDIVISION NO. 3, IN THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND 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 Donald & Kendra Taylor)

The Mayor declared this the first reading.

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

MOVED by Skaug and **SECONDED** by Haverfield to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4288** and directed the clerk to record it as required.

The Mayor's Teen Council bylaws amendment was postponed until the next regular Council meeting of October 17, 2016.

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order and Contract** with **T-O Engineers** for professional services on the 2nd & 3rd St. South (between 12th & 16th Ave. South) Rebuild Design.

Michael Fuss presented a staff report explaining that the 2nd & 3rd St. South Rebuild Design between 12th & 16th Ave. South (Exhibit A) was identified for rebuild as part of the City's asset management program. It is a road rebuild project that will improve the roadway, pedestrian crossings and aging waterworks hydrants and valves within the project limits.

The selection process was based on a scoring matrix that engineering staff used to rank potential projects. The 2nd St. South and 3rd St. South projects were ranked and both were in the top 10 projects considered to be improved.

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In an effort to reduce costs and reduce the impact to downtown businesses, these two projects were combined.

The proposed schedule includes design within FY17 and construction FY18.

TO Engineers has been selected by interview to design the project and assist the City with the bid process.

The 2nd & 3rd St. South Rebuild Design between 12th & 16th Ave. South project has an approved FY17 Streets Division budget of \$200,000.

TO Engineers has provided an initial Scope of Work and Labor Estimate to provide design and services for \$207,108 (Exhibit B).

The \$7,108 exceeding the budget will be funded from anticipated savings from other streets construction projects.

MOVED by Skaug and **SECONDED** by Haverfield to **authorize** the **Public Works Director** and **Mayor** to **sign Task Order and Contract** for professional services on the 2nd & 3rd St. South Rebuild Design between 12th & 16th Ave. South project in the amount of \$207,108 (T&M N.T.E.). The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order and Contract** with **Keller Associates** for professional services on the North Franklin Boulevard and East Karcher Road Intersection project.

Michael Fuss presented a staff report explaining that North Franklin Boulevard and East Karcher Road Intersection project is a conceptual design that will identify potential improvements at the intersection. The project is on a busy freight corridor and is shown as a critical urban freight corridor per COMPASS (see attached Exhibit A). The project is eligible for federal freight funds due to the urban freight corridor designation.

This project will support economic opportunity in Nampa by reducing delay to freight at this intersection. The design consultant will be tasked to review improvements in delay for motorist and freight for both a roundabout and signal. The data from the analysis will be brought to the City Council for a decision on either a roundabout or signal design.

The North Franklin Boulevard and East Karcher Road Intersection project (Exhibit B) is identified as part of the City's Transportation Masterplan as a dual lane roundabout.

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The North Franklin Boulevard and East Karcher Road Intersection project has an approved FY17 Streets Division budget of \$30,000.

Keller Associates has been selected by interview to develop a conceptual plan for the intersection.

Keller Associates has provided an initial Scope of Work and Labor Estimate to provide design and services for \$29,605 (Exhibit B).

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Public Works Director** and **Mayor** to **sign Task Order and Contract** for design services on the North Franklin Boulevard and East Karcher Road Intersection project in the amount of \$29,605 (T&M N.T.E.). The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order and Contract** with **Paragon Consulting** for professional services on the 11th Avenue North/Industrial Road Reconstruction project.

Michael Fuss presented a staff report explaining that the Engineering Division, as part of the Public Works Asset Management Program, identified 11th Avenue North (from Garrity Boulevard to Comstock Avenue), Industrial Road (from Franklin Boulevard to 11th Avenue North) and 20th Street (from Industrial Road to the end) to be reconstructed in FY17 (see Vicinity Map - Exhibit A).

The roadway asphalt roadway surface is failed, with an average pavement condition index (PCI) of approximately 28 (0-44 failed to 100-excellent).

Engineering has met with the Boise Valley Railroad and is partnering to rebuild five severely deteriorated railroad crossings on 11th Avenue North near the intersection of Industrial Road.

This section of roadway is part of a critical freight route, connecting truck traffic from I-84 to adjacent industrial zones and downtown Nampa. Rebuilding the roadway and railroad crossings will save approximately \$160,000 per year in freight and commuter delay time.

The project includes the following improvements:

- Full roadway reconstruction including road ballast, asphalt surfacing and some shoulder widening for pedestrian safety.
- Rapid Flashing Beacon (RFB) crosswalk on 11th Avenue to provide access to Snake River Elementary and Stampede Park.

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- ADA pedestrian ramp and sidewalk improvements to close critical pedestrian gaps along 11th Avenue.
- Repair or replacement of deteriorated storm water facilities.
- If funding is available, a new 12” water line will be installed in Industrial Avenue from 20th Street North to Franklin Boulevard—replacing a deteriorated and undersized line.

Engineering interviewed T-O Engineers, Paragon Consulting and JUB Consulting for professional services. Paragon scored highest based on their roadway and utility design experience, understanding of the existing site conditions, desire to innovate (for efficiency and cost savings), and public involvement experience.

Paragon submitted a scope of work (Exhibit B) in the amount of \$146,735 which is 11% of the estimated construction cost.

Project cost estimates:

Design consulting	\$ 146,735.00
Construction Engineering & Inspection (CE&I)	\$ 125,000.00
Estimated construction cost	<u>\$ 1,328,265.00</u>
<i>Total estimated cost</i>	<i>\$ 1,600,000.00</i>

Total FY-17 Streets budget is \$1,600,000.

In an effort to improve the consistency, quality of inspection services and possibly reduce costs, Engineering is pursuing a regional CE&I consulting contract to oversee multiple and diverse projects and therefore it is not included in this Scope of Work.

Engineering Division has reviewed the Scope of Work and Labor Estimate and recommends approval.

MOVED by Haverfield and **SECONDED** by White to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order** for professional services between the City of Nampa and **Paragon Consulting** for 11th Avenue North / Industrial Road Reconstruction Project in the amount of \$146,735 (T&M N.T.E.). The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order and Contract** with **Forsgren Associates** for professional services on the 16th Avenue Overpass Deck Repairs project.

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Michael Fuss presented a staff report explaining that the 16th Ave. overpass over the UPRR tracks has been restricted to loads under 7 tons per axel in 2015 after an inspection from ITD found that several girders were too narrow to handle modern truck loads. The girders on the north side of the bridge need to be reinforced to remove the restriction. In addition, the project will include an epoxy overlay to extend the deck life.

The detour route is approximately one mile to 11th Ave. North, which may be a short distance but the economic impact to the trucking industry is large. The 16th Ave. N. Overpass has an average daily traffic (ADT) of 16,000 vehicles, of which 3% are trucks. At an estimated cost of \$2.50 per truck mile (per FHWA data), the detour adds approximately \$456,000 in annual operating costs to the trucking industry.

For fiscal year 2017 (FY 17) the Street Division has funded these repairs with approximately \$500,000.

Forsgren Associates was selected to provide design for plans and specifications to reinforce the girders and construct the epoxy overlay.

Forsgren Associates has provided a Scope of Work to provide design and construction engineering services for \$114,700 (Exhibit A).

MOVED by Skaug and **SECONDED** by Haverfield to **authorize** the **Mayor and Public Works Director** to **sign Task Order and Contract** with **Forsgren Associates** to provide professional services for the 16th Ave Overpass Deck Repairs Project in the amount of \$114,700 (T&M N.T.E.). The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor and Public Works Director** to **sign Task Order and Contract** with **SPF Water** for professional services for the Pump Maintenance (FY17) projects.

Michael Fuss presented a staff report explaining that each year as part of the City's Asset Management program the Waterworks Division identifies pumps and motors for preventative maintenance.

For fiscal year 2017 (FY17) the Waterworks Division has identified ten (10) irrigation pumps and one (1) domestic water pump for preventative maintenance. In addition, two alternates will be included for electrical upgrades which could not be awarded last year due to budget constraints. (see Exhibit A).

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SPF Water Engineering (SPF) was selected to provide the initial testing, specifications for each station, preparation of the construction bid package and post-construction testing of each station.

The Pump Maintenance Projects (FY17) is funded by the Water Division out of their operational funds. There is approximately \$234,309 available to accomplish this project.

- | | |
|-------------------------------|----------|
| ○ Design & Testing | \$18,000 |
| ○ Observation of Construction | \$22,800 |
| ○ Idaho Power Estimate | \$14,000 |
| ○ Electrical Estimate | \$28,000 |

SPF Water Engineering has provided a Scope of Work and Labor Estimate to provide design and testing services for \$40,800 (Exhibit B).

MOVED by Bruner and **SECONDED** by Haverfield to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order and Contract** with **SPF Water Engineering** to provide professional services for the Pump Maintenance Projects (FY17) in the amount of \$40,800 (T&M N.T.E.). The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order and Contract** with **JUB Engineers** for professional services on the Idaho Center Boulevard Reconstruction (College of Western Idaho – Cherry Lane) project.

Michael Fuss presented a staff report explaining that the Engineering Division, as part of the Public Works Asset Management Program, identified Idaho Center Boulevard from CWI to Cherry lane to be reconstructed in FY17 (see Vicinity Map - Exhibit A).

The average pavement condition index along the roadway is approximately 21 and in a failed condition (zero-failed to 100-excellent).

This principal arterial carries nearly 10,000 vehicle trips per day and provides regional access from I-84 to North Nampa destinations.

The project includes the following improvements:

- Full roadway reconstruction including road ballast, asphalt surfacing and shoulder widening for pedestrian safety.
- New 12” water line in from CWI to the intersection of Cherry Lane to improve water quality and fire flow capacity.

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- Shoulder and potential lane widening at the intersection of Cherry Lane and Idaho Center Boulevard to improve traffic capacity and overall safety.
- Upgrade the existing Purdam Gulch Drain culvert as part of the storm water asset management program.

Engineering interviewed T-O Engineers, Paragon Consulting and JUB Consulting for professional services. JUB scored highest based on their roadway and utility design experience, understanding of the existing site conditions, desire to innovate (for efficiency and cost savings), and public involvement experience.

JUB submitted a scope of work (Exhibit B) in the amount of \$79,591 which is 17% of the estimated construction cost.

Project cost estimates:

Design consulting	\$ 79,591.00
Construction Engineering & Inspection (CE&I)	\$ 40,000.00
Estimated construction cost	<u>\$ 380,409.00</u>
<i>Total estimated cost</i>	<i>\$ 500,000.00</i>

Total FY-17 Streets budget is \$500,000.

In an effort to improve the consistency, quality of inspection services and possibly reduce costs, Engineering is pursuing a regional CE&I consulting contract to oversee multiple and diverse projects and therefore it is not included in this Scope of Work.

Engineering Division has reviewed the Scope of Work and Labor Estimate and recommends approval.

MOVED by Haverfield and **SECONDED** by Skaug to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order** for Professional Services between the City of Nampa and JUB Engineers for the Idaho Center Boulevard Reconstruction (College of Western Idaho-Cherry Lane) in the amount of \$79,591.00, Time and Materials Not to Exceed. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order and Contract** with **MSA Consulting** for professional services on the Roosevelt Avenue/1st Street South Waterline Upgrades project.

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Michael Fuss presented a staff report explaining that the Engineering Division, as part of the Public Works Asset Management Program, identified the following deteriorated and undersized water lines to be replaced (see Vicinity Map - Exhibit A):

- Roosevelt Avenue (Holly Street – 23rd Avenue South)
- 1st Street South (20th Avenue South – 23rd Avenue South)
- 22nd/23rd Street Alley (Roosevelt Avenue – 1st Street South)

The improvements, identified in the Nampa Water System Master Plan, will increase fire flow, improve water quality and proactively replace the undersized and deteriorated pipe and appurtenances.

The project will install approximately 8,100 feet of 12” pipe along with new valves and hydrants. Engineering interviewed Keller & Associates, MSA Consulting and SPF Engineering for professional services. MSA scored highest based on their utility design experience, understanding of the existing site conditions, desire to innovate (for efficiency and cost savings), and public involvement strategies.

MSA submitted a scope of work (Exhibit B) in the amount of \$160,067 which is 13% of the estimated construction cost.

Project cost estimates:

Design consulting	\$ 160,067.00
Construction Engineering & Inspection (CE&I)	\$ 100,000.00
Estimated construction cost	<u>\$ 1,206,813.00</u>
<i>Total estimated cost</i>	<i>\$ 1,466,880.00</i>

Project funding summary:

FY16 Water Enterprise (Rollover)	\$ 116,880.00
FY17 Water Enterprise	<u>\$ 1,350,000.00</u>
<i>Total FY17 Funding</i>	<i>\$ 1,466,880.00</i>

In an effort to improve the consistency, quality of inspection services and possibly reduce costs, Engineering is pursuing a regional CE&I consulting contract to oversee multiple and diverse projects and therefore it is not included in this Scope of Work.

Engineering Division has reviewed the Scope of Work and Labor Estimate and recommends approval.

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order** for Professional Services between the City of Nampa and MSA Consulting for the Roosevelt Avenue/1st Street South Waterline Upgrades in the amount of

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\$160,067.00, Time and Materials Not to Exceed. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry opened a **public hearing** for the **Sale of 129 2nd Avenue North** as Surplus Property.

Economic Development Director Beth Ineck presented a staff report explaining that the request The City of Nampa awarded \$67,667.60 of Community Development Block Grant funds to Neighborhood Works in 2005 to establish low income housing in North Nampa. The funding was specific to land acquisition. Following the initial release of the floodplain map from FEMA in December 2006 the property was quitclaimed to the City. The property is located in the 100 year floodplain which made it unattractive for the housing project. The CDBG interest was bought out from the Building Department and Police Department funds. At that time Building had identified a need for space for storage and Police were looking at the potential of a site to house the PAL program.

We have recently received private development interest in the 1.161-acre property. Police and Building no longer have an interest in any potential development of the site for city use. Properties in the area of similar size without improvements have an assessed value from \$1.76 - \$2.02 per square foot.

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

MOVED by White and **SECONDED** by Levi to **close the public hearing**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

MOVED by Bruner and **SECONDED** by White to **approve the sale of 129 Second Avenue North** as surplus property for auction on October 5, 2016. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **authorize the Mayor to sign an Encroachment Agreement with Idaho Arts Charter School**.

Michael Fuss presented a staff report explaining that the Idaho Arts Charter School recently opened a new school located on a portion of the old Broadmore golf course.

Core-PC is working with the school to provide connectivity between the existing school on 6th Street North and the new school.

Regular Council
October 3, 2016

In order to improve the wireless signal between the two sites they would like to place a wooden pole in the right of way for 6th Street North. The pole would be located between the curb and sidewalk (see Exhibit A).

The proposed pole location does not conflict with any City utilities and is not located in the vision triangle.

Engineering does not oppose granting the requested encroachment agreement.

MOVED by Skaug and **SECONDED** by Haverfield to **authorize** the **Mayor** to **sign** the **Encroachment Agreement** (Exhibit B) with Idaho Arts Charter School. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **award bid** and **authorize** the **Mayor** to **sign contract** for the **East Greenhurst Road Stoddard Path Signals** project.

Michael Fuss presented a staff report explaining that this project will address intersection related crashes near the intersection of the Stoddard Pathway and E. Greenhurst Road, especially pedestrian incidents.

It was made possible through a cooperative effort between the City of Nampa, ITD and COMPASS and is another incremental step toward the city's continued efforts to provide a safe, efficient and sustainable transportation system.

Funding is through the Community Choices Transportation Alternative Program (TAP) grant program administered by ITD.

Council authorized the formal bidding process for the project on September 6, 2016.

The project includes the installation of a Rectangular Rapid Flashing Beacon (RRFB), lighting, pavement markings, signage, parking lot improvements and ADA ramps.

The City solicited formal bids for the project in accordance with TAP funding requirements and three (3) contractors responded with the following bids:

- Hawkeye Builders Inc. \$221,004.00
- Knife River Corporation Northwest \$233,557.00
- Staker & Parsons Companies \$254,890.00

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A question was raised by the apparent high bidder regarding the identification of all subcontractors per language in bid package.

Legal counsel and ITD have agreed that the City proceed with the bid award to the apparent low bid as the intent of the language in question is to ensure compliance with Idaho Code 67-2310, specifically the listing of specialty sub-contractors; Electrical, HVAC and Plumbing.

The project funding is summarized as follows:

- o Total estimated project costs

Design	\$36,336
Construction	\$202,431
Construction Inspection	\$26,074
Total	\$264,841

- o Total funding

Federal (89.97%)	\$238,293
City Match (10.03%)	\$26,548
Total	\$264,841

Notice to proceed for construction is expected in mid-October.

Construction is anticipated to begin in mid-October with completion in December 2016.

MOVED by Haverfield and **SECONDED** by Raymond to **award bid** to **Hawkeye Builders, Inc.** in the amount of **\$221,004.00** and **authorize** the **Mayor** to **sign contract** for the **East Greenhurst Road**, Stoddard Path Signals project. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, ANNEXING A PORTION OF THE NAMPA MERIDIAN IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION DISTRICT OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND CHANGING THE BOUNDARIES THEREOF; AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY.

The Mayor declared this the first reading.

Regular Council
October 3, 2016

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

MOVED by White and **SECONDED** by Haverfield to **pass** the preceding ordinance and summary of publication as presented. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4289** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, **ANNEXING A PORTION OF THE PIONEER IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION DISTRICT OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND CHANGING THE BOUNDARIES THEREOF; AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY.**

The Mayor declared this the first reading.

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

MOVED by Raymond and **SECONDED** by White to **pass** the preceding ordinance and summary of publication as presented. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4290** and directed the clerk to record it as required.

Mayor Henry presented a request to **authorize** the **Finance Director** to **sign** a **Contract** with **Onvia** for **Internet Based Procurement Process System**.

Vikki Chandler presented a staff report explaining that the service is free and that the City Attorney advised to sign a contract with Onvia which is an internet-based electronic information system designed to process, distribute, and archive information pertaining to the procurement process of the Institution. We will be placing the RFP on this sight.

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Finance Director** to **sign** a **Contract** with **Onvia** for **Internet Based Procurement Process System**. The Mayor asked all in favor say aye with all Councilmembers present voting **AYE**. The Mayor declared the **MOTION CARRIED**

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** **HNPSB Parking Garage Deck Sealing Project Contract** – pre-bid award requested.

Regular Council
October 3, 2016

Facilities Supervisor Brian Foster presented a staff report explaining that the Facilities Development, as part of Building Safety and Facilities Development, is charged with maintaining City property. The funds for this project have already been approved for \$40,000.

Facilities will hold a bid opening on October 6th, 2016 at 2:00 pm. This Bid Award is to ask for pre-approval of the contract for the Mayor to sign as soon as the bids are received and the lowest responsible bid is determined. This is a little unusual, but the timing of this project is critical. Work must begin immediately upon awarding the contract so that the sealing product is applied before temperatures drop too much. If we miss our window to apply the sealing product, then another winter may cause even more degradation of the conditioned space below the parking deck. The bids for this project will come in on October 6th and work to begin as soon as the Mayor signs the contract. Unfortunately, if we wait for the next City Council meeting for the approval, it may be too late to apply the sealing product, that's why we are requesting pre-approval from the Council to give the Mayor the ability to sign the contract on or about October 7th so that work can begin immediately.

Contract costs will be paid out of the approved FY17 Facilities budget. The funding for the project is through:

FY17 Facilities Development

Contract is anticipated to begin in October, 2016.

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

Bids received will be reviewed, licenses verified, and Facilities will award the bid to the contractor that can meet the specifications of the job and recommend award to the lowest bidder.

Councilmembers asked questions of staff.

MOVED by Skaug and **SECONDED** by Haverfield to **award pre-approval of contract**, and **authorize Mayor Henry to sign contract** with lowest responsible bidder for the HNPSB Parking Garage Deck Sealing Project and not to exceed budget amount \$40,000. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

Mayor Henry presented a request to **authorize** the Mayor to **sign** a **second year HVAC maintenance contract** with **RM Mechanical** with increase in annual fee.

Regular Council
October 3, 2016

Brian Foster presented a staff report explaining that Facilities Development, as part the Department of Building Safety and Facilities Development, is charged with maintaining and improving City property. Per the terms of the contract, Facilities Development recommends extending another year of service to current contractor, RM Mechanical, Inc. for HVAC Maintenance and Repair Services. Additional assets have been added to the service agreement for FY17 and negotiations for the additional services have taken place. The contract has been reviewed by the City attorney office. The contractor will provide all management, supervision, labor, materials, supplies, and equipment, and plans, schedules, coordinates and assures effective performance of all services described herein.

A meeting was held to negotiate any changes in terms for the new FY17. Also, if the contractor had any price changes or questions about the contract, then those were addressed as well.

Contract costs will be paid from Facilities Budget for FY17 and from various other City budgets which are participating in the HVAC Maintenance and Repair service agreement.

The contract shall commence on October 1, 2016 and conclude on September 30, 2017.

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

MOVED by Skaug and **SECONDED** by Haverfield to **authorize another 1-year contract with RM Mechanical, Inc.** for the **HVAC Maintenance and Repair for Various Locations** and authorize Mayor Henry to sign contract with RM Mechanical, Inc. for the HVAC Maintenance and Repair for the City of Nampa, Various Locations not to exceed contract budget amount of \$61,890.50. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

The following Resolution was presented:

Fleet Superintendent Doug Adams presented a staff report explaining that the Streets Division has recently identified four (4) vehicles of various makes and models for disposal and/or replacement.

Street staff requests the following vehicles be declared as surplus property in order to facilitate disposal:

Regular Council
October 3, 2016

Item	Serial Number	Estimated Value
1986 Kenworth L700	3NMLL29XXGF702330	\$15,000
1996 GMC Savana G3500 Van	1GTFG25R1T1018286	\$3,500
2007 Sterling SC8000 (Elgin Whirlwind Sweeper)	49HAADB57DX61657	\$35,000
2005 Sterling SC8000 (Elgin Whirlwind Sweeper)	49HAADB65DN99888	\$35,000

Disposal falls within Public Works Fleet Services guidelines for funding, acquisition, maintenance, replacement and disposal of City fleet assets.

Street and Fleet Services Divisions, and disposal team recommend disposal via disposition.

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

MOVED by Skaug and **SECONDED** by Haverfield to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **43-2016**, and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign Interlocal Contract** for **Cooperative Purchasing Agreement** with **HGACBuy**, and Authorize Immediate Piggyback Purchase of Two New Schwartz Street Sweepers under HGACBuy Contract, and 3) Authorize Immediate Piggyback Purchase of One (1) 2017 Chevy 1 Ton Cargo Van under State of Idaho Contract for Street Division.

Doug Adams presented a staff report explaining that for continued citywide street maintenance and street lighting, Street Division requests the purchase of a 2017 Chevy 1 Ton Cargo Van and two new Schwartz Street Sweepers through the piggyback bidding process.

The piggyback process allows any governmental agency to use the bid of another governmental agency to establish the price for procurement, provided that the initial process satisfied the public bidding rules and the supplier is willing to honor the price

The van will be purchased from Edmark Chevrolet under State of Idaho Contract Number SBPO 16200405.

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The new sweepers (cab and chassis) are proposed to be purchased off of the HGACBuy Contract Number SW04-16 via piggyback purchasing. The HGACBuy program has been vetted by the City's legal counsel.

HGACBuy is a cooperative purchasing program, similar to GSA and NJPA, that works with local governments such as a state agency, county, municipality, special district, or other political subdivision of a state, or a qualifying non-profit corporation (providing one or more governmental function or service) and possesses legal authority to enter into the contract.

HGACBuy is less than GSA by \$1,308, and less than NJPA by \$20,980, for both sweepers. HGACBuy cab/chassis and sweeper are all maintained by Peterbilt in Boise. The cab is Peterbilt, and their mechanics have been to the Schwartz Sweeper School for the A9 Monsoon. All warranty work in one location. This local vendor is also available for training and to address any questions, concerns or issues.

MOVED by Skaug and **SECONDED** by Levi to **authorize** the **Mayor** to **sign Interlocal Contract** for Cooperative Purchasing agreement with HGACBuy. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

MOVED by Skaug and **SECONDED** by White to **authorize immediate piggyback purchase** of two (2) new Schwartz Street Sweepers (cab/chassis and sweepers) under HGACBuy Contract Number SW04-16, not to exceed total estimated purchase price of \$600,000.00, and Authorize immediate piggyback purchase of one (1) 2017 Chevy 1 Ton Cargo Van from Edmark Chevrolet under State of Idaho Contract Number SBPO 16200405, not to exceed total estimated purchase price of \$30,000.00 for Street Division. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign an agreement** for the **Transfer of Wastewater Treatment Capacity** with **The Amalgamated Sugar Company, LLC** for Wastewater Division.

Michael Fuss presented a staff report explaining that the in October 2015 The Amalgamated Sugar Company, LLC (TASCO) was assessed a Capacity Optimization Fee (COFee) in accordance with the Wastewater Industrial Incentive Policy.

In November 2015 TASCO and Public Works staff started discussions about mitigation options for the COFee.

Regular Council
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In 2016 TASC0 completed facility improvements that reduced the immediate need for utilization of all permitted capacity.

Together, Public Works staff and TASC0 developed an Agreement for the Transfer of Wastewater Treatment Capacity (see Attachment 1). Results of this agreement are:

- o TASC0's Industrial Waste Acceptance Permit (IWAP) will be reduced by 2,000 lbs of Biochemical Oxygen Demand (BOD)
- o TASC0 is estimated to save \$32,000 in 2016 COFee charges
- o Nampa will reserve 2,000 lbs of BOD for fiscal year 2017 for TASC0's potential use
- o Any reserved capacity not reissued to TASC0 prior to September 30, 2017, will remain with the City.

This agreement was structured to align with the City's Wastewater Industrial Incentives Policy. It creates an alternative to fiscal year 2016 COFee for TASC0 and reduces capital investments at the wastewater treatment plant.

The effective date of the agreement is September 30, 2016.

Public Works staff supports approval of the agreement.

MOVED by Haverfield and **SECONDED** by Raymond to **authorize** the **Mayor** to **sign** the **Agreement** for the **Transfer of Wastewater Treatment Capacity** with **The Amalgamated Sugar Company, LLC** for Wastewater Division. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **allocate Funds Using General Government and Impact Fees** for the Immediate Purchase of **Two (2) SWAT TRT Vehicles**, and 2) Authorize Fleet Services and Nampa Police Department to Move Forward with Publication of a Request for Proposals to Solicit Most Qualified Vendor Based on Performance, not Necessarily Lowest Cost, for Nampa Police Department.

Doug Adams presented a staff report explaining that for the fiscal year 2017 budget, Public Works Fleet Services Division had identified the need to replace the aging Nampa Police Department (NPD) Special Weapons and Tactics (SWAT) Tactical Response Team's (TRT) bus, a 1997 Windsport Monterey Class "A" motorhome.

The fiscal year 2017 Form 50, in the amount of \$113,000.00, for the acquisition of one (1) new vehicle to replace the aging TRT bus was not recommended for funding. However, the failure

Regular Council
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rate for this vehicle has now reached 100% as during the last three consecutive SWAT callouts the bus has broken down each time. The need for replacement is now an emergent need.

Moving towards Total Fleet Management for established guidelines for funding, acquisition, maintenance, replacement and disposal of City fleet vehicles, Fleet Services has identified the following vehicle for immediate replacement:

Unit No.	Description	Estimated Disposal Value
1149	1997 Windsport Monterey	\$ 2,500.00
Totals		\$ 2,500.00

Disposal of the TRT bus identified in the above chart is recommended by Staff.

Through a collaborative dialogue between Fleet Services and the NPD, the needs and functionality requirements of an effective SWAT team vehicle arrangement were thoroughly discussed.

The results of in-depth discussions exposed short comings of the current singular motorhome type vehicle. A specifically designed SWAT vehicle, capable of transporting ten fully equipped team members with necessary tools to perform the assigned task, is needed.

The current SWAT team consists of 17 active members and is expected to reach 20 members in the near future.

Fleet Services Division proposes to purchase two (2) new SWAT TRT vehicles, custom built to fill the needs of the NPD.

A two vehicle solution to address the growth of the SWAT team solves the critical issue of inadvertently maintaining a single point of failure within the fleet. A single larger vehicle would continue to expose the SWAT team level of service to unforeseen downtime due to circumstances outside of the control of Fleet Services.

One vehicle will be purchased using general government funds, the second is to be procured utilizing impact fees.

The new vehicles are to be purchased using the Request for Proposals (RFP) process for solicitation of qualified vendors to design, construct, and build as per specifications set forth by the NPD and Fleet Services.

Regular Council
October 3, 2016

MOVED by White and **SECONDED** by Levi to **allocate funds using general government and impact fees** for the immediate purchase of two (2) **SWAT TRT vehicles**. Estimated cost for each new TRT vehicle is expected to be \$125,000.00 for a total expenditure of \$250,000.00, and Authorize Fleet Services and NPD to move forward with publication of an RFP to solicit the most qualified vendor based on performance, not necessarily lowest cost, for the Nampa Police Department. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by White to **adjourn into Executive Session** at 7:44 p.m. Pursuant to Idaho Code 74-206(1) (f) To Communicate with Legal Counsel for the Public Agency to Discuss the Legal Ramifications of and Legal Options for Pending Litigation, or Controversies not yet Being Litigated but Imminently Likely to be Litigated. The Mere Presence of Legal Counsel at an Executive Session Does not Satisfy this Requirement as provided in [chapter 1, title 74](#), Idaho Code. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bruner to **conclude the Executive Session** at 8:25 p.m. during which discussion was held regarding Communicating with Legal Counsel for the Public Agency to Discuss the Legal Ramifications of and Legal Options for Pending Litigation, or Controversies not yet Being Litigated, but Imminently Likely to be Litigated pursuant **Idaho Code 74-206 (1) (f)**. The Mayor asked all in favor to say aye with all Councilmembers saying **AYE**. The Mayor declared the

MOTION CARRIED

The Mayor adjourned the meeting at 8:26 p.m.

Passed this 17th day of October, 2016.

MAYOR

ATTEST:

CITY CLERK

SPECIAL COUNCIL
March 30, 2016

Mayor Henry called the meeting to order at 3:00 p.m.

The Deputy Clerk made note that Councilmembers Skaug, Haverfield, White, Bruner, Raymond were present. Councilmember Levi was absent.

Mayor Henry said the purpose of the meeting was to update Council on the Wastewater Program.

Public Works Director Michael Fuss said that we have been dealing with this since 2008 and with the EPA since 2004. Staff has been working on items and the consultants have been working on items. There has been council turn over since 2004. The presentation will be starting from the beginning and where we are today. It is a big number at the end of the day at \$2 million.

Michael Fuss introduced Matt Gregg and Shelby Smith with Brown and Caldwell. Nampa City staff members that were also present were: Assistant Public Works Director Nate Runyan, Environmental Compliance Division Superintendent Leslie Basterrechea, Wastewater Superintendent Andy Zimmerman, Assistant Wastewater Superintendent Shannon Johnson, and Budget Analyst Jake Allen.

The agenda for the presentation was Wastewater Program Background, Regulatory Updates, Discharge Alternatives Update, Long-Term Alternatives Analysis Updates and Next Steps.

Important decisions regarding the City's Wastewater Program need to be made.

- Are the key principles from the 2011 Strategic Plan still appropriate?
- How should we consider economic development benefits in the decision-making process?
- How should Staff and the Wastewater Program Management Team (WPMT) proceed with alternative investigations?

Matt Gregg said that the goal was to get a common understanding of where we are at and what we are facing.

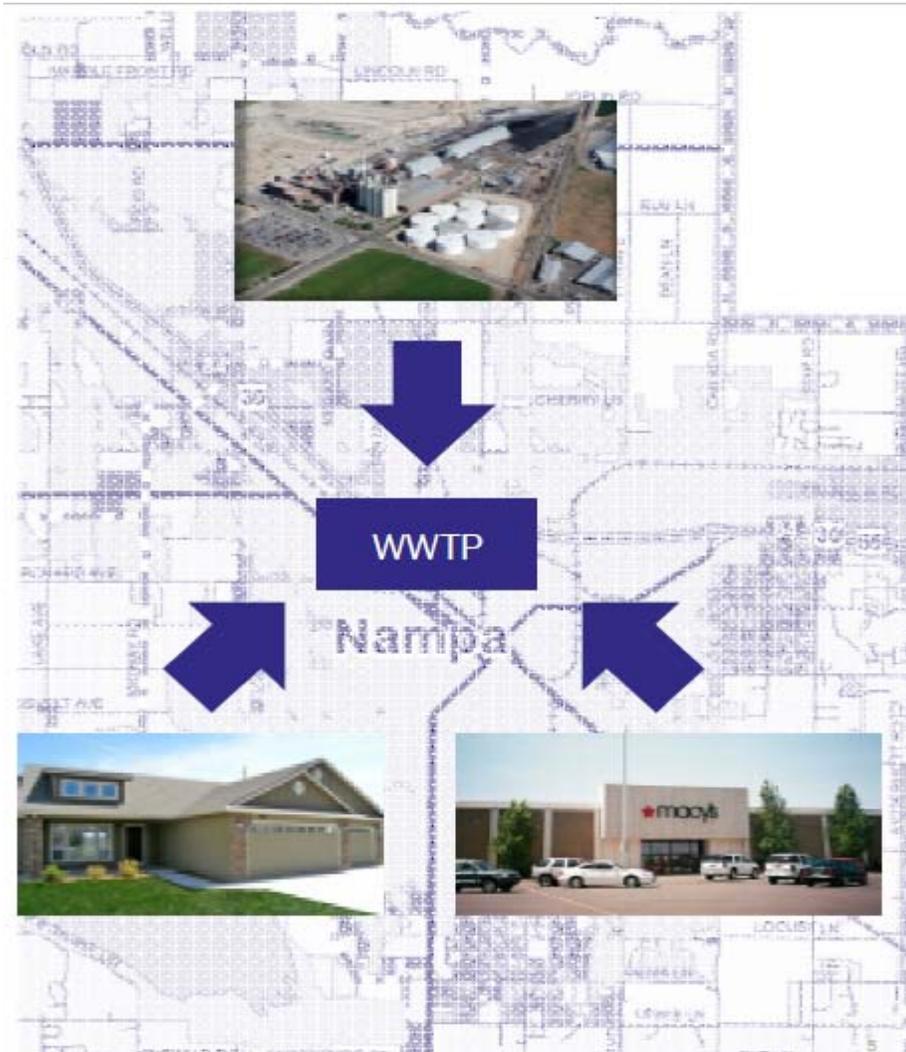
Wastewater Program Background

The Challenge

At its most basic level the City of Nampa produces:

- ~10 million gallons of domestic and industrial wastewater per day
- ~3.65 billion gallons of wastewater per year

- Without treatment, raw sewage and industrial waste is discharged to Indian Creek



Some Perspective on Quality of Raw Sewage

- Consider a football field
- Current flow – 30.5 feet deep
- Future flow – 61.3 feet deep

Clean Water Act

- Enacted in 1972 to address several recent environmental disasters (Cuyahoga River catching on fire because of all of the oil that was on it.)
- Objective to “...restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” (33 USC §1251)

We want to be able to swim, drink and fish the waters that we have.

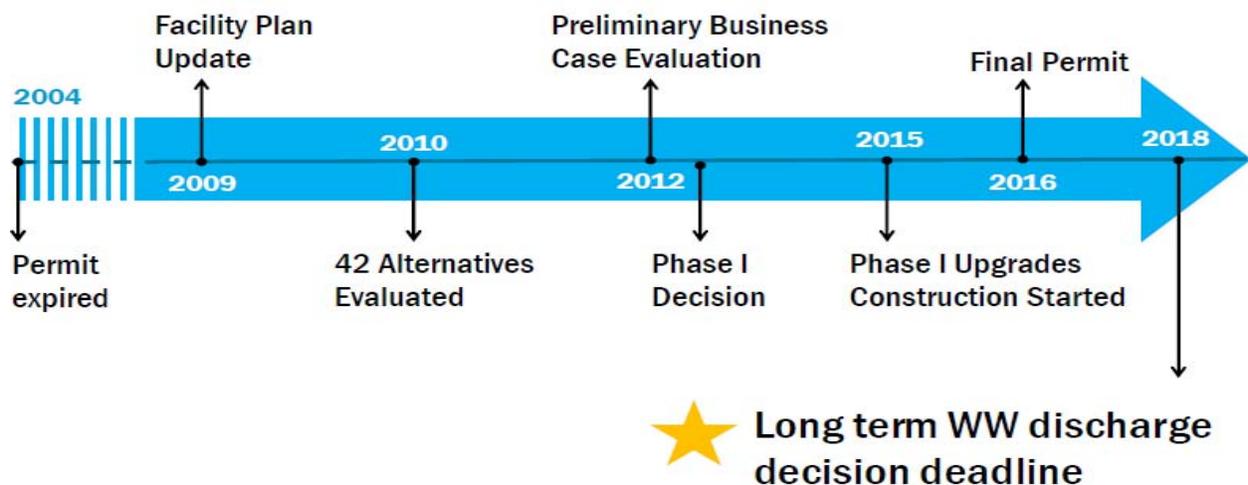
Nampa Wastewater Program

- City’s National Pollutant Discharge Elimination System (NPDES) permit allows for discharge of treated wastewater under the Clean Water Act

The NPDES permit is issued by EPA or DEQ will eventually issue it. It allows the pipe that goes into the water to discharge treated water. The City of Nampa currently has a permit right now and it expired and has been on administrative extension since 2004. There is a new draft permit and the final permit is making its way to DEQ any day.

- City expects renewed NPDES permit with stringent discharge limits
- New limits require significant capital investments
- City implemented Wastewater Program to manage implementation of upgrades necessary to meet new permit limits

Where We’ve Been



Discharge Alternatives



Preliminary BCE Analysis (2012)

Option	20-yr NPV Capital and O&M only	20-yr Risk and Benefit Costs	20-yr NPV with Risks and Benefits
#1: Direct Infiltration	\$99,466,000	+\$92,998,000	\$6,468,000
#2: Rapid Infiltration	\$97,509,000	-\$1,697,000	\$99,206,000
#3: Treat and Offset	\$62,665,000	-\$32,592,000	\$95,257,000
#4: Treat to EPA Levels	\$96,328,000	-\$53,692,000	\$150,020,000
#5: Do Nothing More	-	-\$280,966,000	\$280,966,000

Note: Costs do not include costs to meet new temperature limits

Matt Gregg said Options #1, #2 and #4 are approximately equivalent.

The Infiltration Option was a preferred alternative when you look at risks and benefits.

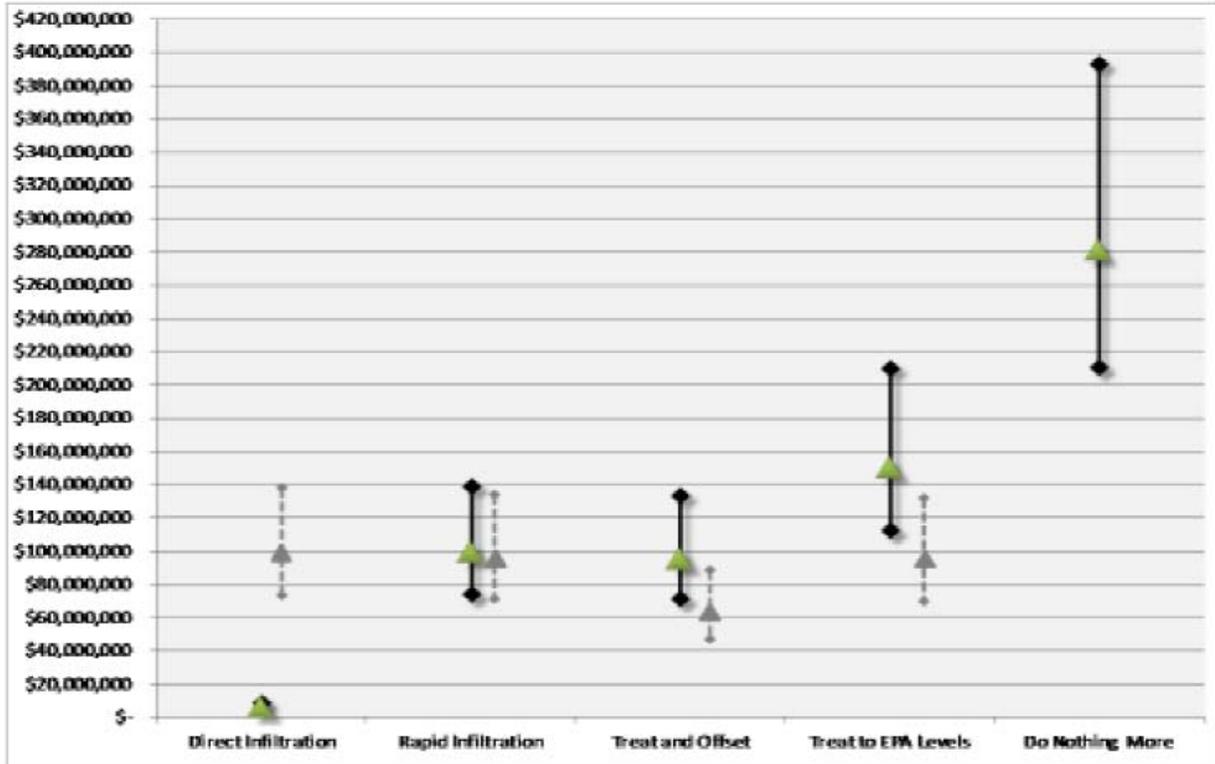
Mayor Henry asked if option one and four were the ones that the City had chosen.

Matt Gregg said to be fair, #4 is the fall back alternative. At the time #1, #2, and #3 all required additional investigation.

Councilmember Skaug asked Gregg to talk about temperature limit costs.

Matt Gregg said we have new temperature limits. These costs were never updated in these slides to address that.

Preliminary BCE Analysis (2012)



Preliminary BCE Analysis (2012)

Key Takeaways

- Direct Infiltration
 - Risk costs front loaded and based on site characteristics
 - Many risk costs addressed through further study
 - Significant benefit from economic development potential
- Treat and Offset/Treat to EPA Levels
 - Risk costs back loaded
 - Significant risk based on emerging regulatory issues
 - Limited economic development benefits
- Do Nothing More
 - Most significant risk costs

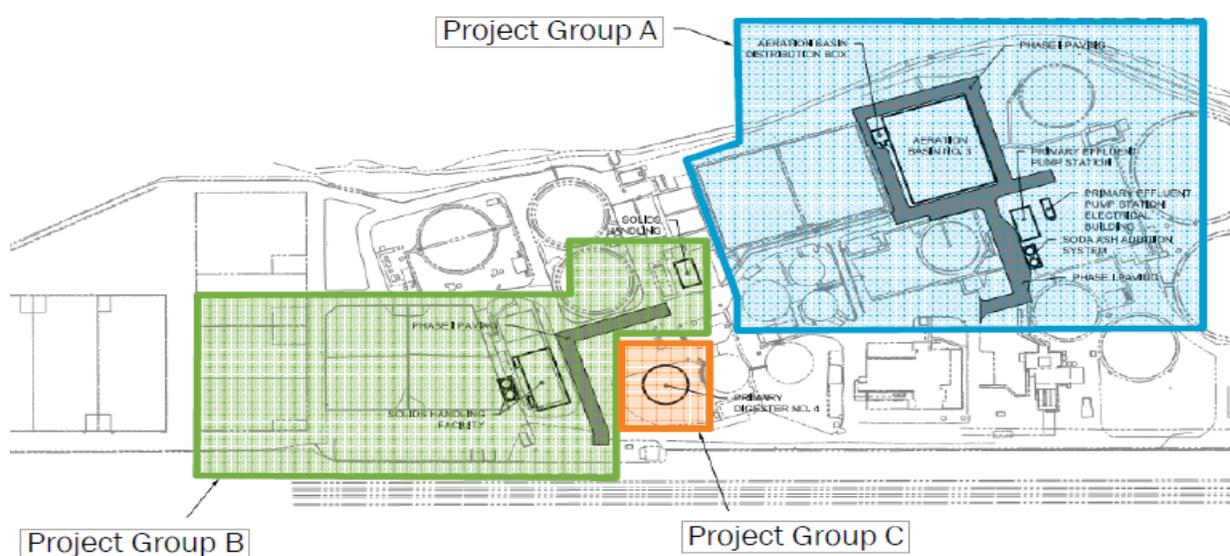
Phase I Upgrades

- WPMT identified a common set of projects supporting all discharge alternatives
- City Council decided on a phased approach (February 2012)

Special Council
March 30, 2016

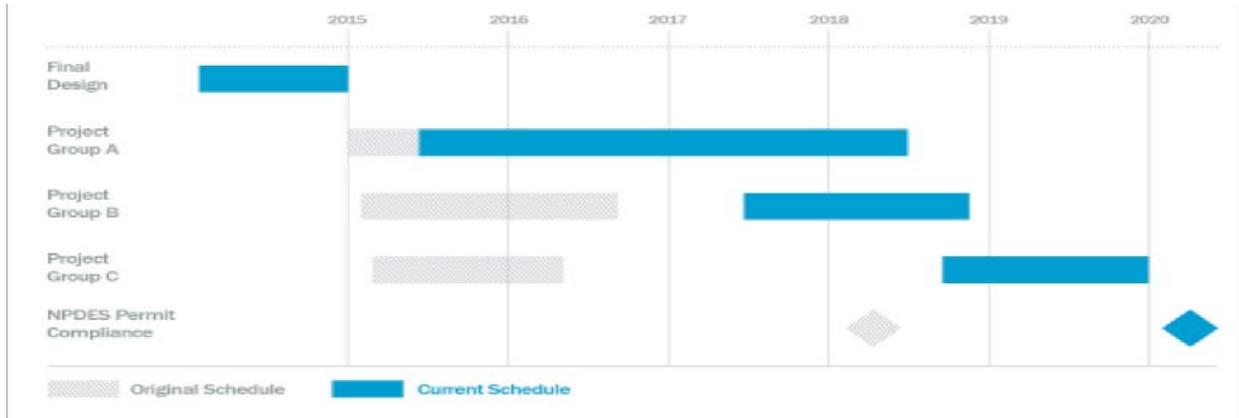
- Phased construction provides advantages:
 - Larger capital expenditures postponed
 - Regulatory flexibility maintained
 - Time for continued investigation of alternatives

Phase I Upgrades Overview

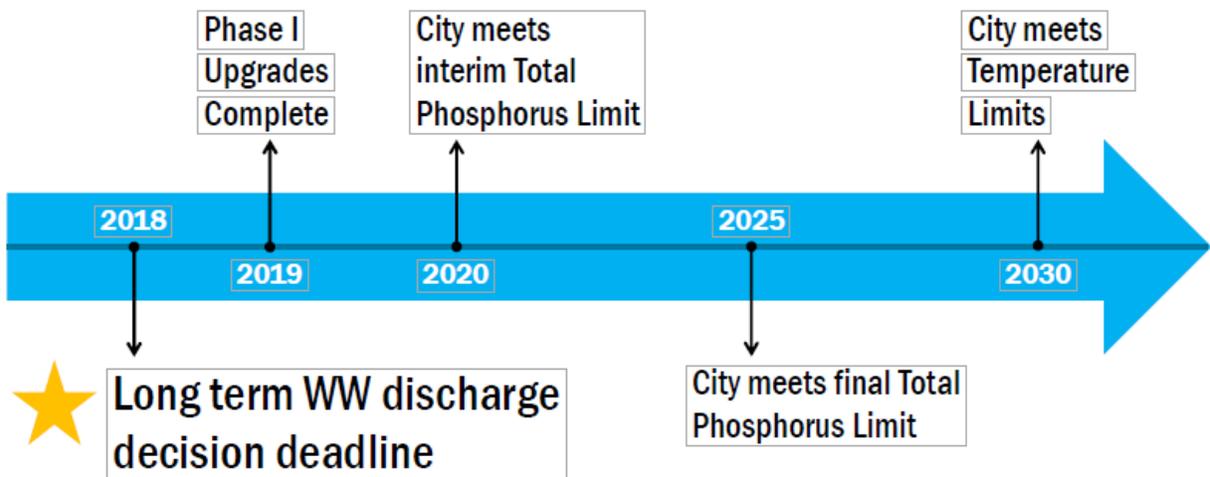


Phase I is broken into three project groups and it is generally a pump station, a new aeration basin (Project Group A), a new solids handling building (Project Group B) and then a new digester (Project Group C).

Phase I Upgrades Schedule



Where We're Going



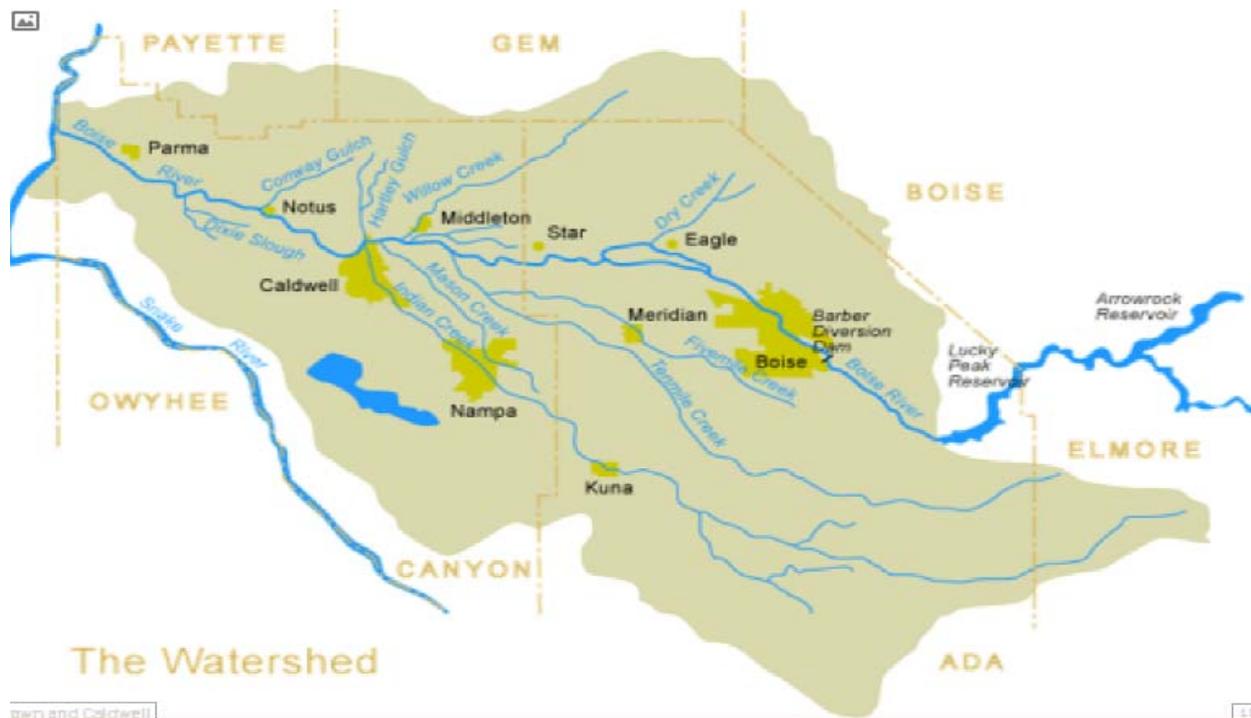
Councilmember Haverfield asked for a description of the other phases, what they included and what their critical path was.

Matt Gregg said Phase II and Phase III are the alternatives we will talk about today. Generally, Phase II is the time frame between 2020 and 2025 to meet the final phosphorus limit. Phase III is 2025 - 2030 to meet temperature. Infiltration can meet both in Phase I. It may be just Phase II meets phosphorus and temperature.

Regulatory Updates

One of the major drives that's happened since 2012 and one of the reasons that delayed the decisions that had some benefits was there has been a lot of regulatory changes both at the State level and with the City's permit. One of the biggest ones was the lower Boise total phosphorus TMDL. The lower Boise water shed covers from the Snake River on the western side all the way to Lucky Peak and then a little up to Elmore County. It generally consists of the lower Boise River and its major tributaries like Indian Creek, Mason Creek and Conway Gulch. DEQ has known that the lower Boise was impaired for phosphorus for a number of years. The Snake River had a TMDL completed back in the mid 2000's and DEQ started the one on the Lower Boise about 2012.

Lower Boise River Phosphorus TMDL



Lower Boise River Phosphorus TMDL

- TMDL focuses on algae reduction (It is mainly an aesthetics thing. At some levels, it can cause fish habitat problems.)
- DEQ hosted 100+ meetings to develop the TMDL
- Staff and WPMT participated throughout process
 - Policy input
 - Technical reviews

WWTP WASTELOAD ALLOCATIONS TO MEET TARGETS

May 1 – September 30

100 µg/L (0.1 mg/L)

October 1 – April 30

350 µg/L (0.35 mg/L)

STORMWATER WLA AND LA TO MEET TARGETS

Stormwater (wet weather)

↓ **42%**

Non-stormwater (dry weather)

↓ **84%**

Clean Water Act Goal:

“Restore and Maintain the Chemical, Physical, and Biological Integrity of the Nations Waters”

1. Use Classification
2. Instream Criteria
3. TMDLs
4. NPDES Limits
5. Other Control Strategies

NPDES Permit Negotiations

- NPDES permit negotiations began in 2012
- City and WPMT have held over 15 meetings with EPA and IDEQ to negotiate permit
- Draft permit was released for public comment in August 2015
- City awaiting final NPDES permit from EPA

NPDES Permit Negotiations Priorities

- 15-year schedule of compliance for temperature limits
 - Allows for time to fully understand impacts of Phase I/II on effluent temperature
 - Time to fund, design, and construct any needed upgrades
- Interim winter TP limits supported by Phase I Upgrades

- City has made decisions and investments assuming no winter TP limits
- Limits should support current Phase I Upgrades
- Permit based on monthly rather than weekly TP limits
 - Consistent with findings of Lower Boise River TMDL
 - Additional operational flexibility

NPDES Permit Negotiations

Constituent	Existing Limits	Existing Operations	Expected Final Limit	Percent Reduction	Expected Compliance Schedule
Phosphorus	None	5 - 6 mg/L	0.1 mg/L (Summer) 0.35 mg/L (Winter)	98%	10 years
Temperature	None	23 - 24 °C	19.0 °C	26%	15 years
Mercury	None	0.015 µg/L	0.011 µg/L	27%	10 years
Cyanide	None	4 µg/L	4.75 µg/L	--	--
Copper	None	40 - 100 µg/L	13.4 µg/L	66%	10 years

Councilmember Haverfield asked about temperature.

Matt Gregg said one of the priorities was to get a 15-year schedule compliance for temperature limits. Half or more of the existing treatment plant is being torn down. That wreaks havoc on trying to collect data. We have to design something to reduce temperature by two or three degrees. We have spoken with EPA and asked for time to walk through the process. Let's make an informed decision. Let's make it based on the best available data. EPA understands what the problem is. The initial indications are that we should have 15 years to comply with the temperature limits.

Councilmember White asked if there a small community and they couldn't afford to take care of what is necessary, how would that feed into everything?

Matt Gregg said EPA and DEQ both have some programs that if the rates exceed a certain threshold of income, there could be some relief or a longer schedule of compliance. In some cases, there is

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funding available. The targets are the same but how it is administered might be slightly different. They use the median household income and the threshold is about two and a half percent. There are communities in the valley that are facing that.

Councilmember Haverfield asked if there were other approaches to try and keep the temperature down than just putting water over the top of “black rocks”. It is still exposed to radiation.

Matt Gregg said that the treatment for the “black rocks” is actually a process at the treatment plant. That is actually going away. We have looked at other ways to control temperature. Those aren’t necessarily there to treat temperature. They impact temperature. We are looking at removing those.

Councilmember Haverfield asked if there was a way to keep the levels of temperature down by the virtue of some sort of covering even if it was to supply a roofing membrane that is reflective. Something that would allow the temperature of the effluent below it to maintain a cooler temperature instead of the radiation from the sun hitting it.

Matt Gregg said some things could be done on aerations basin. The bigger problem is that temperatures are just hotter in the summer months. The problem is that it is hotter coming in than it needs to be going out. Trying to get it cooler at the household level is much more difficult than at the treatment plant. We have looked at different ways to do that. One is to hold it in ponds during the night and letting it cool that way. The hard part is that we are dealing with so much water and anything we do at that scale is that it has cost complications. The general trend has been towards cooling towers. It is not as much solar impact as it is just what is coming in the door at the treatment plant.

Discharge Alternatives Updates

Current Alternatives

- Alt #1A – Direct Infiltration (Summer only)
- Alt #1B – Direct Infiltration (Year-round)
- Alt #3A – Treat and Offset
- Alt #3B – Treat and Trade
- Alt #3C – Treat and Irrigation Discharge
- Alt #4A – Treat and Discharge
- Alt #4B – Treat and Discharge Class A Reuse
- Alt #5 – Do Nothing More

Key Changes from Preliminary BCE

- Eliminated Alt. #2 from consideration
- Add four alternatives based on more current information
 - Alt #1B – Direct Infiltration (Year Round)
 - Alt #3B – Treat and Trade
 - Alt #3C – Treat and Irrigation
 - Alt #4B – Treat and Discharge Class A
- Criteria and cost for all alternatives have been updated to reflect current conditions

Alt #1A – Direct Infiltration (Seasonal)



Class A recycled water pumped to infiltration site and discharged to infiltration basins (summer only)

✓ Major Benefits

- Economic Development
- Water Quality Credits
- 100% Water Reuse
(offset for Total Dissolved Solids)

⚠ Major Risks

- Background Water Quality
(Total Dissolved Solids)
- Regulation of Additional GW Constituents
- Private Well Discharge Water Rights

Alt #1B – Direct Infiltration (Year-round)



Class A recycled water pumped to infiltration site and discharged to infiltration basins (year-round)

✓ **Major Benefits**

- Economic Development
- Water Quality Credits
- 100% Water Reuse
(offset for Total Dissolved Solids)

⚠ **Major Risks**

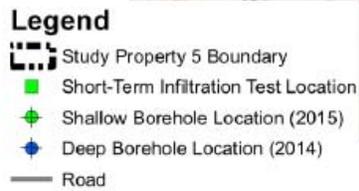
- Background Water Quality
(Total Dissolved Solids)
- Regulation of Additional GW Constituents
- Private Well Discharge Water Rights

Councilmember Skaug wanted an explanation of Water Quality Credits.

Matt Gregg said that one of the things that is actually developing is the ability to trade pounds of phosphorus with another entity. So if we take the water out of the creek, we are removing 15 pounds of phosphorus that we have been allocated TMDL per day. That's the .1 to 0. We can take that 15 pounds per day and sell it to Caldwell, Boise, Meridian or some agricultural partner that needs to reduce that to meet their TMDL allocations. There is a benefit there.

Study Property 5 Investigations

- 400 acres of agricultural land
- City has negotiated an Option to Purchase with current owner
- Additional investigations are occurring to confirm the viability of the site



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Study Property #5 Investigations



- Ten shallow test pits and short-term infiltration tests
- Results indicated an average infiltration rate of 1.2 in/hr - meeting preliminary feasibility requirements

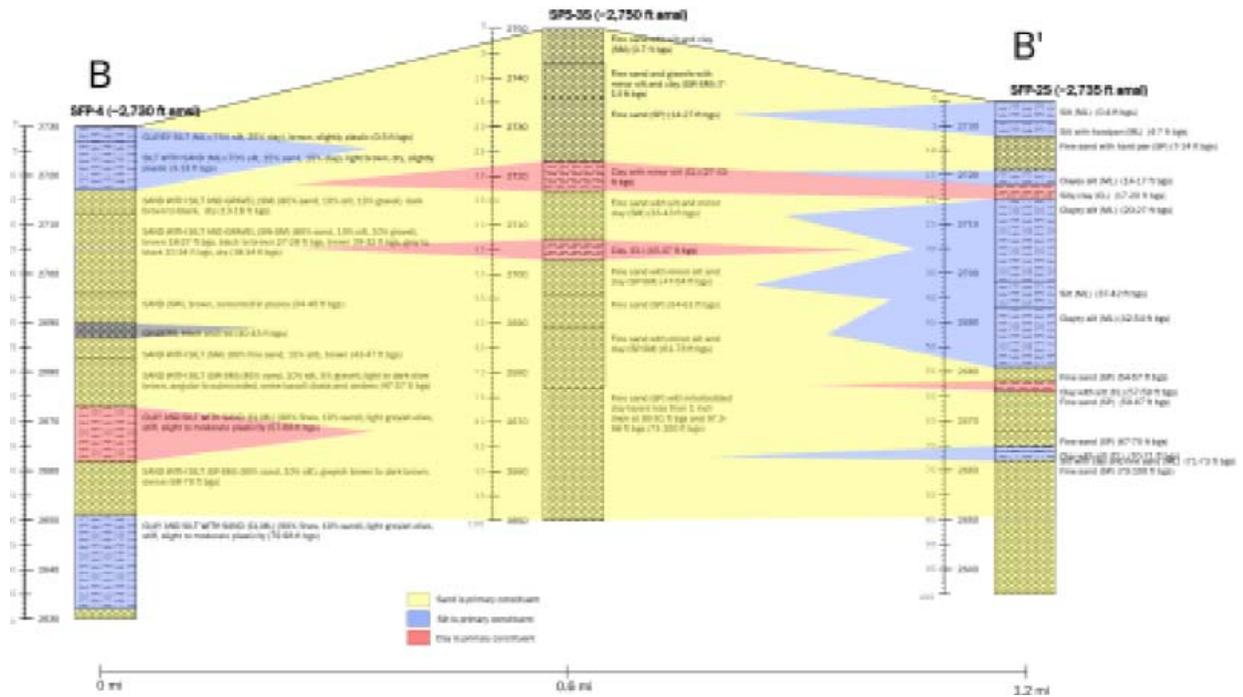
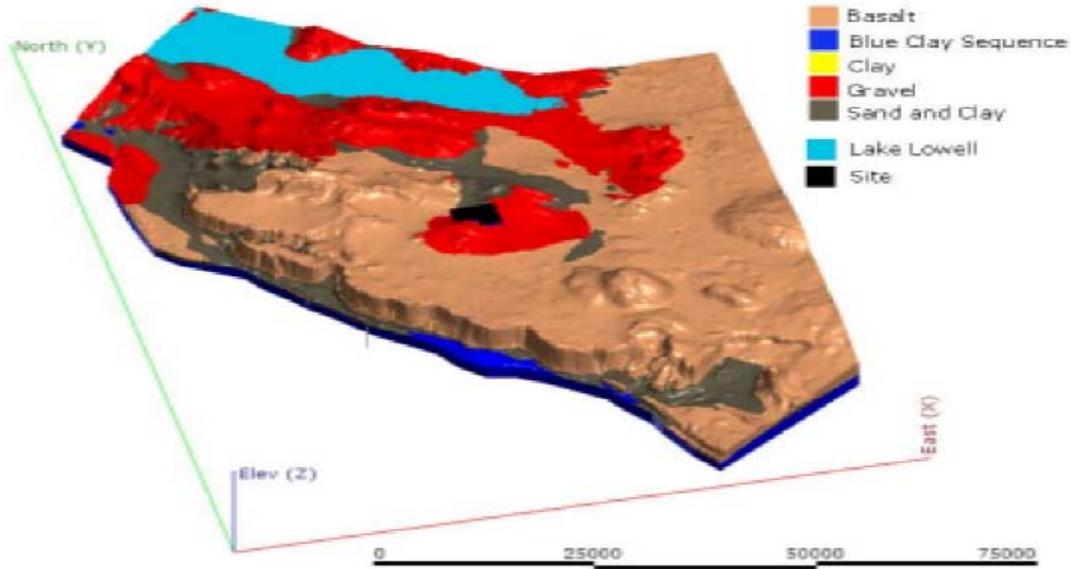
Councilmember Haverfield asked if the water that is being taken to this property was potable.

Matt Gregg said it would be a Class A recycled water. It is not potable water as it is defined in the Drinking Water rule but it is the highest standard of recycled water that the State has. It has all the allowed uses that we can have for recycled water. Idaho does not have a direct potable reuse rule yet. Cities in California are looking at piping recycled water into drinking water plants and distributing it.

Councilmember Haverfield said then it is only good for irrigation purposes.

Matt Gregg said it is good for irrigation and industrial reuse. There are a number of things, dust control on construction sites.

Councilmember Haverfield asked if a business like Micron could use a lot of water in their wafer production. (Absolutely.) So the Economic Development Office could be selling that concept. (Yes.)



Potential Study Property 5 Next Steps



- Focus going forward is to confirm viability of Study Property #5
- Evaluation supports City's schedule to select preferred long-term alternative

Alt #3A – Treat and Offset

Upgrade WWTP to reach 0.35 mg/L then achieve remaining water quality goal via offset facility

✓ Major Benefits

- Net Environmental Benefits

⚠ Major Risks

- Regulation of Additional Surface Water Constituents
- Year-Round Total Phosphorus Limits below 0.35 mg/L

Councilmember Raymond asked if “Treat and Offset” had anything to do with temperature.

Matt Gregg said it didn't. It is only for phosphorus compliance. We looked at temperature off-sets or temperature treating. All temperature in all of the alternatives is either infiltration or it is temperature treatment at the plant because that has been most cost effective.

Alt #3B – Treat and Trade



Upgrade WWTP to reach 0.35 mg/L then achieve remaining water quality goal via trading program

✓ Major Benefits

- Net Environmental Benefits

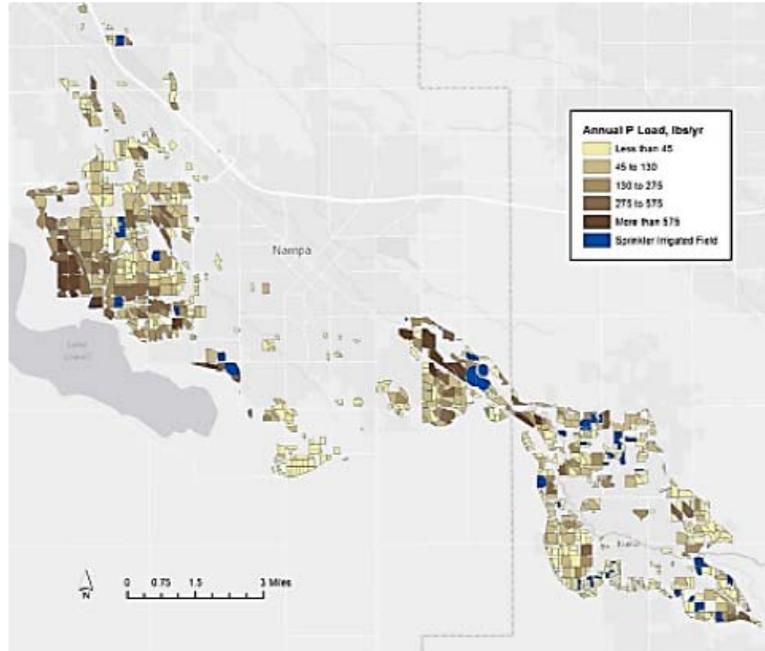
⚠ Major Risks

- Regulation of Additional Surface Water Constituents
- Year-Round Total Phosphorus Limits below 0.35 mg/L

Matt Gregg said “Treat and Trade” is a permutation of “Treat and Offset”. The difference is that you can still treat only to a certain level at the treatment plant. Instead of building your own “offset” facility to take out those pounds, you contract with someone to provide those pounds to you. So the State is setting a trading framework to purchase phosphorus pounds on the open market.

Reviewed potential TP reductions through trading in Indian Creek watershed

Preliminary results suggest that sufficient credits are available for TP trading



Alt #3C – Treat and Irrigation Canal Reuse



Upgrade WWTP to treat to 0.35 mg/L total phosphorus, then discharge Class A reuse water to irrigation canal in the summer

✓ Major Benefits

- Economic Development
- Net Environmental Benefits

⚠ Major Risks

- Regulation of Additional Surface Water Constituents
- Year-Round Total Phosphorus Limits below 0.35 mg/L
- Contract Negotiations

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Mayor Henry said we hadn't done much on "Treat and Offset". (Right.) This is just informational. You aren't trying to say that we are going to do "Treat and Offset" now. (No.) I just wanted the clarity there.

Alt #4A – Treat and Discharge to Indian Creek



Upgrade WWTP and continue discharging to Indian Creek

✓ Major Benefits

- None identified

⚠ Major Risks

- Regulation of Additional Surface Water Constituents
- Year-round total phosphorus limits below 0.35 mg/L

Alt #4B – Treat and Discharge to Indian Creek



✓ Major Benefits

- Economic Development
- Water Quality Credits

⚠ Major Risks

- Regulation of Additional Surface Water Constituents
- Year-round total phosphorus limits below 0.35 mg/L

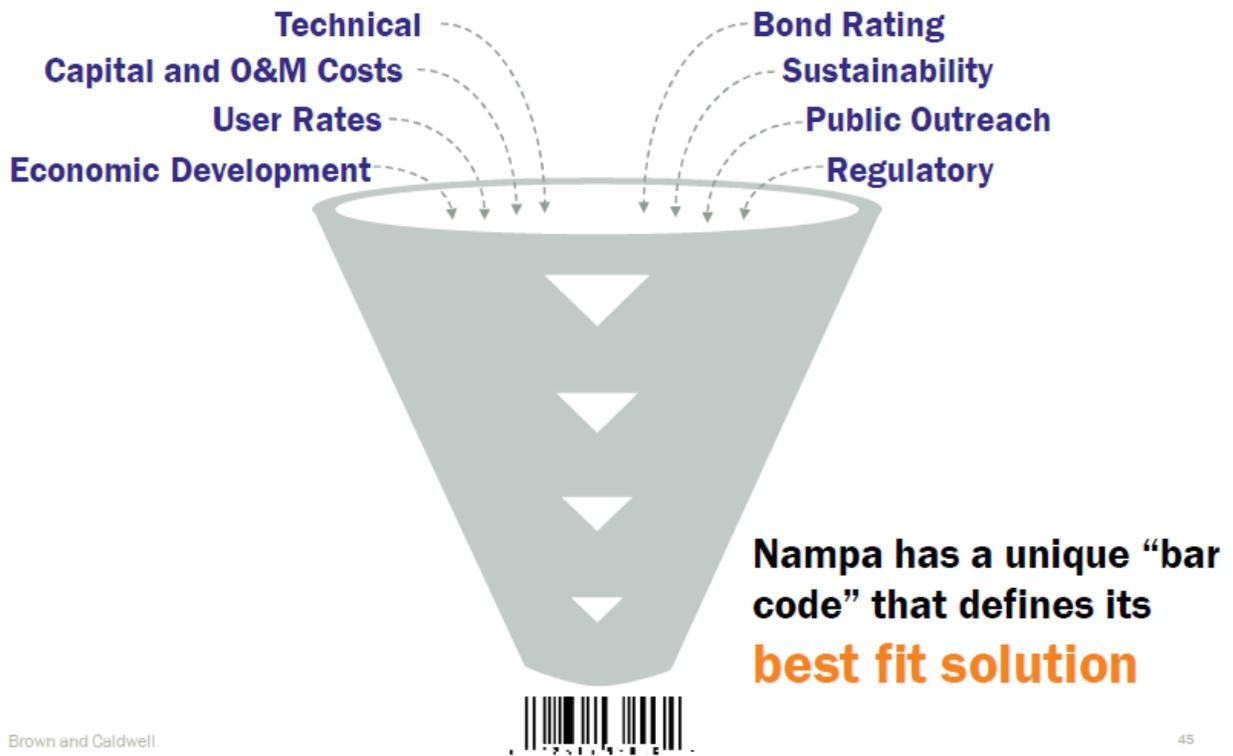
Alt #5 – Do Nothing More

Refuse to upgrade WWTP and maintain current treatment levels.

- No upgrades to WWTP
- Continue discharging to Indian Creek
- Discharge will violate total phosphorus and temperature limits
- Willful negligence of the Clean Water Act

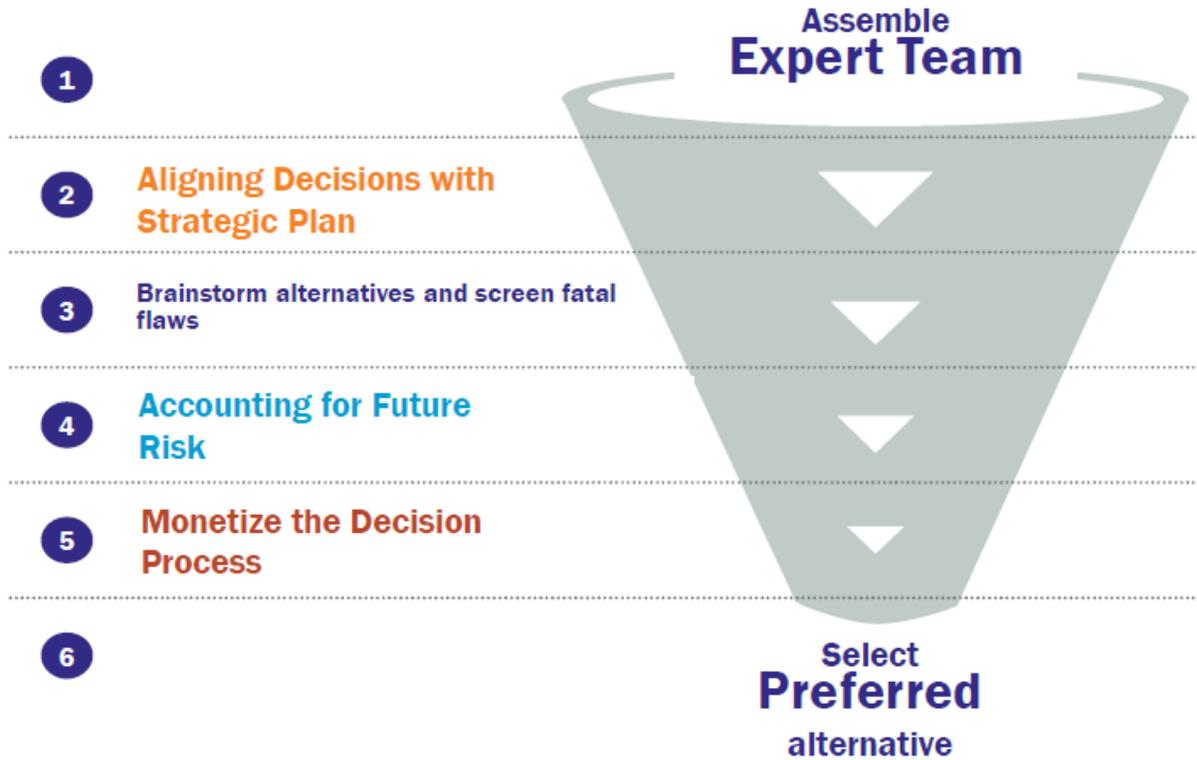
Long Term Alternatives Analysis Updates

Finding the Best Fit for Nampa



Matt Gregg said this is a big decision for the City. It is actually one of the bigger decisions the City will make in quite some time.

Unique Steps in the BCE Process



Aligning Decisions with 2011 Strategic Plan

Consider **economic
ramifications** of
environmental actions



Consider long-term
regulatory risk

Include **economic
development impacts**
of decisions



Be the **community of
choice** for industry

Step 2: Identify Levels of Service

- City’s Strategic Plan defines goals and objectives
- Wastewater levels of service should consider Strategic Plan goals and priorities
- Ensure Nampa’s wastewater decision aligns with City Strategic Plan

Example: What car do you own?

- Why? (typically values-based)
- How do you know you’re satisfied?
- How do you measure your satisfaction?
- What are you willing to pay more for?



Decision // Are the key principles in the 2011 Strategic Plan still appropriate as the foundation to decision making? Economic development; Cost; Regulatory control.

Councilmember White said that once you’re given a phosphorus level or a temperature and then you accomplish that, then they change the numbers. That makes it really hard to look at costs.

Matt Gregg says that goes to the regulatory control. We want to be in the position to let them dictate to us what the limits are or is there a better way to do it where we can control how we produce and discharge water.

Councilmember White asked if that was possible.

Matt Gregg said history has shown us that the NPDES Rules have changed more over time than the Ground Water Rule has.

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Councilmember Raymond said it looks like it is backwards. Regulatory control should be our first priority and make sure the EPA is satisfied. If it is not, we have to adjust it until it is. And then the cost, we do the best we can to make sure we appease the EPA.

Mayor Henry said he didn't know if everything was prioritized. There were just three issues.

The question is, the principles that were outlined in the 2011 Strategic Plan, are they still appropriate in our discussions today? I think that if it were a 2011 Plan, the only person that was on the Council at that time was Pam White. The rest of us are all new. So your question is, is that plan still valid? (Correct.)

So we are going to vote on that one. So I entertain a motion with a second that the Strategic Plan from 2011 is still applicable.

MOVED by Haverfield and **SECONDED** by Skaug that the 2011 Strategic Plan is Still Applicable. The Mayor asked for a roll call vote with all Councilmember present voting **YES**. The Mayor declared the

MOTION CARRIED

Matt Gregg said we have these priorities that we are looking at. One of the things we have looked at as we've moved through this is looking at risks and benefits is a more conservative approach than decision making.

One of the best examples was really eye opening when we went through this in 2012 was that if you just put Capital and O&M costs up and do nothing more, it has zero dollars. It is the lowest cost alternative every time. Because you are not doing anything. But when you start to think about risk, there are some long term implications there. We know that EPA will likely come in and fine us.

Step 4: Developing Capital, O&M, Risk, and Benefit Costs.

Data collected on all costs

- Capital, Operations and Maintenance, Risks, and Benefits Costs.

Account for risk and benefit costs

- More conservative approach
- Better long-term decision making
- Provides apples to apples comparison
- Reduces subjectivity of evaluation
- Consider care insurance rates

Accounting for Risk

If we account for risk EVERYDAY, why not account for risk in one of the single largest capital decisions the City will make?

$$\text{Probability of Occurrence} \times \text{Consequence of Occurrence} = \text{Risk Cost}$$

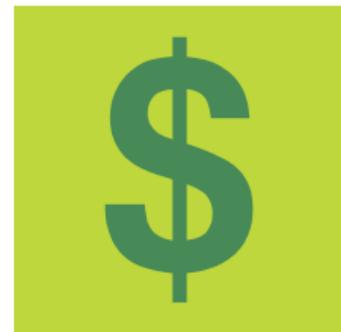
Step 5: Perform Net Present Value Analysis

Description	Capital	Benefits	O&M	Risk	NPV
Project A	\$1 M	\$3 M	\$1.5 M	\$1 M	(\$6.5 M)*
Project B	\$2 M	\$1 M	\$1 M	\$4 M	(\$8 M)

*Lowest cost alternative

All considerations for the decision relate back to dollars

- Capital
- Operations and maintenance
- Risks
- Benefits



BCE Results

Analysis Assumption

- Analysis period – 30 years (2015 – 2045)
- Capital costs are spread to match projected delivery
- Capital costs are total project costs (i.e. both design and construction costs)

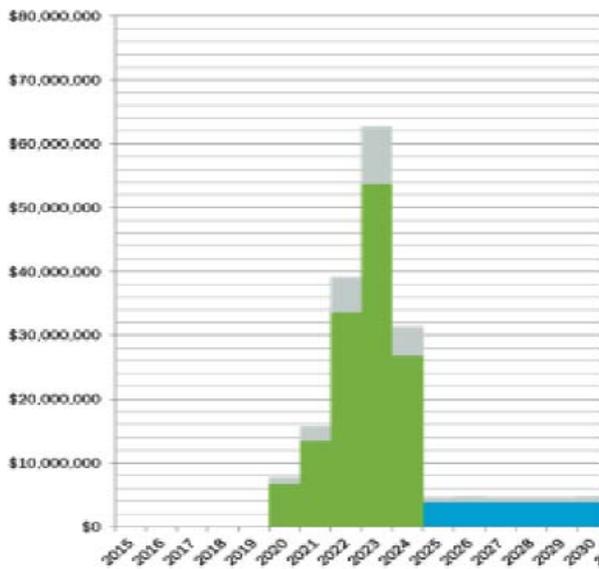
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- Capital costs are Class IV estimates
 - Accuracy range of -30% to +50%

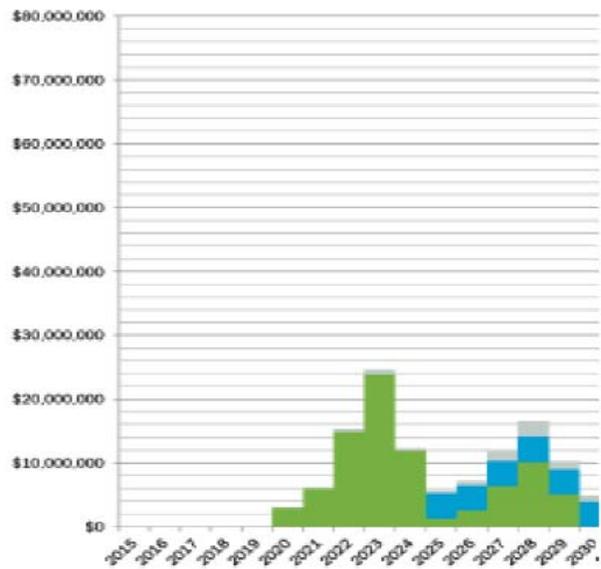
Capital Costs

Alternative	Capital Cost	Range
Alt #1A – Infiltration (Seasonal)	\$137,015,000	\$96M - \$205 M
Alt #1B – Infiltration (Year-Round)	\$134,140,000	\$94M - \$201M
Alt #3A – Treat and Offset	\$98,141,000	\$67M - \$147M
Alt #3B – Treat and Trade	\$88,344,000	\$62M - \$133M
Alt #3C – Treat and Irrigation	\$91,537,000	\$64M - \$137M
Alt #4A – Treat and Discharge	\$92,936,000	\$65M - \$139M
Alt #4B – Treat and Discharge Class A	\$110,118,000	\$77M - \$165M
Alt #5 – Do Nothing More	\$0	\$0

Differences in Cash Flow



Alt 1B – Direct Infiltration (Year Round)



Alt 4A – Treat and Discharge

Operating Costs

Alternative	Operating Cost
Alt #1A – Infiltration (Seasonal)	\$86,134,000
Alt #1B – Infiltration (Year-Round)	\$81,082,000
Alt #3A – Treat and Offset	\$93,086,000
Alt #3B – Treat and Trade	\$87,899,000
Alt #3C – Treat and Irrigation	\$75,605,000
Alt #4A – Treat and Discharge	\$83,505,000
Alt #4B – Treat and Discharge Class A	\$90,725,000
Alt #5 – Do Nothing More	\$0

Capital and O&M Net Present Value

Alternative	Capital and O&M NPV
Alt #1A – Infiltration (Seasonal)	(\$199,234,000)
Alt #1B – Infiltration (Year-Round)	(\$189,411,000)
Alt #3A – Treat and Offset	(\$167,720,000)
Alt #3B – Treat and Trade	(\$153,912,000)
Alt #3C – Treat and Irrigation	(\$148,116,000)
Alt #4A – Treat and Discharge	(\$154,908,000)
Alt #4B – Treat and Discharge Class A	(\$176,916,000)
Alt #5 – Do Nothing More	\$0

Capital and O&M Summary

CHANGES FROM 2012

- Temperature moved from risk to capital cost
- Winter phosphorus limits
 - Filters required for trade or offset
 - Additional infrastructure for all alternatives
- Selection of infiltration site
 - Additional pipeline length
 - Purchase price for property

SUMMARY

- Infiltration alternatives have front-loaded capital costs
- Other alternatives allow capital costs to be spread over longer period
- All alternatives are likely to require debt financing and/or additional rate increases

Risk Costs

Alternative	Risk Costs
Alt #1A – Infiltration (Seasonal)	\$46,548,000
Alt #1B – Infiltration (Year-Round)	\$42,146,000
Alt #3A – Treat and Offset	\$60,710,000
Alt #3B – Treat and Trade	\$60,149,000
Alt #3C – Treat and Irrigation	\$61,144,000
Alt #4A – Treat and Discharge	\$53,809,000
Alt #4B – Treat and Discharge Class A	\$46,548,000
Alt #5 – Do Nothing More	\$309,783,000

Example: Technical Risk Cost

Example: Technical Risk Cost

TDS Removal Requirements

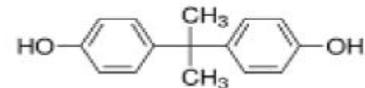
- TDS is an aesthetic constituent
- Limit based on GW Rule (500 mg/L) or background water quality (TBD)
- Reuse Permit negotiations would determine final limit



Risk	Approx. Capital Cost	Annual O&M Costs	Probability of Occurrence	Annual Risk Cost (Capital)	Annual Risk Cost (O&M)
TDS Removal	\$42M	\$1.2M	50% (2025)	\$21M (2025)	\$600K (2025)

Future NPDES regulations of microconstituents

- Pharmaceuticals
- UV blockers (sunscreen)
- Fragrance materials
- Polycarbonates
- Plasticizers



Risk	Approx. Capital Cost	Annual O&M Costs	Probability of Occurrence	Annual Risk Cost (Capital)	Annual Risk Cost (O&M)
Microconstituent Limits	\$39M	\$1M	5% (2025)	\$1.95M (2025)	\$53K (2025)
			15% (2030)	\$5.87M (2030)	\$158K (2030)
			25% (2035)	\$9.78M (2035)	\$263K (2035)
			35% (2040)	\$13.69M (2040)	\$368K (2040)
			20% (2045)	\$7.82M (2045)	\$210L (2045)

From and Goldwell

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Benefit Costs

Alternative	Benefit Costs
Alt #1A – Infiltration (Seasonal)	\$38,957,000
Alt #1B – Infiltration (Year-Round)	\$43,417,000
Alt #3A – Treat and Offset	\$638,000
Alt #3B – Treat and Trade	\$638,000
Alt #3C – Treat and Irrigation	\$17,644,000
Alt #4A – Treat and Discharge	\$0
Alt #4B – Treat and Discharge Class A	\$21,857,000
Alt #5 – Do Nothing More	\$0

Economic Development – 2012 Analysis

- Class A recycled water has great value
- Discussed potential value with Economic Development Director
 - Several recent industries almost located to Nampa
 - Free water could have influenced decision

Company Type	Water Needs (gal/day) (annual value)	Jobs Created	Annual Economic Impact	Probability	Annual Benefit Cost *
Chemical Manufacturing	2,600,000 (\$1,446,000)	995	\$1,100,000,000	2%	+\$22,000,000
Solar Cell Manufacturing	500,000 (\$278,000)	950	\$530,000,000	-	-
Data Center	2,880,000 (\$1,602,000)	150	\$29,000,000	80%	+\$22,976,800

*** Analysis comparative only so the benefit cost of only one additional company estimated**

Economic Development – 2016 Analysis

Same Approach as 2012 – Total Economic Impact

Company	Jobs	Annual Economic Impact
A – Manufacturing	525	\$279,022,000
B – Manufacturing	1,000	\$531,469,000
C – Agriculture	150	\$26,784,000

Revised Approach – City Tax Revenue

Company	Jobs	Annual Tax Impacts
A – Manufacturing	525	\$2,630,000
B – Manufacturing	1,000	\$5,011,000
C – Agriculture	150	\$466,000

Decision // How should we consider economic development benefits as part of the decision-making process? Is it the total economic impact in the community? Or is it just what is coming into the City?

Councilman Haverfield said for comparison purposes is Boise’s Dixie Drain Project creating Class A water?

Matt Gregg said Boise’s Dixie Drain Project is not creating Class A water.

Councilman Haverfield said from a competitive standpoint, if we were looking at that path, we would be elevating ourselves as far as from the comparative standpoint of potential economic growth?

Matt Gregg said yes. The City of Meridian does have a Class A program. They currently use it in parks and maybe in one carwash. They have kind of started down that path. That has been one of the options they have been looking at.

Councilman Haverfield asked if it was similar to what we are looking at.

Matt Gregg said he didn’t think it currently was. He didn’t know exactly what their long term plans were.

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Councilman Haverfield said then we would be looking at elevating ourselves from the competitive standpoint if we were to go down that path. (Yes.)

Mayor Henry said that we could actually have a Class A standard at either location. Right? What we are talking about with this as far as an economic advantage with Class A is sometime after 2030.

Councilman Raymond asked in regard to Irrigation Districts, what are their feelings about Class A discharge?

Matt Gregg said the City has not approached any Irrigation District. Generally, in the past, they do not necessarily look favorably upon discharging into their canals. The City of Boise has looked at an alternative that includes that. They are currently looking through that. I think Irrigation Districts are seeing some writing on the wall that there are some things that need to happen here in the future.

Mayor Henry said he believed that Caldwell had some discussions with one of the Irrigation Districts relative to water going into their system.

This is a question for Council. The answer to this question determines how we go on to the next question.

Councilmember White asked so we consider economic development benefits as part of this by 2030? (15 years.) That goes fast.

Councilmember Skaug said he liked how Councilmember Raymond prioritized the three. That's a good way to look at this. So economic impact, yes. It is so hard to predict down the road what the future is. It is too unpredictable right now.

Mayor Henry said he was kind of hearing that it is not the primary driver. Right?

Councilmember Skaug responded, not for this.

Mayor Henry said this is a hard one to come up with.

Michael Fuss said that it somewhat reflects the sentiment of the last couple of elections. Since this ongoing investigation has occurred during that time, the initial 2011 Strategic Plan was about the total economic benefit to community. What is that? That's why it was driven in the 2012 evaluation. But as time has gone by, the big concern appears to be the tax rate. What is the tax rate of the City of Nampa? So when we looked at that, what would this project do to affect that tax rate. That is where the second evaluation came in. Is City tax revenue more important than total economic impact to the community? Is one more important than the other? Are they the same? If

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they are the same, then total economic impact is a much bigger number. The reality is, what swings the decision?

Matt Gregg said that anything that produces Class A has a big benefit.

Councilman Raymond said maybe we can get some discussion started. The taxes and the economics of it are synonymous. If you have less taxes, you are going to have a better economy. It seems like there are sideboards on both alternatives.

Michael Fuss said if we were to pick the cost and subtract the benefits, what is the net cost for the total economic impact? The answer is fairly easy. Pick #3, Treat and Irrigation at \$97,572,000. It is kind of close because Infiltration (Year-Round) is roughly \$3,000,000 more. You could also look at #4B, Treat and Discharge Class A which would be the next step.

What is the easiest alternative? It shifts a little bit.

Matt Gregg said you start to narrow the range on the alternatives. If you took it completely out, Treat and Discharge is preferred. So if we take economic development completely out and say we aren't going to consider that in this decision, #4A

BCE Results – Total Economic Impact

Alternative	Total Cost of Asset Ownership*
Alt #1A – Infiltration (Seasonal)	(\$120,102,000)
Alt #1B – Infiltration (Year-Round)	(\$102,786,000)
Alt #3A – Treat and Offset	(\$217,264,000)
Alt #3B – Treat and Trade	(\$202,968,000)
Alt #3C – Treat and Irrigation	(\$97,572,000)
Alt #4A – Treat and Discharge	(\$199,129,000)
Alt #4B – Treat and Discharge Class A	(\$113,082,000)
Alt #5 – Do Nothing More	(\$257,731,000)

**Assumes 2% probability for economic development benefit*

Mayor Henry asked, isn't this a little bit "pie in the sky"? We can have economic incentives regardless if we Treat and Discharge or Infiltration. It all originates at the treatment plant. So if we have a business that comes in here and wants the water, we can still divert some of the water regardless of the way we go, right?

Matt Gregg said as long as we are creating that Class A product, yes.

Mayor Henry said 50% probability with Infiltration and there may be a probability in the future of it if we discharge, right? So if we assume at some point we are going to have to go to Class A, don't we at some point have to say, what are our short term costs? Piping up thirteen miles is in the short term and is quite a bit more expensive than dumping it into Indian Creek, correct? (Yes.) And we are going to get there pretty soon, right? Those numbers? I am looking at Infiltration year round at \$134,000,000. Treat and Discharge is at \$92,000,000. So short term, we are \$44,000,000 more if we decide to take it up to dry lake, short term?

Michael Fuss said short term is \$44,000,000 to go Infiltration to gain the whole economic benefit over the life of tax benefit of \$5,000,000. So we spend fifty to benefit five. If tax revenue is the number. Otherwise you spend \$50,000,000. The perspective is different. Who benefits? How much do you weigh that?

Mayor Henry said regardless of the way we go, there is economic benefit, correct? (Provided you go with Class A.) The assumption that economic benefit is about the same regardless if we discharge Class A or Infiltrate Class A. So then again, you have to go back to what your upfront cost. I am struggling getting past the \$44,000,000 in the next five to ten years. That is a "hard pill".

Sensitivity Analysis

Sensitivity Tested	Resulting BCE Output
High Capital Cost (+50%)	Alt #3C – Treat & Irrigation Reuse
Low Capital Cost (-30%)	Alt #1B – Infiltration (Year-Round)
Economic Development Benefit Removed	Alt #4A – Treat and Discharge
Economic Development Benefit Doubled	Alt #3C – Treat & Irrigation Reuse
Delayed Infiltration Pipeline w/ 5-yr Trading Program	Alt #3C – Treat & Irrigation Reuse

1. Infiltration alternatives are sensitive to capital cost variations
2. Economic development impacts are a key criteria in the current analysis
3. Phasing the implementation of infiltration alternatives limits the amount of debt required to fund capital costs

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Matt Gregg said that one of the things that we did obviously you put a number in, there is a range on that number. Let's test what it is sensitive to. If it is highly sensitive to a number, we need to go investigate it more. If it is not sensitive, unintelligible.

Mayor Henry asked what he meant by "sensitive".

Matt Gregg said that by changing one input, are we going to change the decision? As we look at this decision, there is a longevity piece and a durability piece to it. If we assume an interest rate of 3% vs. 3.5%, that drastically swings our numbers. How positive are we that 3 or 3.5 percent is correct? What we did look at was capital costs. If capital costs go up, Treat and Irrigation is a more favorable alternative but it does have some outstanding questions that we will get to.

If capital costs go down, Infiltration is heavily influenced by them so that becomes a more viable alternative. You remove economic development, just discharge into the creek, you double it. Treat and Irrigation becomes more favorable. Pipe line is an issue for Infiltration. Everyone is aware of that.

Based on the risks and benefits we have looked at, plus the capital and O&M costs, there are four alternatives that really kind of rise to the surface. One is Direct Infiltration. That is heavily influenced by how we look at economic development. Treat and Irrigation Discharge, Treat and Discharge to Indian Creek and then Treat and Discharge Class A to Indian Creek.

There are a couple of things to keep in mind too. There are a couple of external inputs that are still undefined. DEQ is working on a lower Boise River treating framework. We are also in the preliminary stages of Indian Creek temperature TMDL. In the past, we challenged how DEQ listed Indian Creek for temperature. The result was TMDL process that was done for phosphorus, we are going to go do another one on temperature on Indian Creek.

One thing to keep in mind, there are fatal flaws that still exist for these alternatives. Two of the primary ones, direct infiltration, A & B, will study property by support infiltration. The work we have done today and what has potentially been proposed in the future is really targeted. Can it support that? One of the water rights associated with infiltration, it's been a question that came up between from IBWR. We talked about it in the past. Treat and irrigation discharge, we haven't talked to irrigation companies yet so there is a potential fatal flaw there. There are others that exist. The need for TBS removal is a big question. If you look back, it's a \$25million cost if infiltration takes on the risk side. Treat and Off-Set, can we even get land availability? There's nothing built between the treatment plant and Caldwell Indian Creek. Treat and Trade, all the trade framework, there's a lot of unknowns there, and on irrigation we talked about that. And then what is the industrial demand for Class A water? DEQ tells us at some point we have to do a facility planning document and that looks at both regulatory compliance and also anything that is required for growth or rehab replacement at the treatment plant. We've looked at regulatory requirements since 2009.

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You would think we could make a decision by 2018 that allows enough time to meet all the NPDES time frames. There are other things that impact the treatment plant. The city continues to grow, consuming more capacity, new industries come to town and consume more capacity. So we need to account for that and plan for the future. Repair and replacement assets become important. A lot of the treatment plant was built in the early 1960's so as you look at a useful life of concrete at 50 years. That means we are coming up on a lot of these asset replacement projects. Some of those very old treatment plans need to be replaced. One of the things we will be looking at in the near future is how do we pull all this together, make a cohesive plan and move forward? That process is set to kick off here this summer and extend into early 2018 time frame. We focused a lot on the regulatory piece having not necessarily looked at the growth and repair and replacement recently. So go through that. Look at flows and lows. Get into a rate study and ultimately move forward to phase two in 2025 for the final phosphorus compliance. The question here is; how do we proceed with alternative investigation? We have eight alternatives out there. We can continue to investigate all of them, pick one today, or somewhere between that.

Councilmember White said she thought they could reduce the list because "do nothing" is not an option.

Matt Gregg said we keep it on there just in case it comes up. Respectfully, we might keep it on the list but honestly it's just updating a date.

Councilmember White said on the list of alternatives, you mention fatal flaws. Did you tell us on those alternatives where you found fatal flaws?

Matt Gregg said any alternative that is up there hasn't had a fatal flaw that has been confirmed. We took Rapid Infiltration off the table because we assumed it had a fatal flaw at a lower quality of recycled water. There are some that are still out there that exist today. So for infiltration, if studied properly, five (Do Nothing) is not viable. That is a fatal flaw.

Councilmember Bruner said you can get rid of alternatives by determining whether you want Class A water or not. There are only certain alternatives that provide Class A water. I only see a couple of alternatives. That is the first question, do we want Class A water or not?

Councilman Raymond said if we take out the irrigation because there is a such a prominence for a fatal flaw there, for Treat and Irrigation.

Mayor Henry said we are basically down to Infiltration or Treat and Discharge. That's where I thought we had been all along. So the question is, do we keep going down those two paths recognizing that the direct infiltration is looking at \$44 million capital costs more to do. How much do you want to bet as we get closer that number grows?

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Councilman Bruner said what I was looking at on page 28 was more like, I realize it's an increase, but more like 24 million. If you are trying to get to Class A, if you are going to do 4b. If my subtraction is correct, I thought it was about 24 million, compared to seasonal infiltration.

Councilman Skaug said and that is within the next 10 – 15 years. Direct Infiltration, I was excited about this the last couple of years until today. Now it looks like Treat and Discharge, Class A and Reuse is the way to go. I am a little surprised.

Mayor Henry said that the thing about Class A is, what we are saying is that if we do Direct Infiltration, DEQ may require Class A. There is a 50% probability by 2025.

Matt Gregg said that Class A is required for Direct Infiltration. The big risk for Class A is total dissolved solids removal. That's the 50%. That cost has been captured in the BCE.

Mayor Henry said that Treat and Discharge Class A is not required right now, correct? So we can have nicer quality of water that we're taking up to dry lake but it is not required if we do Treat and Discharge at Indian Creek. We are going to be spending a lot of money up at dry lake. And we have a payment due in a year.

Michael Fuss said the reason we have Brown & Caldwell on hold on Infiltration is, the next step of in Infiltration Investigation is about \$1 million. That's what the next cost is. Then the cost of the purchase is about \$3.2 million to buy the land in the next two years. If we are going to make those decisions, that is fine, and we want to keep them on the table, that's fine. But it's time to make that decision.

Councilman Raymond said that in regard to Infiltration vs. Discharge, what is the risk between those two the way you see it? If we go Discharge, the only risk we have is the removal of the dissolved solids. If we Discharge, we have all kinds of problems that could come up. Is that correct?

Matt Gregg said that if we continue to discharge into Indian Creek, we remain under the NPDES which has the laundry list of things that could cause potential risks in the future that need to be removed. Phosphorus wasn't regulated 20 years ago and we are seeing a limit of .1 today. That same change will likely occur on some other constituent. That's the thing with Indian Creek and the 4a alternative. Going infiltration, there's a near term risk based on the reuse permitting of removing TDS. But longer term, the risks of the long term regulatory is minimized. The nice part of Infiltration is that you can see rate stability in the long term once you over this huge capital.

Councilmember Haverfield asked the Mayor if he had asked if the Treat & Discharge approach without the Class A development initially could be added if a private entity wanted to come in and help us capture that Class A water for their use? Or is that a viable approach?

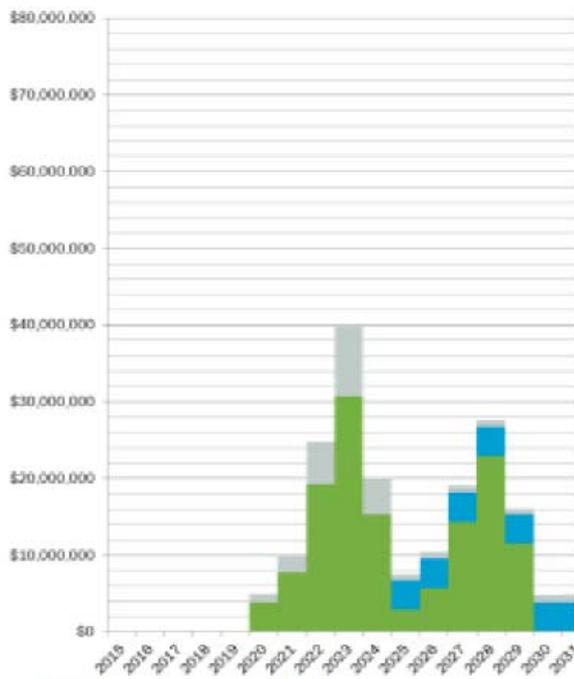
Michael Fuss said that is correct. All alternatives meet the NPDES permit. Adding Class A in the Treat & Discharge option, allows you to gain those economic benefits.

Councilman Haverfield said you said that Meridian is looking at Class A development of water but they are not an industrial type of growth pattern. They are more residential. So if we were to approach it with a Treat & Discharge but have a Class A potential if a private entity wanted to come in and help us develop it. Or if we want to develop that and then reach out to try and encourage that.

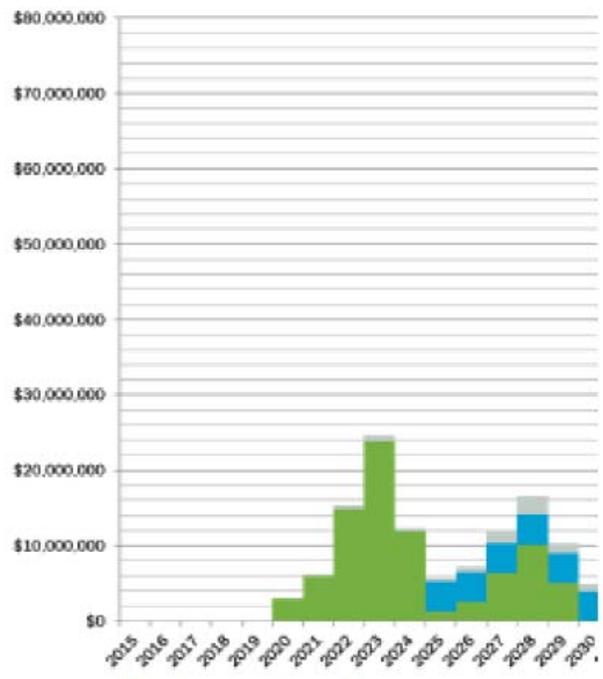
Councilman Bruner asked what is the window of time to accomplish something like that? If you do have any entity that does want to come in, how long does it take to do something like that incentive wise?

Matt Gregg said if we did 4a, how long would it be until we got to 4b? Construction can move as fast or slow as you want. The difference between those is pretty minimal between the two.

Delaying Infiltration Pipeline w/Short-term Trading Program



Alt 1B - Direct Infiltration (Year Round)



Alt 4A - Treat and Discharge

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BCE Summary

Four options consistently have lowest total cost of asset ownership

- Alt #1B – Direct Infiltration (Year-round)
- Alt #3C – Treat and Irrigation Discharge
- Alt #4A – Treat and Discharge
- Alt #4B – Treat and Discharge Class A Reuse

Some key external inputs for are still undefined

- Lower Boise River Trading Framework
- Indian Creek Temperature TMDL

Potential fatal flaws still exist with several alternatives

- Alt #1A & 1B – Direct Infiltration
 - Viability of Study Property #5 to support infiltration (Alt #1B)
 - Water rights associated with discharge to infiltration
- Alt #3C
 - Ability to reach agreement with irrigation company to discharge to canal

Outstanding Questions

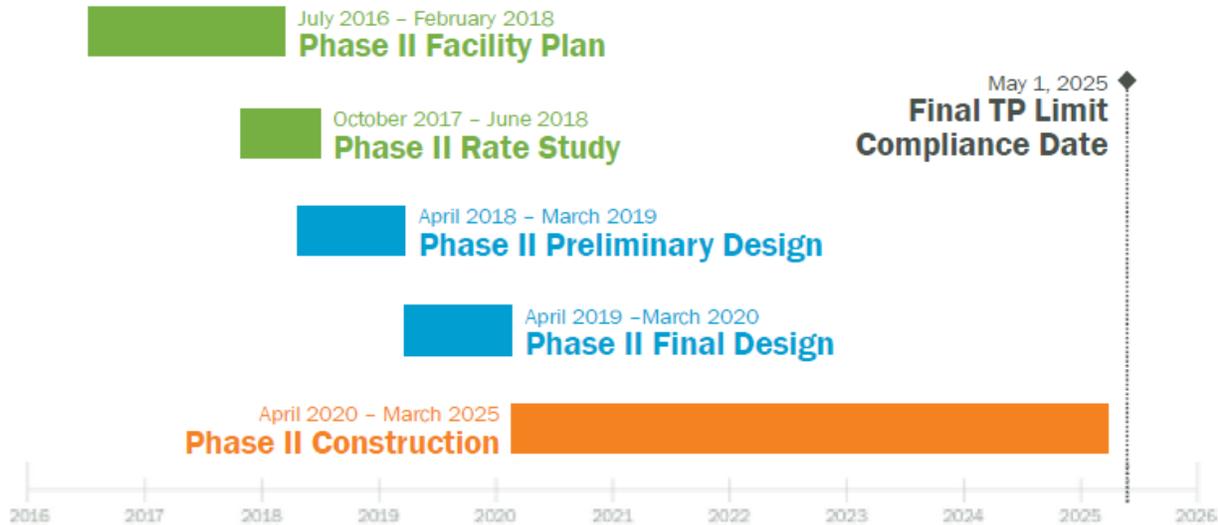
Alternative	Outstanding Questions
Alt #1A – Infiltration (Seasonal)	<ul style="list-style-type: none"> • Viability of Study Property #5 • Water rights • Need for TDS Removal
Alt #1B – Infiltration (Year-Round)	<ul style="list-style-type: none"> • Viability of Study Property #5 • Water rights • Need for TDS Removal
Alt #3A – Treat and Offset	<ul style="list-style-type: none"> • Availability of property on Indian Creek • Impacts of Trading Framework
Alt #3B – Treat and Trade	<ul style="list-style-type: none"> • Impacts of Trading Framework • Availability of potential trading partners
Alt #3C – Treat and Irrigation	<ul style="list-style-type: none"> • Agreement with irrigation district on discharge to irrigation canal • Waters of the US determination
Alt #4A – Treat and Discharge	
Alt #4B – Treat and Discharge Class A	<ul style="list-style-type: none"> • Industrial demand for Class A water
Alt #5 – Do Nothing More	

Next Step

Wastewater Facility Plan

- Regulatory Compliance
 - WPMT has worked since 2009 to identify long-term approach for Nampa WWTP to address phosphorus and temperature compliance-
 - Decision on selected approach is needed by 2018 to allow time for funding, design, and construction
- Capacity and System Reinvestment
 - Additional treatment capacity may be required to address growth
 - Repair or replacement of existing facilities may also be required based on asset lifecycle
- All projects at Nampa WWTP must be planned and executed to support City’s goals and available funding

Special Council
March 30, 2016



Decision // How should Staff and the WPMT proceed with alternative investigations?

1. Continue the consideration of all alternatives and defer decision to facility planning.
2. Reduce the list of alternatives and proceed with investigation/option refinement.

Mayor Henry said the question is, do we want to continue to pursuing dry lake? Do we want to look at Treat & Discharge? We are going to be spending an extra million dollars on dry lake pretty soon.

MOVED by Bruner and **SECONDED** by Haverfield to Proceed with Treat & Discharge, 4a with the option to add Class A Reuse potential which would “kick” us into the 4b. The Mayor asked for a roll call vote with all Councilmember present voting **YES**. The Mayor declared the MOTION CARRIED

The mayor adjourned the meeting at 5:05 p.m.

Passed this 17th day of October, 2016.

MAYOR

ATTEST:

Special Council
March 30, 2016

CITY CLERK

SPECIAL COUNCIL
June 2, 2016

Mayor Henry said the purpose of the meeting was a hearing for an appeal under Nampa City Code Title 6, Chapter 2, Section 12, Determination of Vicious Animal for Corina Wyatt.

The Mayor asked Wyatt to come forward to present her case.

Corina Wyatt lives at 1312 7th St South in Nampa.

Wyatt said she didn't want her dog to die. They say that it is unprovoked, but he just because the person that beat me up that he was protecting me from that he was on lease. My Ex and I just barely moved in this house with my dogs. He got on narcotics and took off with his sister and went on a runner while I locked him out. He broke in to the home at about 2 o'clock in the morning and said that he was going to kill me. He started to smash my face in to a wall. His sister then grabbed my dog. She got bit and he broke her arm. He was not unprovoked. He was doing his job. Even though he has been gone so long I can't afford to get him out of jail now. He doesn't deserve to die. He is a good dog. He has had a rough life. He just needs someone to understand. Thank you.

Mayor Henry asked Animal Control Officer Kimberly Mink to present her testimony.

Officer Mink said she has been an Animal Control Officer with the Nampa Police department for six years.

The last case that we had for this dog was what really initiated us putting a lot of puzzle pieces together. We had numerous dog bites in the area and there was a mysterious dog involved. The animal description was always very similar. Unfortunately, the victims were less than cooperative. Two of the reported bites were reported at the Maverick County Store on 12th Avenue Road and Lake Lowell. That was an indicator that obviously the dog had to live in the area. We could not make any other links to that. We never could find a dog at large so we just kind of reported the information and tucked it away for future reference.

However, the last bite did change things for us. We did have a victim that was willing to be a victim. We had a victim who was willing to tell us the whole story of what actually happened. The victim in this case happens to be Ms. Wyatt's significant other's sister. According to her there was a verbal altercation that was going on between Ms. Wyatt and her boyfriend. The verbal altercation was happening in the kitchen area. According to both Ms. Wyatt and the victim, the normal routine when this sort of commotion was going on at the residence is too escort the dogs into another room towards the other side of the apartment. The reason given for this was that they did not want to get the dogs agitated. This was normal process that had been done numerous times for a really tumultuous environment. So the sister according to Ms. Wyatt was doing a normal routine of escorting the dogs in area that was away from the commotion.

Special Council
June 2, 2016

According to Ms. Wyatt, that is when the dog decided to act out, biting the victim. This bite was significant enough that it actually fractured her forearm. This was not a bite and release. This was a bite, clamp down and shake violently. That is Ms. Wyatt's testimony.

The victim's testimony is somewhat different than that. The victim's testimony is such that as the verbal altercation was going on, the sister decided to go back to her bedroom. It appears that at that time, she was staying there with her brother and Ms. Wyatt. While she was in the confines of her bedroom, the dog came in to the bedroom which also was, I understand, a fairly normal thing. The dog would often times sleep with the sister in her bedroom. While the dog was in the bedroom, the victim reached down to grab the charger. The victim was sitting on her bed. She reached down to grab the charger. The dog snaps, reacts, grabs and latches on to her hand. The dog dragged her off the bed. The dog would not let her go. The bite caused enough pressure to fracture her forearm. That is the last case we had.

After that case, we did get further testimony from Troy Henderson who is Ms. Wyatt's significant other. He indicated that there many more bites. At that time, we started to put the puzzle pieces together. We were able to verify two other bites linked to the dog. I did find a "Spike". Those bites resulted in traumatic injury. One of the victims can no longer use her ring or pinky finger effectively. One of the bites also fractured bones in the victim's hand.

Once we stated to put all of the puzzle pieces together, we went over to the prosecutor's office and said this is what we got. Normally it is an easy case for us when we are talking about what we need to show for a vicious dog. Under state code it states any dog when unprovoked attacks another person and causes injury that is considered a vicious animal. It is laid out in our state code. I believe that it is also laid in our city code. It is one of the things that we use in determining a vicious dog when we have our vicious dog board hearings. We discussed it with the prosecutors and they agreed that at this time Ms. Wyatt should receive the charges for a vicious animal under Idaho State code and that we should impound the dog for our civil process of the vicious dog board hearing. We did do that. We impounded the dog at the West Valley Humane Society where the dog has remained since that date. I spoke with staff at the shelter today and they have not been able to interact with the dog because of his level of aggression. The vicious dog board determined that under Nampa City code, the dog met criteria for two parts of the code for being vicious. In order for us to proceed with deeming the dog vicious, they only need to meet one of the criteria of the Nampa City code. Do you have any questions for me?

Councilmember White asked if the dog was licensed.

Officer Mink said no.

Councilmember White asked if the dog was leash trained.

Officer Mink said she was not able to see the dog walk on a leash by anybody other than Ms. Wyatt.

Councilmember White asked if the dog was collared.

Special Council
June 2, 2016

Officer Mink said she didn't recall.

Councilmember White asked if where the dog was confined, fenced or tied up besides being confined in the house.

Officer Mink said there is no fenced in area at the apartment that Ms. Wyatt is currently on a lease. There is no kenneling, there is no other enclosure or containment other than being inside the residence.

Councilmember Skaug asked if Officer Mink had an opinion as to whether the dog was indeed vicious based on her experience, training, her investigation and her interview with the witnesses.

Officer Mink said that based on all of the testimony that she had heard and with her experience being an animal control officer for the last six years, the multiple dog bites that she had investigated or been a part of the investigation, she thought the dog was indeed vicious.

Councilmember Raymond asked what would the police department have done if there hadn't been a dog board.

Officer Mink said that if there was not a vicious dog board, Animal Control was still empowered to impound the dog through the criminal process. So Ms. Wyatt was charged with the vicious dog. One of two things would have been done. They could have gone through bond forfeiture where the courts would have been petitioned to release the dog to the Nampa Police Department based on the facts of the case. Or Nampa Police Department could encourage Wyatt to sign the dog over. The third option would be to see the process completely adjudicated and request that the judge have the dog turned over to the Nampa Police Department.

Wyatt said that Spike was trained. He wears a collar. His rabies shots and tag were expired. Wyatt said she is homeless and has been preoccupied. Spike is leash trained. He has a cable that he is placed on when he goes outside. He is not a dog at large. They are not able to prove that. She said there are many stray dogs in that neighborhood that fit his description, brown and white. She has had the dog since he was four weeks old. Wyatt said he has been her protector, her child, her everything. She stated they have never been a part in the last seven years.

She said it wasn't right that Spike was being accused of all of the other bites because her ex is being vindictive. She said her ex had got thrown out and tried to kill her. Her dog reacted. She said her dog was not vicious. He has had rough road. He was nearly beaten to death. He has some people trust issues. Wyatt was the one who pulled him out of that and tried to help him. She said she just didn't want him to die.

Councilmember Bruner said that what he was hearing Wyatt say was that the dog had never been free.

Wyatt said when she took him to the river or lake, she would take Spike off his leash and let him run. She said he had never been free around her house.

Special Council
June 2, 2016

Councilmember Bruner asked what Wyatt's other dog was. (Black lab.) He asked which dog was the dominate dog. (The lab.) He then asked Officer Mink if there were any challenges with the black lab. (No.)

Councilmember White asked Officer Mink if a dog were being vicious, aside from death, if there were other alternatives where organizations could rehabilitate the dog.

Officer Mink said she had heard of that with other agencies. That was not an option that the police department has ever pursued because once a dog is found vicious, it wouldn't be fair to pass that on to somebody else. She said there was an alternative to being put down. The owner needs to come into compliance with housing a vicious animal. There are very detailed instructions and time frames of what needs to be done which includes fencing, kenneling, signage and liability insurance. Once those requirements are met, the dog is released back to the owner and periodic checks are done.

Councilmember White asked the amount of the insurance policy was. (Minimum of \$500,000.)

Mayor Henry said that kind of insurance cannot be bought. No certificate of insurance will be issued on a dog that has bitten someone. There is one "free" bite and then you are canceled. The only way that they are issuing a certificate of insurance for \$500,000 is if the insurance company doesn't know there is a dog involved.

Officer Mink said that in order to have your dog released back to you, you must meet all of the requirements for housing which includes the insurance.

Mayor Henry said there are things that agents do that companies are not aware of.

Officer Mink said they wanted to have all of their ducks in a row. She said Wyatt has been convicted of dog at large previously

Councilmember White asked Wyatt if she would be able to get insurance, shots and license for the dog.

Wyatt said she couldn't afford it. Her landlord said she couldn't put up a seven-foot cage in the yard.

Councilmember White said she didn't doubt the dog was Wyatt's friend. She believed Wyatt when she said she didn't think her dog was viscous and was her protector. The dog has triggers and Wyatt had explained some of them. The dog was reacting aggressively. The Council will make a decision and if the vote is to have Spike put down, Wyatt would be doing him a favor because it would be done in a very gentle and humane way. She said that aggressive as he was, it could be hurt worse by having his head kicked or something very vicious done to him. It would be in the best interest of the most humane treatment that the dog would receive.

Councilmember Skaug said it wasn't an easy decision because someone is going to lose their pet. He said it was an easy decision regarding the evidence and said it was a vicious dog.

Special Council
June 2, 2016

Moved by Skaug and SECONDED by Bruner to uphold the decision made by the Vicious Dog Board which deemed the dog as vicious.

The Mayor adjourned the meeting at 5:53 p.m.

PASSED this 17th day of October, 2016.

MAYOR

ATTEST:

CITY CLERK

SPECIAL COUNCIL
Developer Reimbursement Policy and Hookup Fee Workshop
September 7, 2016

Mayor Henry called the meeting to order at 3:00 pm.

The Deputy Clerk made note that Councilmembers Raymond, Bruner, Levi, Haverfield, and Skaug were present. Councilmember White was absent.

Those also in attendance were: Public Works Director Michael Fuss, Executive Assistant Sheri Murray, City Engineer Tom Points, Deputy Public Works Director Nate Runyan, Staff Engineer Daniel Badger, Budget Analyst Jake Allen, and Payroll Specialist Brian Jensen.

Michael Fuss said that a few months ago Mayor and Council appointed some members to the Reimbursement Committee. JUB was hired to facilitate the process. The committee met three times.

Presenters

Michael Fuss ♦ Public Works Director

Lisa Bachman ♦ J-U-B Engineers – Facilitator

Brad Watson ♦ J-U-B Engineers – Reimbursement Policy

John Ghilarducci ♦ FCS Group – Hookup Fees/Cost of Service

Agenda

Topics, Agenda & Expected Actions ♦ Michael Fuss

Reimbursement Policy ♦ Brad Watson

Hookup Fees ♦ John Ghilarducci

Hookup Fees vs. Reimbursements ♦ John Ghilarducci

Summary ♦ Michael Fuss

Actions Expected Today

- **Reimbursement Policy**
 - Questions and Answers
 - Authorize to Move Forward with Draft Policy
- **Council Approval/direction**
 - Hookup Fees

- Timing of water rates

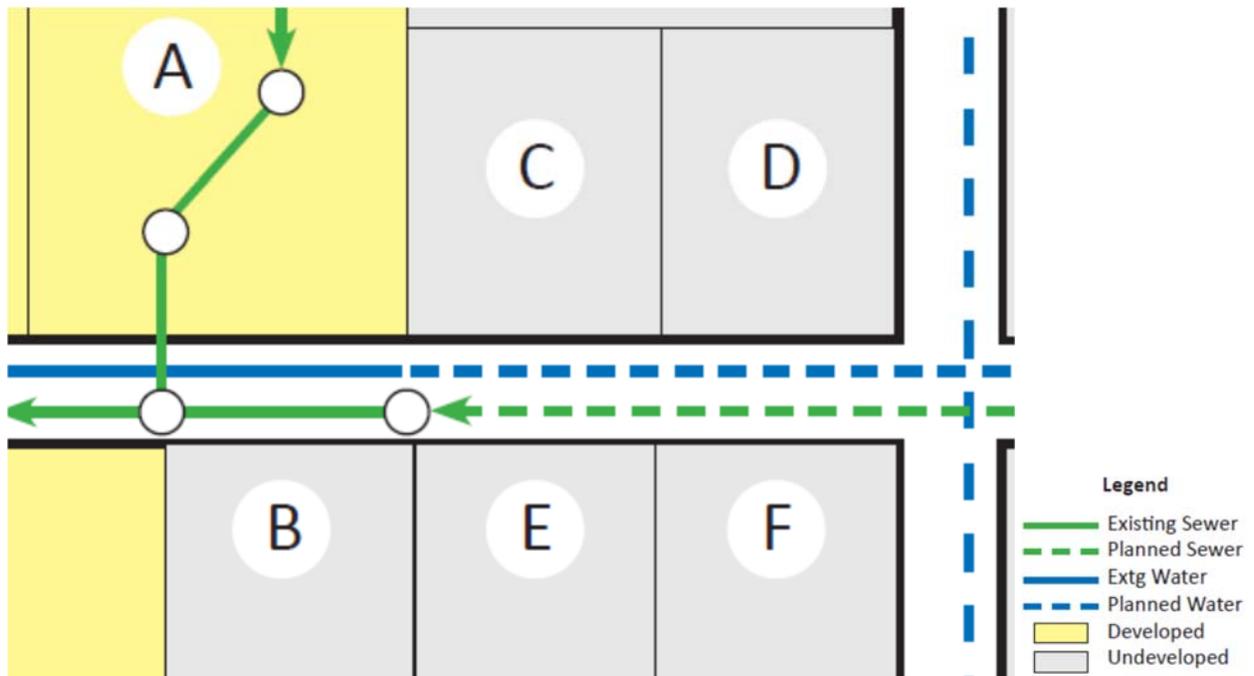
Reimbursement Policy

Background

- Existing Policies/Ordinance
 - Credit Policy (being practiced)
 - Latecomers (Ord. 8-1-26)
 - Existing Latecomers Agreements (There is only one, Birch Lift Station.)
 - Failed Example (When the City was taking over United Water.)
 - Current Demand for Policy
 - Other Agency's Policies

Reimbursement Policy

What is it? Why do we need it?



Brad Watson explained that developer “A” builds the sewer from the west property line to the east property line. He has paid for all of the sewer infrastructure. Parcels “B – F” will end up using that. In order to fair, Developer “A” will still pay their proportionate share of the capacity they are using. So will all of the future connections. They all will pay a proportionate share of the line.

Councilmember Haverfield said the “A” is picking up the full cost initially with a reimbursement model afterwards with the latecomer fees. (Correct.)

Reimbursement Policy Committee

Committee	Staff	J-U-B Engineers	FCS Group
Buck Jacobs	Michael Fuss	Lisa Bachman	John Ghilarducci
David Bills	Brian Jensen	Brad Watson	
Darl Bruner	Daniel Badger		
David Peterson	Nate Runyan		
John Cotner	Tom Points		
Larry Richardson	Vicki Chandler		
	Aaron Seable		
	Jake Allen		

Meeting #1 (late May)

- Committee’s Role, Process Overview
- Definitions and Goals
- Legal Parameters (Aaron Seable)
- What has already been examined
- Options Moving Forward
- Open Discussion & Establish Goals

Meeting #2 (mid-June)

- Agreement on Goals
- Types of Eligible Facilities & Costs
- Building Blocks for Policy Framework
- Timing and Process of Payments
- Establish Next Steps

Goals

- Consideration of Risk
- Legal
- Equitable
- Flexibility for Unique Situations
- Clear, concise
- Easily Administered
- Does Not Encourage Sprawl
- Transparent
- Equitable, Balanced

Meeting #3 (mid-July)

- Reviewed Draft Policy
 - Administration Fees (also application fees)
 - Timing of Reimbursement to Developer
 - Period of Agreements (10 years)
 - Notice to Benefitting Properties

City Staff Meeting

- **Process** – Who touches the process at what points and when?
- **Tools** – What tools are needed? New or updated?
- Interdepartmental concerns/potential issues/challenges

City Staff Follow-Up

- Identified Staff Costs (Engineering, Finance, Building, Legal)
- Identified Software Upgrade Costs & Timing
 - Program Setup Costs: \$13,700
 - Application Fee Cost: \$3,100
 - Agreement Maint. Cost: \$1,700 - \$3,300 (Depends on frequency of reimbursements; semi-annually or quarterly)

Councilmember Raymond asked where they anticipated the funds coming from for the expenditures (listed above). From the developer or the City?

Michael Fuss said the program setup costs were primarily for updating the building permit software. That would be a City fund. But the application fee would be a development fee that would be paid upfront. All are one-time setup costs. Each fee will be unique. The agreement maintenance cost would come out of reimbursements. The City would only have to up-front the program setup costs. It is a one-time fee. The worst case would be that it could rolled back into the reimbursement fees.

Mayor Henry said that the City would have to front the \$13,700 but as latecomers come along, the City will be reimbursed that too. (Yes.) I can't think of a good reason for the City to front that cost.

Michael Fuss said from a cash flow, the City would have to do it in the beginning and then get reimbursed.

Councilmember Haverfield said that whether it is a church, commercial development or residential development, it is a one-time cost for the developer or land tract of \$3,100.

Michael Fuss said yes and that the costs are all estimates.

Councilmember Haverfield asked who determined how big the geographical area is.

Michael Fuss said it would be based on the master plans, whether it is a water line or sewer line. Sewer is different. Sewer is going to be sewer based. The water will be ¼ mile each side of the water main that is installed, would be that geographic area. The reimbursement agreement is only for oversizing. It is the development's responsibility to get a water main and sewer main for just what they need specifically.

Councilmember Haverfield asked if a church on Cherry Lane that fronts the cost of water being extended to their property to fire flow, are they being reimbursed for the whole cost of that extension?

Michael Fuss said all developments would be responsible for what they needed specific for service. The reimbursement agreement is only for oversizing. Part of the rules are such that it is the development's responsibility to get a water/sewer main for what they need.

A small development would likely only need an 8" sewer main to get there. The City has master plans to maybe put in a 24" main. There is significant difference in cost between a 24" main and an 8" main as well as the depth. Those differential costs would be what would be available for reimbursement to the developer.

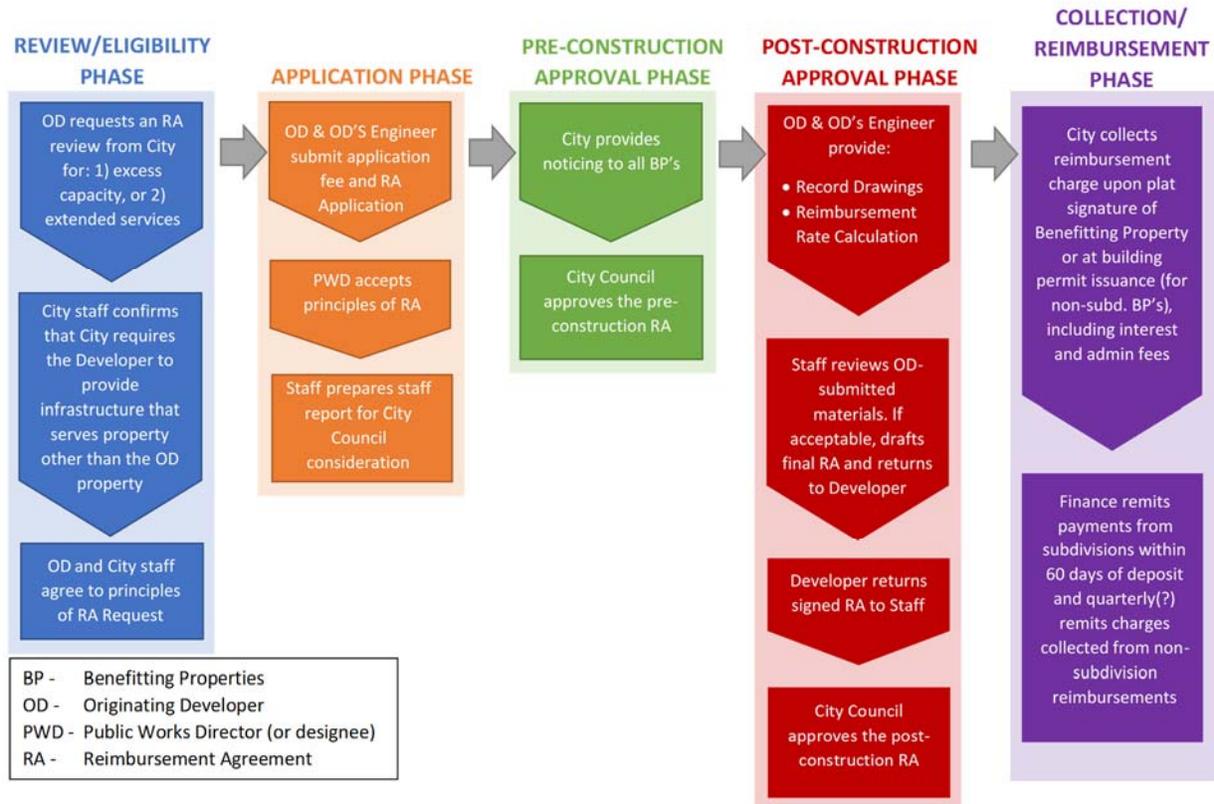
Definitions

- **Originating Developer** – Owner who pays for construction of new infrastructure that will benefit others.
- **Benefitting Property** – Properties that benefit or will benefit from infrastructure.
- **Benefit Area** – The total area which will benefit from new infrastructure capacity.

Councilmember Levi asked if it was retroactive. There are developers out there that are in process and they've already put up the money. Is this just moving forward?

Brad Watson said that item had not been specifically discussed yet. The discussion so far has been just moving forward.

Draft Policy (in Committee Mtg. #3)



Timing of Reimbursement Payments

- Developer's Request: within 60 days
- Staff Recommendation: quarterly or semi-annually to minimize staff time and cost to Developer.
- Estimated Staff Maintenance Cost (over 10-year term of agreement):
 - Quarterly = \$3,100
 - Semi-Annually = \$1,700

Major Phases of Process:

1. Review Eligibility
2. Application
3. Pre-Construction Approval
4. Post-Construction Approval

5. Collection/Reimbursement

Key Points of Draft Policy:

1. Applies to water, sewer and irrigation lines
2. Period of Agreement: 10 years
3. Benefitting Properties that are subdivisions pay at plat signature, not lot-by-lot building permit
4. Based on Originating Developer's actual costs

Draft Reimbursement Agreement:

Outlines Terms and Conditions

- Responsible Parties
- Term of Agreement
- Fees and Payment

Councilmember Haverfield said he wanted to make sure that he didn't have a conflict of interest because he had been working with a developer and they have up fronted quite a substantial amount of money to run water to their property in anticipation of this latecomer agreement being ratified. He brought this issue before city staff last year. This has been an ongoing issue that they wanted to get resolved. If Council has to make a decision on whether it is only new projects moving forward, Haverfield would have to recuse himself and not be able to participate. He just wanted it on record.

Councilmember Raymond said he was all in on the reimbursement request. He thought it was awesome compared to the credit policy back in the old days. There is no cost to the City. It is a pass through from the developer that is connecting on to a previous developer's work. It is simply an administrative thing. He wanted to encourage the Council to make sure they understood and not vote against it because they didn't understand. Based on what is being dealt with now, it is really easy. It is easy for staff to handle. He thought it was an awesome proposal. He wanted to encourage the Council to become really familiar with because it is a good policy.

Mayor Henry said they were trying to formalize something that had been in place for a long time, informally. We have been doing this for years. We just don't have a policy.

Michael Fuss said that there is an ordinance that said a policy would be created, that there would be a latecomer's agreement. The demand that we have today are developments that relied on the City creating a reimbursement agreement without a method to do so. We have worked with a group of developers to ask, what are the key pieces? What are the goals? We have defined that. The fundamental pieces haven't been defined. Throughout the discussion we looked at, should it be a part of the hook-up fee? Should it create a bigger hook-up fee? Should it create something else? What the best solution for the development community was, every development is its own agreement. It is an agreement between every individual developer. The difficulty with this, how much is this fee? It would be different for every development. It depends on how much

water line is put in. How much extra dollars did the developer put in? If you put a substantial off-site water line in, you can't get a dollar. You have to get an equivalent amount. That amount divided by the area defined the ¼ mile each way is how much the benefitting group would have to pay back as they develop in a ten-year time frame. Each one comes to an agreement. There are two steps to come to Council, first the initial step that says we have an agreement. Here is the estimated cost. And here is the final agreement that creates the reimbursement. Then there is a recording against all these properties so that at some point in the future, they know there is an additional cost that needs to be paid.

Mayor Henry said the developer would have incurred the cost regardless. In other words, if plot "A" hadn't put the line in, developer "C" would have had to have brought it in. Basically, the cost is the same to "C", it is just they are incurring the expense of putting it in themselves or are they reimbursing somebody who has already put it in. Correct?

Michael Fuss said not only that but developer "C" and "D" benefit because they don't have to put the money upfront. The risk is still on "A". Part of the City's concern was not taking on additional risk. I think the policy that we got coming forward doesn't put the City in the risk position.

Mayor Henry said he appreciated what Councilman Raymond was saying because this is the cost the developer would have incurred regardless. The question is, who are they paying? Are they paying the developer who went ahead of them or are they doing the work themselves? It is really not a new cost to them. That is a pretty important point.

Councilmember Haverfield said parcel "A" is developed. Parcel "C" decides to go ahead and develop his parcel. Is he not reimbursing "A" at all? (Yes.)

Michael Fuss said this does put risk in the appropriate place. "A" chose to go first whether there is an economic advantage or lower priced ground etc. He can wait for "B" to go and then pay his proportional share.

Councilmember Haverfield said that is exactly the choice my client made. It was to either go with on-site water suppression system or to go ahead and participate in extending the fire line for domestic as well to their property. Then the properties beyond them would be able to participate in developing their properties as well. They took the risk and the reward is that they can have a bigger building if they want it in the future. That was tough decision for them to have to make because they are a faith institution. If a commercial developer is looking at it, it is a little bit different because it is more of a revenue model, theirs is not. I just wanted to voice my concern as a potential conflict of interest.

Councilmember Raymond asked just to be clear, this has nothing to do with the water rate increase or hook-up fees? This is a stand-alone, on its own merits, no cost to the City?

Michael Fuss said it is an additional charge. It is paid by future development.

Mayor Henry said we are trying to come up with a policy that should have been created many, many years ago.

Councilmember Levi said she understood the concept and understands moving forward. I am thinking of a subdivision that we were asked to approve a couple of months back. They came back because they appealed our decision and they are waving these credits. How does that mesh if we move forward with this reimbursement? But what about the developers that have a credit coming to them? Or are these two totally separate issues?

Michael Fuss said they are creating a new contract with a new developer. We have existing contracts that we have to honor with the existing developers. Somebody is going to get caught in the middle. Our goal is to get the reimbursement policy as fast as we can, if Council is interested, so we can get as few people caught in the middle as possible. If we have existing obligations for credit policies, we know who they are and we will continue to honor that. Going forward, this will be the new process. As I like to say, developers are in the risk business. They choose to go when they choose to go for their personal reasons. They have to make a decision with what they know at that time.

Councilmember Levi said developer “A” comes in and puts the line in. He is taking the risk not knowing whether “B”, “C”, “D” if they are going to sell or not. He might be left holding the whole bag of what he has invested up until that ten-year period. (Correct.) So the new sites can come in within the ten-year development and then they pay the reimbursement. But if they come in ten years and one day after, they are free and clear. (Correct.)

Michael Fuss said the significant difference in the current reimbursement agreement we have with Birch, we have included no interest. So it just at cost. The costs we have shown are the costs to the City to do the effort. These are best estimates at this time.

Mayor Henry said the Birch agreement is going to stay in place. Nothing is going to change. So that agreement would fall under the Birch agreement. (Correct.)

Michael Fuss said if this policy were to be approved, a developer could pay a reimbursement payment, a Birch fee payment, a hook-up fee payment and then pay water and sewer bills.

Next Steps

- Development Community Outreach
- Public Meeting
- Legal Review
- Present to City Council for Adoption
- Implementation

Lisa Bachman said as Michael indicated she had been facilitating the process to get to this point, to develop this policy. So from here what we plan on doing is going out to the development community and presenting the draft policy and inviting them to a public meeting where we would do a presentation and go over the key points of the draft policy, get any input or concerns

that they had. Then we will update it, we will send it through for legal review. Ultimately, once we have a policy that we are comfortable with, we would present it to City Council for adoption. And that is if we get your blessing today to continue forward with this process. Then we would go into implementation. Once the policy is developed, it will take a couple of months' software upgrades etc. and things we talked about. Then the policy would go on to implementation from there.

Council

- Have we sufficiently explained the draft policy and process?
- Does Council have any changes?
- Was the process sufficient?
- Is there another stakeholder group that should be consulted?

Councilmember Haverfield asked if there were still issues with the software program that the Building Department has. Has that been rectified? I knew they had some firewall issues.

Michael Fuss said it had all been worked out.

Mayor Henry said we gave charge a while ago to formalize this. Basically, you are giving us an update. (Right.) I don't know if anything has changed with Council that we don't want you to go forward with this. Would you disagree with that, Randy?

Councilmember Haverfield said not at all. The public meeting that was mentioned, I thought it was said that we would be invited to that.

Lisa Bachman said you will be notified about it and are welcome to attend if you like.

Councilmember Haverfield asked if that was something they could attend.

Mayor Henry said it wasn't a public hearing. Aaron?

Aaron Seable said you want to avoid accidentally having four or more of you in a corner talking about something that will involve a decision you will be making in the future. If that happens you have to comply with the open meeting laws, post an agenda and do all those things. We may talk about that going forward but we will try and include some instructions about avoiding that. If that can be avoided, then there is no problem.

Requested Council Action:

- Acceptance of Draft Policy
- Authorize Staff to Move Forward

MOVED by Raymond and **SECONDED** by Bruner to direct staff to move forward with the process. The Mayor asked for a roll call vote with all councilmembers present voting **YES**.

John Ghilarducci presented the following:

Hookup Fees

Topics

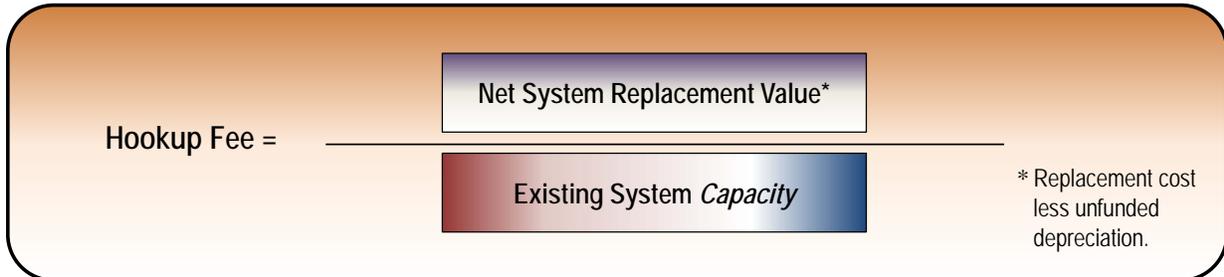
- Study Background
- Hookup Fees v. Reimbursement Agreements
 - Definitions
 - Similarities and Differences
- Hookup Fees
 - Summary of Results
 - Council Direction
 - Adopt
 - Change
 - Other
- Study to Date
- Cost-of-Service Water Rate Study
 - Domestic
 - Pressurized Irrigation
- Rates Adopted
 - % Increases
 - Rate Structure Changes
- Hookup Fees
 - Presented Options to Council
 - Committee Process

Hookup Fees v. Reimbursement Agreements

- Key Characteristics
- Hookup fees are one-time charges, not ongoing rates
- Properties which are already developed do not pay hookup fees unless they “redevelop”

- Hookup fees are for capital only, in both their calculation and in their use
- Most hookup fees (other states) include both existing *and future* cost components
- Hookup fees are for City–owned general facilities, not “local” facilities

Court-Directed Approach



Councilmember Raymond asked if the denominator was the existing accounts in terms of equivalent dwelling units or is it the capacity of the system. Those are two different numbers to me.

John Ghilarducci said they are. They are very different. It is the capacity. If the system is serving 10,000 users now, yet it is big enough to service 20,000, the denominator is 20,000. The users that CAN be served, not ones that ARE being served.

Features:

- Simple, straightforward
- Requires less information
- Likely under-recovers future costs
 - Regulatory changes
 - Capacity expansion
- Protects developers from wish lists

Reimbursement Agreements

- A reimbursement by Reimbursement Agreement is a pro-rata share of the cost of the “local” facility (line) that will serve the connecting customer *and*:
 - Was constructed by a developer
 - The developer has a reimbursement or latecomer agreement with the City of Nampa
- The amount to be paid by the connecting customer is defined in the agreement between the City and the initial developer
 - Paid in addition to hookup fees

- The City remits the amount paid to the initial developer as defined in the agreement
 - Reimbursement mechanism
- 10-year term

Hookup Fees v. Reimbursement

Similarities

- Reimbursement for capital investment
- Payment by development to be served
- Intended to represent only equitable share

Differences

- Hookup fees reimburse ratepayers
 - Governed by case law
- Reimbursements pay back initial developer
 - Governed by contract
- Hookup fees applied uniformly
- Reimbursements calculated individually

Hookup Fee Results

Hookup Fee: Domestic Water

- Existing hookup fee components
 - Source capacity fee: \$438 / connection
 - Distribution line fee: \$315 / connection
 - Total existing hookup fees: \$752 / connection
 - Separate from meter installation fees (service line fee, main construction fee)
- Updated hookup fee components
 - Base Portion: \$2,599 per EDU (equivalent dwelling unit)
 - 1 EDU = 294 gpd
 - Plus: Fire Portion: \$330 per EFU (equivalent fire unit)
 - 1 EFU = 1,500 gpm of fire flow requirement,
 - Minimum 1,500 gpm (1 EDU), maximum 2,600 gpm (1.73 EDUs)

**Updated hookup fees to replace existing source capacity fee and distribution line fee*

Hookup Fee Calculation: Domestic	Supply	Pumping	Storage	Transmission & Distribution	Fire Flow	General Plant	Total
Plant Replacement Cost [a]	\$ 9,923,907	\$ 2,206,519	\$ 4,804,942	\$ 66,396,118	\$ 96,936	\$ 11,157,927	\$ 94,586,349
less: Outstanding Debt Principal [b]	(308,462)	(68,585)	(149,351)	(2,063,771)	(3,013)	(346,819)	(2,940,000)
less: Unfunded Depreciation [c]	(2,047,272)	(606,722)	(483,208)	(11,289,868)	(28,320)	(4,062,254)	(18,517,644)
Cost Basis Before Fire Flow Allocation	\$ 7,568,173	\$ 1,531,212	\$ 4,172,383	\$ 53,042,479	\$ 65,603	\$ 6,748,854	\$ 73,128,705
<i>Allocation of Assets to Fire Flow Function</i>	\$ 1,351,460	\$ 273,431	\$ 1,630,587	\$ 5,698,242	\$ 65,603	\$ -	
<i>% Fire from Functional Allocation</i>	17.86%	17.86%	39.08%	10.74%	100.00%	0.00%	
Cost Basis After Fire Flow Allocation	\$ 6,216,714	\$ 1,257,782	\$ 2,541,797	\$ 47,344,236	\$ 9,019,322	\$ 6,748,854	\$ 73,128,705
plus: General Costs Split Proportionately	\$ 632,055	\$ 127,879	\$ 258,425	\$ 4,813,499	\$ 916,997	\$ (6,748,854)	\$ -
Total Cost Basis	\$ 6,848,769	\$ 1,385,660	\$ 2,800,222	\$ 52,157,736	\$ 9,936,318	\$ -	\$ 73,128,705
Base Fee Capacity Units [d]	24,313 EDUs	24,313 EDUs	24,313 EDUs	24,313 EDUs		24,313 EDUs	
Hookup Fee per Equivalent Dwelling Unit (EDU)	\$ 282	\$ 57	\$ 115	\$ 2,145	\$ -	\$ -	\$ 2,599.07
Fire Fee Capacity Units [e]					30,120 EFUs		
Hookup Fee per Equivalent Fire Unit (EFU)	\$ -	\$ -	\$ -	\$ -	\$ 330	\$ -	\$ 329.89

[a] Original costs inflated to current replacement costs using historical ENR-CCI. Includes contributed assets.

[b] 2012 Refunded Bond principal, allocated proportionally across functions by replacement costs.

[c] Deduction for accumulated depreciation on original costs

[d] Capacity estimates from 2012 Master Plan

[e] Capacity estimates weight EDU capacity for class specific fire flow requirements

Hookup Fee: Domestic Water	Base	Fire	General	Total
Plant Replacement Cost [a]	\$ 83,331,486	\$ 96,936	\$ 11,157,927	\$ 94,586,349
less: Outstanding Debt Principal	\$ (2,590,168)	\$ (3,013)	\$ (346,819)	\$ (2,940,000)
less: Unfunded Depreciation [b]	\$ (14,427,070)	\$ (28,320)	\$ (4,062,254)	\$ (18,517,644)
Distribution of Fire Costs (Base to Fire) [c]	\$ (8,953,719)	\$ 8,953,719	\$ -	\$ -
Allocation of General Costs	\$ 5,831,858	\$ 916,997	\$ (6,748,854)	\$ -
Total Cost Basis	\$ 63,192,387	\$ 9,936,318		\$ 73,128,705
Capacity Units [d]	24,313 EDUs	30,120 EFUs		
Hookup Fee per Unit	\$ 2,599.07	\$ 329.89		\$ 2,928.96

[a] Original costs inflated to current replacement costs using historical ENR-CCI. Includes contributed assets.

[b] Deduction for accumulated depreciation on original costs

[c] A portion of base assets (supply, pumping, storage, transmission/distribution) are upsized to provide fire flow

[d] Capacity estimates from 2012 Master Plan, EDUs weighted by fire flow reqs. to arrive at equivalent fire units (EFUs)

Residential = 1,500 gpm of fire flow; Non-Residential = 2,500 gpm of fire flow

1 EFU = 1,500 gpm of fire flow required

Hookup Fee: Irrigation Water

- **Existing hookup fee**
 - “Source capacity fee”
 - 1” service line = \$329
 - 1.5” service line = \$673
 - 2” service line = \$1,331
- **Updated hookup fee (FY 2016 implementation)**
 - Service capacity equivalent (SCE) Basis: **\$520 per SCE**
 - SCE factors based on American Water Works Association (AWWA) maximum continuous flow data
- **Updated hookup fee to replace existing source capacity fee*

Hookup fee calculation

Hookup Fee: Irrigation Water	
Plant Replacement Cost [a]	\$ 18,928,717
less: Outstanding Debt Principal	\$ -
less: Unfunded Depreciation [b]	\$ (2,708,538)
Total Cost Basis	\$ 16,220,179
Capacity Units [c]	31,210 SCEs
Hookup Fee per SCE	\$ 519.72

[a] Original costs inflated to current replacement costs using historical ENR-CCI. Includes contributed assets

[b] Deduction for accumulated depreciation on original costs

[c] Based on System Plan capacity data and AWWA flow factors (max cont. flow)

Fee applied to AWWA meter factors

Hookup Fee: Wastewater

	Existing Factors	AWWA Factors	Fee Schedule
1"	1.00	1.00	\$ 520
1 1/2"	2.05	2.00	\$ 1,039
2"	4.05	3.20	\$ 1,663
3"	n/a	6.40	\$ 3,326
4"	n/a	10.00	\$ 5,197
6"	n/a	20.00	\$ 10,394
8"	n/a	32.00	\$ 16,631

Hookup Fee: Wastewater

- **Existing hookup fee was calculated in 2012, prior to recent changes to the Idaho Code connection charge statute in February 2015 (NIBCA v. the City of Hayden)**
 - Replacement costs to be used instead of original costs
 - Future facility costs now excluded from cost basis

Hookup Fee Calculation: Wastewater	Flow	BOD	TSS	TKN	TP	TOTAL
Plant Replacement Cost [a]	\$ 106,545,483	\$ 30,157,571	\$ 28,568,838	\$ 34,275,779	\$ 317,174	\$ 199,864,845
less: Outstanding Debt Principal [b]	\$ (1,173,998)	\$ (332,299)	\$ (314,793)	\$ (377,676)	\$ (3,495)	\$ (2,202,261)
less: Unfunded Depreciation [c]	\$ (22,094,380)	\$ (8,021,788)	\$ (6,067,253)	\$ (9,292,230)	\$ (96,827)	\$ (45,572,477)
Total Cost Basis	\$ 83,277,105	\$ 21,803,484	\$ 22,186,792	\$ 24,605,873	\$ 216,853	\$ 152,090,107
Total Plant Capacities	7,465,909	19,126,000	17,027,250	2,584,200	509,905	
	ccf / year	lb / year	lb / year	lb / year	lb / year	
Hookup Fee Unit Costs	\$ 11.15	\$ 1.14	\$ 1.30	\$ 9.52	\$ 0.43	
	per ccf	per pound	per pound	per pound	per pound	

[a] Original costs inflated to current replacement costs using historical ENR-CCI. Includes contributed assets.

[b] Existing debt to be allocated proportionally among asset base.

[c] Deduction for accumulated depreciation on original costs

Class	Example Customers	2012 Study (per EDU*)	Updated Fee (per EDU*)
SE1	Dry cleaners, laundromats, car washes	\$2,089	\$1,992
SE2	Residential, retail stores	\$2,888	\$2,601
SE3	Hospitals, schools, churches	\$3,354	\$3,039
SE4	Food markets, sit-down restaurants	\$3,821	\$3,477
SE5	One identified in Nampa	\$5,084	\$4,302
SE6	Bakeries, dairies, drive-thru restaurants	\$5,900	\$5,067
SE7	Special permit	\$7,065	\$6,161
Industrial	Large industrial customers		
• Flow (per mgd)		\$4,856,270	\$5,442,948
• BOD (per lb / day)		\$383	\$416
• TSS (per lb / day)		\$567	\$476
• TKN (per lb / day)		\$2,943	\$3,475
• TP (per lb / day)		\$19,250	\$155

Hookup Fee Comparison

Rate Survey: Hookup Fees ¹				
Agency	Water		Waste-water	Total
	Domestic	Irrigation		
City of Pocatello	\$ 3,210	\$ -	\$ 3,190	\$ 6,400
City of Nampa (recommended)	\$ 2,929	\$ 520	\$ 2,601	\$ 6,050
City of Meridian	\$ 2,204	\$ -	\$ 3,654	\$ 5,858
City of Nampa (alternative)	\$ 2,500	\$ 520	\$ 2,601	\$ 5,621
City of Nampa (existing)	\$ 752	\$ 329	\$ 2,888	\$ 3,969
City of Caldwell	\$ 1,873	\$ -	\$ 1,969	\$ 3,842
United Water (Boise) / City of Boise	\$ -	\$ -	\$ 3,575	\$ 3,575
City of Twin Falls	\$ 1,261	\$ -	\$ 458	\$ 1,719

¹ Residential customer; smallest service size assumed

Michael Fuss said staff had been working with the building community on the reimbursement agreement. We have been working with the City attorney and their attorney and have really had no input.

Council Action

- Adopt Hook-up Fees as presented effective November 15, 2016
- Adopt Hook-up Fees as presented in two stages: 50% November 15, 2016 and 50% October 1, 2017
- Adopt Hook-up Fees in some other amount effective November 15, 2016 and increase water rates accordingly

Councilmember Haverfield asked about the reimbursement policy committee and whether they were involved in the hook-up fees as well so there was some builder representation in determining the rates.

Michael Fuss said the hook-up fees were established in the Cost of Service Study. The information was brought to them but they weren't involved in the Cost of Service Study.

Councilmember Haverfield said that this was new to them as well, then.

Michael Fuss said the number has not changed since March or April when this was presented at the first of the year. They have all received the initial powerpoint. Their attorney had received the original proposal. They have the same information. There is nothing changed in the hook-up fee methodology. It is a calculation based on a court case.

Councilmember Haverfield said it is a wait and see position for them to see what we are going to be doing.

Michael Fuss said the other thing to note is what we are going today is that we have passed a FY2017 budget. We have master plans in place. If we do nothing, based on our current rates and current hook-up fees, we have about \$9 million in fund balance. We will reach a minimum fund balance prior to 2019 if we continue to go forward at the master plan rate.

Councilmember Raymond asked Michael Fuss if he had any information about what the line might look like if we were to implement the second alternative (Adopt Hook-up Fees as presented in two stages: 50% November 15, 2016 and 50% October 1, 2017.)

Michael Fuss said all alternatives assume that over three years, all 18% are included.

Councilmember Raymond asked if it still would be bottoming out with the three years at 18%.

Michael Fuss said they already adopted one 18%. The proposal is to adopt two. If we were to adopt some other number in hook-up fees, then 18% is no longer valid. It is like pushing a balloon. If you don't get a hook up fee, then you have to raise rates.

Mayor Henry said that is probably a point that needs to be made. These are enterprise funds and we either need to take care of future needs from rates. If we keep hook-up fees artificially low,

then the rates need to be brought up higher. There may be some people in the audience today that think that development should pay for itself as much as possible. We probably should look very carefully at hook-up fees with new development.

Councilmember Skaug said they have brought us a good presentation with objective methodology. It is just not numbers pulled out of the air which happens sometimes in City government. This hook-up fee change is needed and is needed soon from what I see is presented.

MOVED by Skaug and **SECONDED** by Bruner to adopt the hook-up fees as presented effective November 15, 2016. The Mayor asked for a roll call vote with Councilmembers Haverfield, Bruner and Skaug voting **YES**. Councilmembers Raymond and Levi voting **NO**. The Mayor declared motion carried.

Water Rate Adjustments

Summary of Rate Scenarios

		Baseline: 3-Year Phasing (Flat)										
		FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Domestic Rate Increase [a]		0.00%	18.00%	18.00%	18.00%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%
	Bi-Monthly Residential Bill	\$ 22.45	\$ 26.49	\$ 31.26	\$ 36.89	\$ 38.55	\$ 40.28	\$ 42.09	\$ 43.99	\$ 45.97	\$ 48.04	\$ 50.20
	Δ From Prior Year	\$ -	\$ 4.04	\$ 4.77	\$ 5.63	\$ 1.66	\$ 1.73	\$ 1.81	\$ 1.89	\$ 1.98	\$ 2.07	\$ 2.16
Irrigation Rate Increase [b]		0.00%	21.25%	21.25%	21.25%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%
	Annual Residential Bill	\$ 77.10	\$ 93.48	\$ 113.35	\$ 137.44	\$ 143.62	\$ 150.08	\$ 156.84	\$ 163.89	\$ 171.27	\$ 178.98	\$ 187.03
	Δ From Prior Year	\$ -	\$ 16.38	\$ 19.87	\$ 24.09	\$ 6.18	\$ 6.46	\$ 6.75	\$ 7.06	\$ 7.38	\$ 7.71	\$ 8.05
[a] Assumes 14 ccf of bi-monthly usage (residential average)												
		Alternative A: 3-Year Phasing (Declining)										
		FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Domestic Rate Increase		0.00%	23.50%	18.00%	12.00%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%
	Bi-Monthly Residential Bill	\$ 22.45	\$ 27.73	\$ 32.72	\$ 36.64	\$ 38.29	\$ 40.01	\$ 41.82	\$ 43.70	\$ 45.66	\$ 47.72	\$ 49.87
	Δ From Prior Year	\$ -	\$ 5.28	\$ 4.99	\$ 3.93	\$ 1.65	\$ 1.72	\$ 1.80	\$ 1.88	\$ 1.97	\$ 2.05	\$ 2.15
Irrigation Rate Increase		0.00%	28.00%	21.00%	14.00%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%
	Annual Residential Bill	\$ 77.10	\$ 98.69	\$ 119.41	\$ 136.13	\$ 142.26	\$ 148.66	\$ 155.35	\$ 162.34	\$ 169.64	\$ 177.28	\$ 185.25
	Δ From Prior Year	\$ -	\$ 21.59	\$ 20.72	\$ 16.72	\$ 6.13	\$ 6.40	\$ 6.69	\$ 6.99	\$ 7.31	\$ 7.63	\$ 7.98
		Alternative B: Front-Loaded										
		FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Domestic Rate Increase		0.00%	47.00%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%
	Bi-Monthly Residential Bill	\$ 22.45	\$ 33.00	\$ 34.49	\$ 36.04	\$ 37.66	\$ 39.35	\$ 41.13	\$ 42.98	\$ 44.91	\$ 46.93	\$ 49.04
	Δ From Prior Year	\$ -	\$ 10.55	\$ 1.49	\$ 1.55	\$ 1.62	\$ 1.69	\$ 1.77	\$ 1.85	\$ 1.93	\$ 2.02	\$ 2.11
Irrigation Rate Increase		0.00%	58.00%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%	4.50%
	Annual Residential Bill	\$ 77.10	\$ 121.82	\$ 127.30	\$ 133.03	\$ 139.01	\$ 145.27	\$ 151.81	\$ 158.64	\$ 165.78	\$ 173.24	\$ 181.03
	Δ From Prior Year	\$ -	\$ 44.72	\$ 5.48	\$ 5.73	\$ 5.99	\$ 6.26	\$ 6.54	\$ 6.83	\$ 7.14	\$ 7.46	\$ 7.80

Michael Fuss said water rates were presented earlier in the spring with Council and three 18% increases were looked at. The cost of service has not changed. The projects have not changed. They escalate over time. This was done on purpose. When the cost of service study and the master plans were done, we looked at a way to step through this. The original increase would have jumped us significantly the first year. The master plans have been pushed out. We know that Council took a difficult step at the first of the year

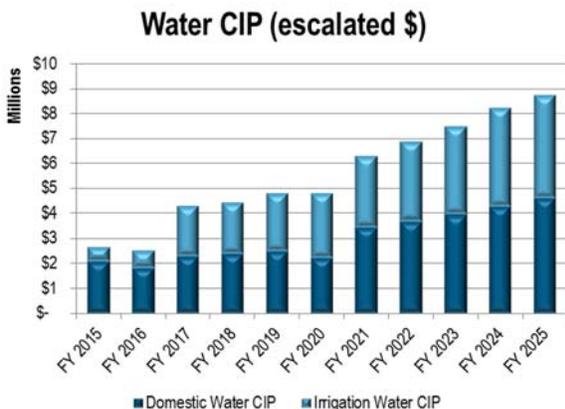
and took 100% of the irrigation increase. What I can also assure you is that the irrigation water quality improvements are already complete and serving customers. The well is in at the new Vallivue High School and serving its customers. The well was drilled at the new park. So we are prepared for growth out to the west at the Midway Park. It is now used at a smaller level to serve the park but it is there and has good water quality. We have our master plan improvements in the works. We hired a new city engineer. Tom Points is committed to finding all projects that are on the master plan and completing them in FY2017. In the past we had difficulty getting projects done but he already has a plan to get the projects done in the next year. We will be burning these dollars quick to meet the needs of the community. These are needed for providing continuous service and for providing economic development to the community.

The Council looked at it as: is it a single increase? Is it multiple increases? Or is it three 18% increases? We can't make that decision today. It takes another public hearing. The question that we have is, when would you like us to move forward? Or would you not like us to move forward? That is the question. If we were going to continue to do these projects and meet our masterplans and not get below zero, we have to continue to perform.

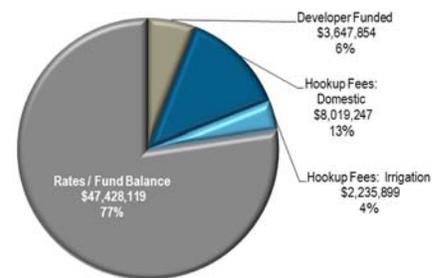
Councilmember Levi said that one of the questions that I raised in January when this was first brought forward was when we come back to revisit this, if you could bring me numbers as to what that 18% increase has brought in and where are we with that as far as the projects that need to be done. Do you have that information?

Michael Fuss said he could certainly have it for the public hearing.

Capital Forecast



Capital Funding Strategy (FY 2015 - FY 2025)



- \$61.3 million in capital projects from FY 2015 – FY 2025
- Domestic: \$33,443,275

- Irrigation: \$27,887,843
- The City is expected to rate-fund $\approx 77\%$ of the planned projects (in addition to expected hookup fee revenue)

COSA Scenario (SFR 3-Tier): Rate Schedules

- **Bi-monthly fixed charges**
 - Based on meter size (charges increase for meters > 1")
- **Volume charges**
 - Residential
 - Block 1: 0 – 700 cf
 - Block 2: 701 - 1,400 cf
 - Block 3: > 1,401 cf
 - Non-Residential
 - All usage at same rate

Residential	2016	2017	2018	2019	2020
Fixed	Bi-Monthly Fixed Charge				
5/8"	\$ 15.88	\$ 18.04	\$ 20.50	\$ 21.43	\$ 22.39
3/4"	\$ 15.88	\$ 18.04	\$ 20.50	\$ 21.43	\$ 22.39
1"	\$ 15.88	\$ 18.04	\$ 20.50	\$ 21.43	\$ 22.39
1 1/2"	\$ 23.05	\$ 26.20	\$ 29.77	\$ 31.11	\$ 32.51
2"	\$ 33.96	\$ 38.59	\$ 43.86	\$ 45.83	\$ 47.89
Volume (2-Tier)	\$ / ccf				
Allowance n/a	\$ -	\$ -	\$ -	\$ -	\$ -
Block 1 0 - 700	\$ 0.46	\$ 0.53	\$ 0.60	\$ 0.63	\$ 0.66
Block 2 701 - 1400	\$ 0.81	\$ 0.92	\$ 1.05	\$ 1.10	\$ 1.15
Block 3 1401 -	\$ 1.05	\$ 1.19	\$ 1.35	\$ 1.41	\$ 1.48

* Rate multiplier of 2.0 applied to all outside city customers

Non-Residential	2016	2017	2018	2019	2020
Fixed	Bi-Monthly Fixed Charge				
5/8"	\$ 16.55	\$ 21.68	\$ 28.40	\$ 29.68	\$ 31.02
3/4"	\$ 16.55	\$ 21.68	\$ 28.40	\$ 29.68	\$ 31.02
1"	\$ 16.55	\$ 21.68	\$ 28.40	\$ 29.68	\$ 31.02
1 1/2"	\$ 23.77	\$ 31.15	\$ 40.81	\$ 42.65	\$ 44.57
2"	\$ 34.19	\$ 44.80	\$ 58.70	\$ 61.34	\$ 64.10
3"	\$ 76.96	\$ 100.83	\$ 132.11	\$ 138.06	\$ 144.27
4"	\$ 107.40	\$ 140.72	\$ 184.38	\$ 192.68	\$ 201.35
Volume	\$ / ccf				
Allowance n/a	\$ -	\$ -	\$ -	\$ -	\$ -
Block 1 all usage	\$ 0.82	\$ 1.08	\$ 1.41	\$ 1.47	\$ 1.54

* Rate multiplier of 2.0 applied to all outside city customers

Next Steps

- **Concurrence on Water Rate Increases**
- **Schedule Public Hearing**
- **Questions & Answers**

MOVED by Bruner and **SECONDED** by Haverfield to proceed with the public hearing. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the motion as carried.

The Mayor adjourned the meeting at 4:20 pm.

Passed this 17th day of October, 2016

MAYOR

ATTEST:

CITY CLERK

SPECIAL COUNCIL
Local Improvement District (LID) Workshop
September 22, 2016

Mayor Henry called the meeting to order at 9:00 am.

The Deputy Clerk made note that all Councilmembers were present.

Staff members that were also present were Public Works Director Michael Fuss, Finance Director Vikki Chandler, City Attorney Mark Hilty, Staff Engineer Daniel Badger, Economic & Community Development Director Beth Ineck, Economic Development Assistant Director Robin Collins, City Engineer Tom Points, Public Works Executive Assistant Sheri Murray, Senior Plans Examiner Jim Brooks, Community Planner Karla Nelson, Budget Analyst Jake Allen, Right of Way Tech Peter Nielsen and City Treasurer Deborah Spille.

Michael Fuss said that the City of Nampa probably does more LIDs than any city in the state. The first LID in Nampa was in 1906 for LID #1. Today, to put it into perspective, we are on LID #160. We haven't used every single number.

Today, we are going to be asking for some direction on LIDs in general. They we will have discussion on sidewalks.

Speakers:

- Vikki Chandler
- Michael Fuss
- Mark Hilty
- Daniel Badger

Agenda:

- Finance's Position
- Direction of LIDs in General
- Specific Directions for 2017 Sidewalk LIDs

Financial Investment

- City Investment is now \$506,276 in LIDs
- It is long-term
- there should be a maximum – perhaps \$3MM

Vikki Chandler said this is a parameter that you should keep in mind as Council hears the reset of the presentation.

Finance and County Certification

- Commissioners vote annually about certifying delinquent LIDs
- Lacking certification, Council could seek judicial declaration

When the County certifies a tax lien, it becomes a part of the semi-annual property tax bill. Mortgage companies will adjust the payments that are paid into escrow accounts and the tax liens are paid off at a regular rate or else the property may be foreclosed. With certification, it becomes a part of a regular payment schedule.

Last year was the first year that we sent the long standing, delinquent LIDs that we had on hand to the County. The County refused to certify for us. Our legal team tried to negotiate with their legal to explain to them our position about the state code that it was appropriate for them to certify but they didn't make much headway. Since the County had already previously certified for other municipalities, we figured that maybe they just didn't like doing it for the long standing delinquent LIDs. This year, we sent over our current delinquent LIDs. They will be voting on that in October. They vote every year to certify the LIDs. If they refuse again to certify them in October, we would recommend that Council would direct our legal team to seek a judicial declaration that would affirm that our County Commissioners should certify the LIDs.

Councilmember Raymond asked what certify meant.

Vikki Chandler said certify means that it becomes a part of their bill and they would actually receive it as a part of their tax bill. It does mean that if they don't pay it, they could be foreclosed on within that period of time. Our legal team will be discussing this a little bit more in depth regarding the state code. But it could definitely mean foreclosure. What it does is that it puts it in front of the property owner and helps them to recognize that it is a bill needs to be paid. Short of that, they receive a notice when we place the lien on the property. They might get an annual notice as well for every year that we are placing that lien. But until it becomes a part of their tax bill, there is no incentive.

Councilmember Raymond said that would stop by adopting an LID or approving an LID, the County automatically did what you are talking about.

Vikki Chandler said that they don't automatically. They get to vote every year on certifications.

Councilmember Haverfield said that lacking the certification, you talked about a possibility of a judicial declaration after October of this year. Would it behoove us to wait after Councilmember White becomes Commissioner White? Knowing that there is going to be a change in the voting possibilities over there?

Vikki Chandler said that is an opportunity that you could wait for. It would still require 2/3 of them to agree. It would also likely require perhaps a change in the legal team's perspective of what they would recommend. Although the Commissioners are certainly free to determine how they will vote.

This is the Finance Director's recommendation, one that we would like you to pursue.

Councilmember White asked what the average amount of the delinquencies were and the average length of time they were delinquent. Some could be delinquent 28 years and some could be delinquent 18 months. Do you have an idea?

Vikki Chandler said that they had one that was almost 20 years. It is really astounding that people are able to ignore for such a long time. And it is because we have never foreclosed on a property. Part of that is because the amount is truly not significant. Right now, we have 58 delinquent LIDs. The total amount is about \$65,000 which includes the penalties.

Last year, when we found the challenge to certify, we gave people an opportunity to come forward and pay the delinquent LID. And we offered them a reduced amount. We were willing to forgo the penalty. We had 20 or so that came in that time. Since then they have been replaced by more current delinquencies because we had almost the same number at that time. So the more current ones are those that haven't paid even the first year.

Mayor Henry said that one of the issues on this and a reason I am not sympathetic is that these are all voluntary LIDs.

Councilmember Haverfield asked if that was a true statement. The way that I understood it when I read up to 60% is all that is required to grant the LID.

Mayor Henry said no. It is all voluntary. We have no forced LID on sidewalks. Is that an accurate statement?

Vikki Chandler said we are not only talking sidewalks as far as the current LIDs. When a person is delinquent, they could be delinquent on their sewer or on their water.

Mayor Henry asked, on their sewer or water LID?

Vikki Chandler said yes. On the current situation of the LIDs that we have delinquent, it could any kind of LID.

Councilmember Haverfield said that was his point. When I read through this, it stated that it takes at least a majority of the people that would be affected by the LID to buy into it to allow it to proceed. So there is going to be up to 40% that might not have agreed to it. And they are probably the delinquent ones at this point.

Vikki Chandler said we don't have any forced LIDs. We have never had forced LIDs.

Daniel Badger said that is not correct.

Vikki Chandler said but they are not part of the delinquencies, correct? (Correct.)

Mayor Henry said what Vikki is talking about is the delinquency issue. My point is that delinquency issue is on voluntary LIDs which they signed up for. The ones that agreed to it aren't paying.

Councilmember Haverfield said my point is that not everybody might not be in agreement with the LID. And that is why they are probably holding out.

Mayor Henry said they are holding out. The ones that didn't agree aren't a problem. This is all people that have signed up, correct me if I am wrong.

Councilmember Haverfield said, this morning we are talking about sidewalks.

Mayor Henry said that when Vikki is done, we are going to get into sidewalks. Vikki is talking about delinquencies. Delinquencies are the issue. The delinquent property owners are people that voluntarily agreed to participate in an LID.

Councilmember Haverfield asked if the primary percentages were residential or commercial in nature. (Residential.)

Finance and Leveraging

- Foreclosure – Last resort leverage

Vikki Chandler said it was important for Council to recognize no one is interested in foreclosing on a home for the amount of an LID. But if the County will not certify and a homeowner won't pay, then Finance recommends that Council affirm its authority to foreclose on property that has a delinquent LID. It would probably only take one. People need to recognize that is your authority. That is what they are signing up for. You need to be willing to do this if we are going to move forward with LIDs. These are the critical points that I would like you to keep in your arsenal and in the front of your mind this morning especially in recognizing your fiduciary responsibility.

Our attorney, Mark Hilty, is ready to discuss more specifically what that amounts to.

Mark Hilty explained the legal description of what a Local Improvement District was with state statutes.

They come before Council frequently and Council could hear a Resolution with intention to create and LID; a protest hearing; Confirmation of Assessment Roll; Ordinance Creating an LID. Those are all statutory steps.

LID Background

What is a Local Improvement District or "LID"?

An area that a City Council determines should be benefited by a public improvement and the improvement is financed by the City and repaid by the owners of benefited properties. See Idaho Code §50-1701 et seq.

Mark Hilty said to think of an LID in terms of private property being benefitted by a public improvement. There is a financing component where the City gets involved in establishing financing but the homeowners are the ones that repay it.

What is a "public improvement?"

Under Idaho law LIDs are available to finance the construction of a broad range of infrastructure: Streets, water systems (domestic, sewage, irrigation, storm water), off street parking, parks and recreation facilities and more. Private property must derive a benefit from the public improvement to be included in the LID.
Idaho Code §50-1703 et seq.

Mark Hilty said that you are not limited to right-of-way.

Councilmember Haverfield asked if it was only properties abutting the improvement. (No.) So it can be properties a mile away.

Mark Hilty said yes. Theoretically, you could build a park and determine that properties within a mile of that park would benefit from it being there. Then you would charge those properties.

How are LIDs created?

Initially, by a petition signed by 60% of the resident owners or 2/3 of the owners of property subject to assessment within the proposed LID; or

By a resolution of intention of the City Council adopted by a majority of the members of the full Council. Idaho Code §50-1706

LIDs are formally created by a City Council ordinance after notice and a hearing

Councilmember Raymond asked if you get 60% or 2/3 approval, does that force the Council to approve the LID? (No.)

Forced or Voluntary?

Forced is not a legal concept. It is a political concept. It has to do with the attitude of the person who gets involved in the district. Do they feel like they were forced in or was it voluntary? You can 60% come forward with a petition and you can have 40% come forward on the same hearing and say they don't want it. If Council goes ahead and forms the LID (which they don't have to), you have 60% who say it was voluntary because it was their idea and 40% say they were forced because they didn't want it. In every LID, you will have people who feel like they were forced into it. It has to do with the perception of the individual.

When you talk about a forced LID, what we refer to are those ones that are initiated by Council resolution.

Councilmember Haverfield said that those who might not want to pay anything out but would love to benefit from the improvement ...It is not like you are going to go disjointed and go improvement, no improvement, improvement on down the line. Those people are going to see an improvement in front of their property, are they not?

Mayor Henry said no, not on sidewalks.

Councilmember Haverfield said but we are talking about more than sidewalks.

Mark Hilty said he was talking in very general terms.

Mayor Henry said the reason we are having this meeting is because of sidewalks. There are all kinds of LID stuff that we could talk about. Our emphasis is going to be on sidewalk LIDs.

How does LID financing work?

Properties are assessed by the City for a share of the improvement cost that corresponds to the benefit the property receives. Idaho Code §50-1712

Assessments may be paid in full or deferred, with interest, for repayment over a maximum of 30 years. Idaho Code §50-1715

The assessment is a lien on the property with special legal priority. Idaho Code §50-1721 (The LID lien comes in right in after property taxes. It comes ahead of the mortgage which is a huge leverage.)

City may sell bonds to finance LID improvements. The bonds are repaid from assessments and NOT a general obligation of City except as to collection. Idaho Code §50-1722 and 1723; Cruzen v. Boise, 58 Idaho 406 (1937)

Councilmember Levi asked if it applied whether it was voluntary or forced. (Yes.)

Councilmember Raymond asked how the property owner pay bonds back. Does it go through the City? Is it the same as the certification with the County?

Mark Hilty said yes. The money is collected into a bond fund. The bond fund repays the bond holders.

Councilmember Raymond asked if the amount collected from the resident by City in the same manner as a conventional LID? Are we back with the certification?

Mark Hilty said yes AND as stated above, “the bonds are repaid from assessments and NOT a general obligation of City.” Bond holders take the risk that they won’t be repaid. But the City does have an obligation to collect. If you are going to sell bonds on the private market and use that financing tool, use private money, you better be prepared to foreclose if somebody doesn’t pay.

What if the owners don’t pay their assessments?

“[T]he council may certify delinquent installments to the tax collector, and when so certified they shall be extended on the tax rolls and collected as are property taxes.” Idaho Code §50-1715

Here is the problem that we got into with the County on this. There is a statute in the tax code that talks about the process by which the County Commissioners actually put stuff on the property tax rolls. We have special assessments that City can make for code enforcement type issues. It is a different statute; it is not an LID. It is the City going out and paying money to bring property into compliance with code. Ultimately, the City has to go do that. We send that figure, whatever it is, to the County and it goes on the tax rolls. Then it is due the following year. It is not a financing issue. They have to pay it.

The County will certify that kind of item because under that statute, that is the only way to collect. Under LIDs, you can foreclose. The County is saying that they can't meet our statutory requirement because this is not the only way we have to collect on the LIDs. We have other options for collection.

There is a way that the County can cooperate with us if they want to. I agree with Councilman Haverfield that we need to have that discussion with the County Commissioners when there is a change. Collecting these through the tax rolls is really a good benefit for the City to the extent that you are going to use these LIDs. They are a powerful tool particularly where you start to look at the universe of having private investors, banks coming in to buy the municipal bonds, getting the advantage of the tax free part of that. There is more that can be done. They do create problems at City finance level but they are a powerful tool when you look at it from an infrastructure finance standpoint.

Councilman Skaug said the Commissioners only look at this one time a year, don't they? (Yes.) So if we defer until the new election, they we are waiting clear until the next October. Correct?

Mark Hilty said they are going to decide next month.

Council Skaug said if we are going to take action, we would need to do that soon.

Mark Hilty said let me make sure we are clear on the timing. If we file a declaratory judgement action today, they don't have to respond for 20 days. And then we get into potentially some motion practice on it. We wouldn't have a decision out of the court for several months. They are going to do whatever they are going to do this year. We don't have recourse from a legal standpoint to address it this year. If we got this legal process started this year, we would have a resolution by next year. It is worth waiting to talk to new Commissioners. If there is a legal problem, I think there is a way through that.

Councilmember White said that in regards to the Commissioners certifying, Vikki Chandler said that they had done it for other cities. It has been done, they just won't do it for Nampa. That is accurate to say. They have done it, but they won't do it regarding our requests.

Mark Hilty said it is a new policy within the last two or three years. It is not just Nampa. They are treating Nampa and Caldwell the same way.

Mayor Henry asked if it is certified and it goes against their property, how is it collected? I know in abatement, it 100% next year. But how is the certification different?

Mark Hilty said that Vikki Chandler is certifying to the County Commissioners that “this person owes this amount of money this year on this LID”. What the Commissioners would do every year is they would take whatever is owed for that year and they would put it on the tax rolls. Eventually it works its way to the mortgage company. For most people, you pay your principal and interest. Then you pay your taxes and insurance on top of that. You pay that monthly. Then your mortgage company collects that and sends the check to the County for taxes. The mortgage company is going to pay and then they will say that the LID showed up last year and you have to pay that. Instead of having a house payment of \$800.00, it will be \$ 950.00 for example.

Councilmember White said they can appeal their tax assessments. If it becomes certified, is there a place where the homeowner can sit down and plead their case? Is that available to them? Do you know?

Mark Hilty said initially if you owe money to someone, you can always go and talk to them. From a legal standpoint, once the LID is formed, you have 30 days to challenge it if you don't like it. If you don't, there is no challenging. The reason for that is because it contemplates that they are going to be bonds sold to private investors. You don't want the private investors investing money and then later a property owner coming back and saying, the City didn't do this or that etc. and it shouldn't have been formed. Those are not risks that the legislature will be willing to pass along to the bond investors. Once the City Council creates the LID, there are 30 days to fight about it. If you don't, it is what it is. There is no going back. There is no legal recourse.

Councilmember Levi said reading through the presentation, it says that they have over a maximum of 30 years. If I remember correctly Vikki was talking about some of these being delinquent for 10 years. Now moving forward, if they were certified, why would we do that before the 30-year period? And then secondly, would that amount whether it is \$1000 or \$2000 be spread out over the 12-month period?

Mark Hilty said the terms of repayment of the bonds are established by the City Council in the ordinance. The 30-year period means that is the maximum period of time that you could allow for repayment. It can be less. The City establishes the repayment terms at the time the LID is formed.

Councilmember Skaug asked if the County Commissioners gave a reason for the non-certification.

Mark Hilty said they did. It had to do with the statute that said “County Commissioners shall place on the tax rolls those charges certified by other jurisdictions where that is the only mechanism for collection.”

Councilmember Skaug asked what their legal counsel advice on that matter.

Mark Hilty said his understanding was that “if there was another way to collect the assessments other than placing them on the tax rolls, they can’t place them on the tax rolls.

Foreclosure. Idaho Code §50-1721

Issuance of delinquency certificate and sale. Idaho Code §50-1739 et seq.

“[A]ny other method of collection provided in this [LID] code....” Idaho Code §50-1715

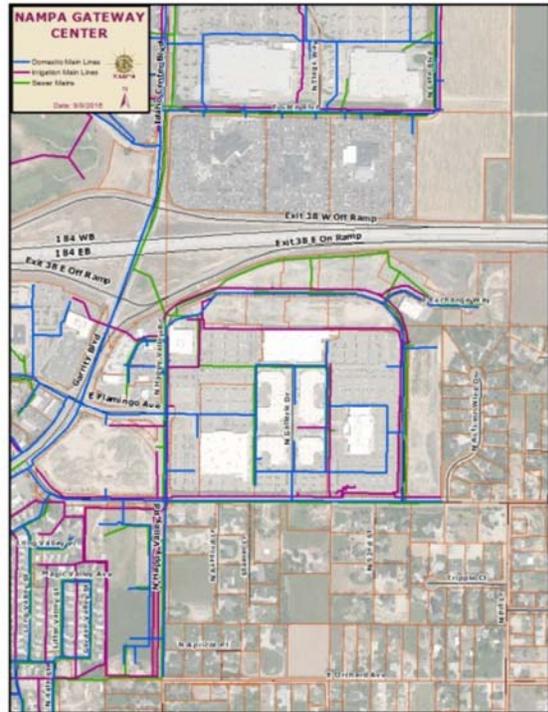
Why use LIDs?

- Comprehensive instead of piecemeal infrastructure development.
- Assurance of performance and completion.
- Makes financing available to property owners.
- Provides economy of scale and (maybe) other incentives.
- Non-public revenue for non-public benefits and obligations.

Staff Engineer Daniel Badger explained the following:

Examples of LID Uses

- Citizen Initiated (Voluntary) Elder Subdivision
- City Initiated (Voluntary) Orr Drain Sewer
- City Initiated (Forced) 12th Avenue Road and Caldwell Boulevard
- Developer Initiated (Voluntary) Nampa Gateway Infrastructure
- Annual Voluntary Connection Fee & Sidewalks



Councilmember Levi asked when a developer participates in a LID, does that just get passed on to a property owner? How is that repaid.

Daniel Badger said that when a developer has done an LID and he develops his subdivision, once that is platted, the LID is either assumed by the property owner or more likely paid off at the time of closing.

Councilmember Levi said that you said there is a delinquency rate of nine percent. When that is with the developer, how do you recoup that cost?

Daniel Badger said you would use one of those methods that Mark Hilty outlined.

Public Works Director Michael Fuss explained the following:

How the City has used LIDs in the past?

Going Forward

- LIDs General
- Future of LID Funding
- Sidewalks LID's General
 - ADA Liability
 - Are sidewalks desirable in Nampa?
- FY17 Sidewalk LID

LIDs General

- Historically, all costs were not included in Voluntary Sidewalk and Utility Connection LIDs
 - ◆ Considered as a community benefit
- Voluntary LIDs are generally popular to those who participate and do not affect those that do not participate
- Demand for Voluntary Sidewalk LIDs is going down
 - ◆ Completed a full asset management cycle
 - ◆ But deferrals continue
- Past Councils have been unwilling to pursue collection on LIDs
 - ◆ Ties up available capital without bond debt.
 - ◆ Approximately 10% delinquent rate
- County unwilling to certify LID's to the tax rolls

Sidewalks - General

- ADA Liability
 - ❖ City has an obligation to address ADA with capital street projects
 - ❖ City also has some liability if it does not address ADA/tripping hazard in some fashion

City Code 9-1-8:Curbs, Gutters and Sidewalks

- It is the duty of every property owner to maintain and repair the curb, gutter and sidewalk located on/in public right of way adjacent to his/her property. In addition, it is the duty of every property owner, upon receiving notification by the city to construct, repair or even replace damaged or destroyed lengths of curbing and/or gutter and/or sidewalk located on/in public right of way adjacent to his/her property. If such property owner fails, after notification, to construct or repair any required curbing, gutter and/or sidewalk, the city shall cause the work to be done and the cost of said work shall be assessed against the property owner for which sidewalks were constructed or repaired and said costs shall become a lien upon the property.

Councilmember White asked if there was a problem with people who believe the sidewalk belongs to the City. There is a real misunderstanding in citizen's minds. I think that they think the City owns the sidewalk.

Is it the Council's desire for the City of Nampa to have sidewalks?



Mayor Henry said, “Is it the Council's desire for the City of Nampa to have sidewalks?” is a real question. If Council says that sidewalks are important, then we have the maintenance issue.

Councilmember Bruner said he was totally in favor of sidewalks but not putting new sidewalks where tree roots are going to break up the sidewalk within a couple of years. I think that is a waste of money.

Councilmember Raymond asked if LIDs had been started regarding deferrals.

Michael Fuss said they treat deferrals in every zone. We take a look at them and if the deferral makes sense to install, we put them in. Making sense means there is something adjacent to it.

Councilmember Raymond asked if on rights of way, where the rights of way intersect with the street intersection, PED ramps are never included in an LID. Is that correct?

Michael Fuss said every year the City puts in about \$25,000 for sidewalk LIDs. In that, we fix alleyways and PED ramps on the corners. It is kind of a tough argument, is the corner frontage or not? Most home owners don't want to put the official ADA PED ramps in. That is one way we have softened the blow on sidewalk LIDs. We typically pay for the corner, just the corner.

Councilmember Haverfield said to follow up on Councilmember Bruner's point about illuminating sidewalks where there are trees present especially mature trees, then we are driving the pedestrians to the street itself for access purposes. Unless this Council is willing to go forward and say let's just go away from the policy of putting in sidewalks. The we are going to have to widen our streets to create a pathway there.

Councilmember Bruner asked if they could take a mature tree out and put in a new type of tree that won't have the root system that will damage the sidewalks. (Yes.)

Michael Fuss said we have come up with a lot of solutions when it comes to mature trees.

Mayor Henry asked if they could assume that the City Council wants sidewalks in Nampa. Is that a safe assumption? (Yes.)

Michael Fuss explained the following:

Sidewalk Installation Current Practice

- Required for new construction
- Required as part of subdivision development
- Required as part of remodel or redevelopment over 25%
- Deferrals are generally granted if no adjacent curb, gutter or sidewalk

Councilmember Haverfield said they needed to be careful on what we are talking about and what decisions we make because they will come back on us because there are a City owned properties that I can think of that are subject to these same requirements.

Changes to Sidewalk Installation

- New Installation City could fully fund sidewalk installation
 - Infill or new sidewalk area
 - Significant impact on funding

City Code 9-1-8 – could require sidewalk construction at any location

- What is the criteria for requiring new sidewalk construction?
 - Systematic upgrade with asset management zone
 - Safe route to school or other value added
 - At the time of adjacent property development
 - Other

- No Change

Mayor Henry asked if Council was comfortable with the process for new sidewalks.

Councilmembers Skaug and Raymond said they did.

Councilmember Levi asked if it was correct if they require new developments to also put trees in the right-of-way. (Sometimes.) Are we going to great lengths to insure that those are trees that friendly to a sidewalk? (Yes.)

Mayor Henry asked if anyone had an issue with the current practice for new sidewalk installation. If not, the assumption is that we like it and we will go for it.

Councilmember Haverfield said we need to think about commercial subdivisions as well. Not just residential.

Sidewalk Repair Current Practice

- Voluntary Sidewalk LID
 - Costs do not include Engineering, Finance labor or interim financing
 - Without complaint, property owner discretion
 - Integrated into asset management zone activity

Street Fund Approximately \$25,000/yr.

- Alley approaches in LID
- Corners in LID
- Major heaves due to weather and thermal expansion

Downtown

- CDBG Funding

Other Enforced on Complaint Basis

- Engineering
 - Option to participate in LID or own contractor, if refuse
- Code Enforcement abates the property
 - Current abatement budget approximately \$40,000/yr.

Councilmember White asked if there was a sidewalk there and has issues, can the resident not fix it and just put in grass? (No.)

Changes to Sidewalk Repair

- City fully fund sidewalk repair
 - Associated with asset management roadway project

- As an independent project
- Will create significant demand for funding Est.
 - \$3.8M to meet all ADA requirements in zone C (FY17)
- City could actively pursue City Code 9-1-8
 - With/without partial funding
 - Likely to significantly impact the abatement budget
 - If voluntary LID option, then will drive more to LID
- City could incentivize repairs with partial funding
 - Direct to property owners
 - Through the voluntary LID
- Create a forced sidewalk LID
 - Associated with the asset management zone
 - With/without city incentive
- Annually define repair goals (fixed number or condition)
 - Voluntary Sidewalk LID
 - Abatement if necessary
- Sidewalk damage often from trees
 - What should be done with trees that cause damage?

Councilmember Skaug asked if anyone knew about how many tort claims we have had from sidewalk trips and falls during the last year.

Daniel Badger said probably around four claims for last year.

Councilmember Haverfield asked if an area was identified for an LID and portions of the sidewalk are fine. Do they stay or do they get taken out at the same time so everything is consistent? What happens to the sidewalk, if anything at all, where it is okay?

Michael Fuss said right now, it is voluntary. So we blanket the entire zone and ask if people want to have their sidewalks repaired as part of an LID. If a complaint comes in, they have to fix them. But they wouldn't have to fix every panel.

The typical cost for a sidewalk LID is between \$2000.00 to \$3000.00. So in ten years, it is \$200 to \$300 per year plus interest.

Councilmember Bruner asked if that was what they were deciding, whether they were going to go with this LID.

- No change voluntary LID/complaint basis

- Council Discussion/Direction

Michael Fuss said we need to make a decision as we figure it out in the winter and build them in the summer. Zone C has already been evaluated.

2017 Sidewalk LID First Step Moving Forward

Daniel Badger said that Zone C is generally bounded by 11th Avenue, Roosevelt, S Powerline and the railroad tracks. Staff went out last winter and looked at all the sidewalks in that zone. They identified 313 properties that very had very bad sidewalks.

Target Asset Management Zone C

- Sidewalk Condition in Zone C varies from new to very poor
- Staff looked at all Sidewalks in Zone C



- 313 properties identified with very deteriorated sidewalk
- Staff has developed a proposal to begin to address poor sidewalk conditions

FY2017 Proposal

- Create a metric to grade the 313 properties (rank each property from the worst to the best)
- Establish a Voluntary LID
 - Keep costs low by not including Staff time
- Limit Total Participation to 100 Parcels

- If less than 100 Voluntary participants
 - Target, the worst properties first
 - Notify the worst that a repair must be made
 - Provide them the opportunity to be part of the Voluntary LID
 - If the property owner refuses, then refer to Code Enforcement for abatement of the sidewalk
- Include an additional \$25,000 of City Street Funding to LID
 - Use City funding for low income assistance
 - Create a sliding scale for assistance
- Estimated cost of 100 properties \$200,000 to \$300,000

Council Discussion

- Does Council agree with the proposed approach?
- Should the number be different than 100?
- Should the City contribute more or less than \$25,000?
- Should the City funding be used for?
 - a. Low income
 - b. All participants
 - c. Other

Councilmember Skaug said the proposal wasn't clear. What is the proposal?

Daniel Badger said the proposal is that they would:

- Create the LID
- All voluntary participants up to 100

Daniel Badger said it would be likely that they would get less than 100 participants. Last year's LID, there are around 14 participants at this point.

- If less than 100 voluntary participants
 - Actively pursue the 313 properties up to 100 total
 - Provide them opportunity to participate in the voluntary LID
 - If refused, they would be forwarded to Code Enforcement for abatement

In total, there would be 100 properties with new sidewalks within Zone C next year.

Councilmember Bruner asked if in the proposal whether they were including the increased \$25,000 from the Street budget for this, or not?

Daniel Badger said it would be up to Council.

Councilmember Skaug asked what was to be done with the extra \$25,000.

Daniel Badger said the proposal would be to either incentivize or subsidize for low income properties.

Councilmember Skaug said he would oppose a subsidy at least on income.

Mayor Henry said you look at that criteria and I look at the whole different level of management and staff time trying to come up with that criteria. I am looking at some multi-page application somebody will have to fill out to verify their income. I like the idea for the money being used for PED ramps. I understand that an argument could be made about that is that “just because I am on the corner, I shouldn’t have to do the PED ramps”. Trying to come up with criteria for that could be extremely difficult and controversial.

Councilman Raymond said he agreed with the \$25,000. If you have 313 sidewalks that need repaired and all of them agree to do it, are you telling me that you are going to limit it to 100?

Daniel Badger said Engineering does not have staff to handle 313 properties for an LID. If we had additional staff, we could certainly do more properties.

Michael Fuss said our assumption is that we are going to get 313 properties. Our assumption is that we are going to get some number less than 100. If it is Council’s direction to go find 300 and tell them all to fix their sidewalks that is one of the questions that we have.

Mayor Henry said then the question is, as part of the LID, is the cost to hire the extra engineer and extra finance person. You could put that cost in the LID, correct? (Yes.) LIDs are very popular with the private sector because the contractors loved to get those because they always grew.

We are coming down to the point of, do you like the FY 2017 proposal? In the FY 2017 proposal, we are going to be more aggressive on sidewalk repairs than we have been in the past.

Councilmember Levi said that education is important and to reach out and to educate people. One is to educate them in the dangers of having sidewalks like this and the risk of liability not only to the City but to the property owner. Because a lot of people do not understand that the sidewalk belongs to them and they need to maintain it. One of the things that I have commonly heard over several years is that the City owns the sidewalk, why should I have to shovel it? Or why am I going to be fined if I don’t maintain my sidewalk? I go back to how valuable education can be. And also, fixing their sidewalk does enhance the value of their property.

Another thing is to inform them of the options that are available to them. Some of them do not know that there are options available that they could apply for an LID to fix their sidewalks. Then giving them time to consider those decisions and give them the option of meeting City staff further to investigate what they want to do.

In the end, I am a real advocate of letting them make the decision. When we force something on people, they resist. And it creates a “stink”. I understand the safety involved of the possible

liability, but I would rather see the property owner coming to us just like an annexation. “We need your services. Let’s make something work.” To me, it shows our respect to the property owner and to the citizen.

But I also look at the aspect of the person that this would create a huge hardship for. Again, I know for myself, I don’t own property, but if my landlord were to apply for an LID and fix the sidewalk, my rent goes up. My kids and I no longer have a place to live. This is real to me. And I know that there are so many people in our city that live in that very same scenario. So if there is something that we could do to help them in some way, I would be willing to explore that option as well.

Councilmember Raymond said there is always an issue with the economy and how things are. I know personally based on my studies, that the economy does not look good now. We need to be sensitive to the economy. At the same time, we have a responsibility to take care of sidewalks.

MOVED by Raymond and **SECONDED** by Bruner to proceed with the Sidewalk Program as proposed and put an extra \$25,000 in for PED ramp improvements only. The Mayor asked for a roll call vote with all Councilmembers White, Haverfield, Skaug, Bruner and Raymond voting **YES**. Councilmember Levi voted **NO**.

Councilmember Skaug asked if they had approved what to do on foreclosure action if any on delinquent accounts.

Mayor Henry said that they could foreclose and go away from certification. I don’t know if there was anything in the motion in the FY 2017 that actually addressed foreclosure. I would love to talk about that.

Councilmember Haverfield said that he thought the discussion was maybe to wait to see if we get the certification from the Assessors or wait until January when Commissioner White takes office.

Michael Fuss said he thought that staff was looking for direction on the Council’s willingness to move down to foreclosure regardless of whether the County pursues or not.

Mayor Henry said, let’s talk about it now.

Councilmember Skaug said he inclination was that these are voluntary essentially and we need to pursue those. I want to see that pursued in the best manner possible.

Mayor Henry asked if he would support that. (Yes.) Would you put that in a motion?

Vikki Chandler said that regarding the discussion of selling bonds, our bond council has said that if Council is unwilling to pursue all of the tools that are available to it including this particular one, then we should not sell bonds. We should buy our own bonds because that reduces the risk. If we are going to pursue enlarging this opportunity for LIDs and we don’t want to invest our own money to the extent that may be necessary because you are only talking FY 2017, another proposal will come forward every year and the extent of investment will increase pretty

dramatically, then we need this opportunity to use the tool when necessary in order to sell the bonds more privately as well as publicly.

Councilmember Bruner asked Vikki Chandler what her proposal would be.

Vikki Chandler said we need to be willing to foreclose on delinquent LIDs.

MOVED by Bruner and **SECONDED** by Skaug to foreclose on delinquent LIDs. The Mayor asked for a roll call vote with Councilmembers White, Skaug and Bruner voting **YES**. Councilmembers Raymond, Levi and Haverfield voting **NO**. The Mayor broke the tie with a **YES** vote.

The Mayor adjourned the meeting at 10:57 am.

Passed this 17th day October, 2016

MAYOR

ATTEST:

CITY CLERK

NAMPA PLANNING AND ZONING COMMISSION
AGENDA FOR REGULAR MEETING

Tuesday, September 27, 2016 – 6:30 p.m.

MEETING CALL TO ORDER

ANNOUNCEMENTS

APPROVAL OF MINUTES

REPORT ON COUNCIL ACTIONS

BUSINESS ITEMS:

None

PUBLIC HEARING ITEMS:

- 1) Modification of Annexation/Zoning Development Agreement between Retail Property Acquisition, LLC and City of Nampa recorded 7/14/1998 as Inst. No. 9826075 amending Commitment Number 4a reducing the required off-street parking ratio of 1 space per 200 sq. ft. to 1 space per 250 sq. ft. of net floor area for property located at 2100 12th Ave Rd (A 31.51 acre portion of the SW 1/4, Section 24, T3N, R2W, BM) for Wal-Mart Real Estate Business Trust (DAMO 006-16).
- 2) Conditional Use Permit for a Non Commercial Kennel for 3 Dogs in an RS 6 (Single Family Residential - 6,000 sq ft) zoning district at 2107 W. Moose Creek Dr. (A .194 acre or 8,473 sq. ft. portion of Section 32, T3N, R2W, BM, NW 1/4, Fall River Estates No 3, Lot 30, Block 34) for Robin Grissom (CUP 043-16).
- 3) Conditional Use Permit for a Dwelling Combined with an Online Floral Sales Business in a BC (Community Business) zoning district at 432 Caldwell Blvd (A .948 acre portion of Section 16, T3N, R2W, BM, SW 1/4, Home Subdivision, Tax 32-A, Block 6) for Michelle Hemenway (CUP 044-16).

ADJOURNMENT

CONSENT TO BID

WELL 1 & 2 ABANDONMENT AND DEMOLITION

- The project will abandon Well 1 and 2 facilities including the wells, cistern and pump house structure.
- The goal is to restore the lot back to an open lot suitable for residential construction as both wells have not been in use for several years and a recent collapse of the top slab of the cistern has become a safety concern for operators and the public.
- The project will be completed in two phases; the first phase is the demolition of the existing pump house structure, cistern and associated piping and redirecting the wells to an existing overflow; the second phase is the abandonment of the wells.
- As part of the preliminary engineering a monitoring well was installed to monitor the rise in groundwater. This is an effort to ensure that the future abandonment of the wells will not cause flooding of crawlspaces and/or basements of nearby homes. Groundwater is currently being monitored.
- In November 2015 the Engineering Division authorized SPF water to provide professional services for assistance with well abandonment and demolition of the pump house facility in the amount \$24,900.
- The project funding for both phases is from FY17 Waterworks budget in the amount of \$192,988
- The estimated project costs for the first phase are:

Design	\$24,900
Construction	\$104,840
Construction Inspection	<u>\$8,400</u>
<i>Total</i>	<i>\$138,140</i>

- Engineering recommends authorization of the bid process

REQUEST: Council authorize Engineering Division to proceed with the formal bid process for the Well 1 & 2 Abandonment and Demolition project.

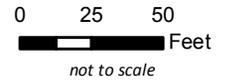
FY17 Project Location

04-Water-Domestic
Well 1 & 2 Abandonment

EXHIBIT A

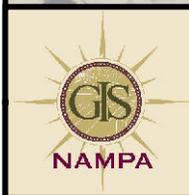
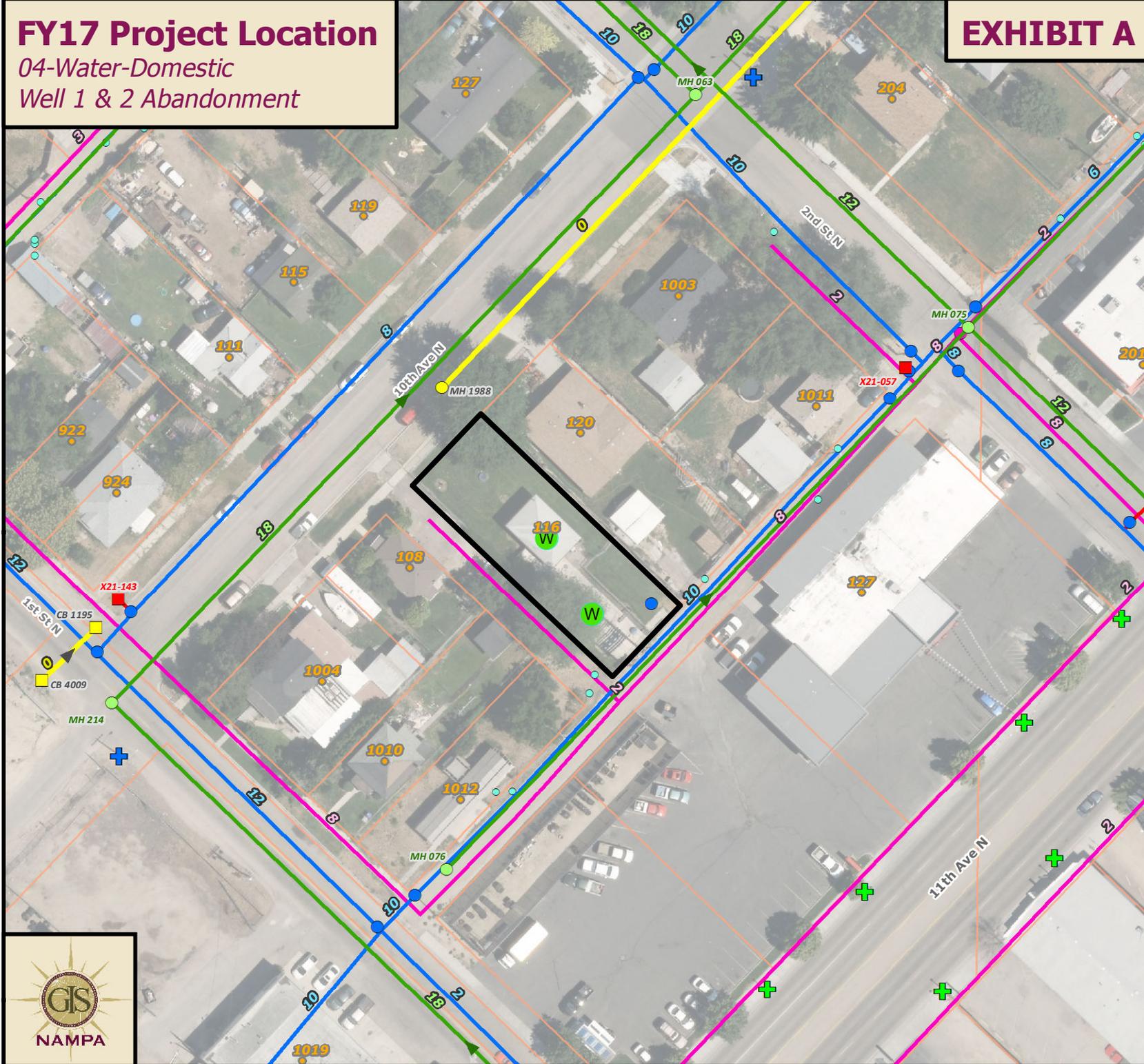


10/5/2016



- Address Points
- ▭ County Parcels
- ▭ Project Location
- WW Manhole
- ➔ Gravity Sewer
- SD Catch Basin
- SD Manhole
- ➔ Stormdrain
- Hydrant
- Domestic Valve
- Water Meter
- (W) Domestic Well (InActive)
- Domestic Main
- Fire Line
- Irrigation Valve
- Irrigation Main
- ➕ Pole, Street Light (Nampa)
- ➕ Pole, Street Light (IPCO)

File: R:\Maps\Internal_CPR_etc\Projects_Map\2017_Construction_Projects\FY17_04WTR-DOM_Well1-2Abn_85x11L.mxd





MEMORANDUM

To: Mayor Henry and Nampa City Council
From: Darrin Johnson, Nampa Parks and Recreation Director
Date: October 17, 2016
Re: Midway Park Farm Agreement

In past years the Nampa Parks and Recreation Department leased the Midway Park property and received a competitive lease price for the use of the property. We have now started the park development and are concerned with weed control as we build the park in phases.

Attached is a proposed farm agreement with Mark Hess. The agreement provides a cost effective way to control weeds on the property while we develop portions of the park. It is proposed the tenant plant winter wheat on the western portion of the property. No fee will be charged for land rental but the tenant will be responsible for weed control on the property. This will help maintain the weeds that otherwise will be a cost for the City to maintain.

It should be noted that no irrigation water will be available for the designated farm area. The tenant is aware of that arrangement and it is noted in the lease agreement.

FARM LEASE

Midway Farm Property, City of Nampa

THIS INDENTURE, made and entered into this 18th day of October 2016, by and between the CITY OF NAMPA, hereinafter referred to as the “Landlord,” and MARK HESS, hereinafter referred to as the “Tenant”;

WITNESSETH:

That the Landlord, for and in consideration of the covenants and agreements hereinafter mentioned to be kept and performed by the Tenant, has leased to the Tenant, the following described real property, located in Canyon County, Idaho, to-wit:

About 20 farmable acres on the most western side of the property that is located in a portion of the Southeast quarter of section 24, Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho. The cross section is on Midway and Smith located in Nampa Idaho and was purchased by the City for a future park. It should be noted that the available acreage is an estimate and no farming may take place on property that will interfere with park construction and/or staging.

1. **Term.** This lease will be in effect from the 18th day of October 2016, to the 15th day of October 2017.
2. **Tenant Responsibilities.** It is understood and agreed that:
 - A. Tenant will control weeds on the property that will be used for a future park. The control of weeds will be in exchange of monetary pay. Weeds must be maintained throughout the term of the agreement. A final application of mowing weeds and or spraying weeds should take place in October of 2017 prior to the ending of the lease.
 - B. Tenant will enter said premises upon the commencement of the term hereof and will till and farm said lands, planting winter wheat, to the best advantage and according to Tenant’s best skill and judgment.

- C. Tenant will plant, cultivate lands, and harvest, thresh and secure the crops grown thereon in a good and husband-like manner during the period of this lease.
- D. Tenant will watch carefully for all noxious weeds, and if such weeds appear, will take all steps reasonably required to eradicate such weeds.
- E. Tenant will not to allow or suffer any waste on said premises.
- F. Tenant will not lease, nor underlet, nor permit any other persons to occupy or improve the premises, or make or suffer to be made, any alteration thereon, without the prior written consent of the Landlord.

3. **Tenant Rights.**All crops planted during the term of this lease belong to the Tenant and the Tenant shall have the right to encumber the same but will not have any right to in any way encumber any of the above described real property.It is further understood and agreed that the Landlord will not supply water as irrigation water or well water as it is not available due to the construction of the first phase of the park.

4. **Landlord Rights, Representations, and Responsibilities.**It is understood and agreed that Landlord will pay all State and County real property taxes levied upon the above described real property during the term of this lease.Landlord covenants that Landlord has the right to lease to the Tenant the above described real property and that Tenant shall peacefully and quietly have, hold and enjoy the demised premises for the agreed term.Landlord further agrees that Landlord will do nothing, either through Landlord's act or omission, which will allow anyone to attach Tenant's crops.

5. **Indemnity.**Tenant agrees to hold the Landlord harmless for any liability of any type or kind in connection with the farming operation or any other happenings or events upon the

demised premises during the term of this lease, except for negligent acts or omissions of the Landlord, or Landlord's agents, servants and employees.

6. **Insurance.** The Tenant further agrees to maintain public liability and property damage insurance in connection with Tenant's operation of said premises in a minimum coverage of \$500,000.00.

7. **Independent Contractor.** It is specifically understood and agreed that this agreement does not contemplate a joint venture between the parties hereto. The Tenant is acting only as an independent contractor. The Tenant is not to hold Tenant out as the agent, servant, employee or partner of the Landlord.

8. **Remedies for Breach.** It is mutually agreed by and between the parties hereto that if the Tenant, for any reason, fails, neglects or refuses to do, keep or perform any of the covenants and conditions herein contained to be kept and performed by the Tenant, the Landlord may, at Landlord's option, declare this lease agreement null and void. In the event of such declaration, all labor performed and all growing crops shall be forfeited to the Landlord as rent and liquidated damages for the use and occupancy of said premises, provided that before this lease agreement can be declared null and void and forfeiture declared, the Landlord must give to the Tenant, at the Tenant's last known post office address, 30 days' written notice specifying the default. Tenant shall have the period of the notice given to remedy such default or breach, if possible, but nothing herein contained shall be construed as providing the exclusive remedy or remedies which Landlord may have, or may be given, by law, but only after said 30 days' notice has been served and the period of said notice has expired.

9. **Fees and Costs.** In the event suit or action is necessary to enforce any of the terms or conditions of this Lease, the prevailing party shall be entitled to reasonable attorney's fees and costs.

10. **General.** It is mutually understood and agreed that this agreement shall bind the heirs, personal representatives, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have agreed on the day and year first above written.

LANDLORD
THE CITY OF NAMPA

Darrin Johnson
Parks and Recreation Director

Date

TENANT

Mark Hess
12243 Orchard Ave.
Nampa, Idaho 83651

Date

City of Nampa
Cash Report by Fund at 9/30/16

Fund Description	End Bal
001 GENERAL FUND	\$ 14,145,413.14
002 STREET & TRAFFIC	\$ 10,271,553.83
003 LIBRARY	\$ 1,132,666.68
004 CEMETERY	\$ 241,388.92
005 AIRPORT	\$ 1,114,238.79
006 PARKS & RECREATION	\$ 740,408.61
007 RECREATION CENTER	\$ 2,811,081.47
008 GOLF COURSE	\$ 2,425,448.82
009 911 FEES	\$ 1,029,039.54
010 FAMILY JUSTICE CENTER	\$ 114,052.81
020 NAMPA DEVELOPMENT CORP	\$ 6,764,936.27
021 DOWNTOWN RENEWAL	\$ 133,982.08
022 CIVIC CENTER	\$ 215,112.47
023 IDAHO CENTER	\$ 1,417,107.07
024 DEVELOPMENT SERVICES	\$ 3,441,139.77
025 WATER	\$ 9,363,874.27
026 WASTEWATER	\$ 24,700,987.43
028 BID #1	\$ 55.00
029 UTILITY BILLING	\$ 491,263.74
031 SANITATION	\$ (874,241.41)
035 DEVELOPMENT IMPACT FEES	\$ 6,287,715.42
036 CAPITAL PROJECTS FUND	\$ 1,083,945.13
040 DEBT SERVICE FUND	\$ 338,409.19
054 INVESTMENTS	\$ 413,280.05
100 PRIVATE GRANTS	\$ 817,272.12
101 EMPLOYEE HEALTH BENEFITS TRUST	\$ 2,555,296.63
102 WORKERS COMPENSATION FUND	\$ 2,185,060.54
103 UNEMPLOYMENT INSURANCE FUND	\$ 260,908.14
104 WELLNESS PROGRAM	\$ 595,826.59
200 FEDERAL HUD FUND	\$ (128,955.76)
205 FEDERAL EPA FUND	\$ (521,719.21)
210 FEDERAL DOJ FUND	\$ (44,467.26)
225 FEDERAL DHS-HOMELAND SECURITY	\$ 21,521.27
230 FEDERAL DOT FUND	\$ (5,326.32)
260 FAA FUND	\$ (25,305.71)
270 FEDERAL DOI (Dept of Interior)	\$ 869.45
300 STATE OF IDAHO FUND	\$ 75,304.21
400 LOCAL MUNICIPALITIES	\$ (150,567.39)
700 LID Guarantee Fund	\$ 112,208.46
732 LID 132	\$ 312.39
741 LID 141	\$ (687.77)
742 LID 142	\$ 1,140.55
743 LID 143	\$ 27,481.45
745 LID 145	\$ 1,026.51
746 LID 146	\$ 9,572.08
747 LID 147	\$ 53,591.47
748 LID 148	\$ 709,611.61
749 LID 149	\$ 2,081.06
750 LID 150	\$ 1,170.56
751 LID 151	\$ 30,284.91
752 LID 152	\$ 3,219.11
753 LID 153	\$ 35,389.07
754 LID 154	\$ 5,022.42
755 LID 155	\$ 13,734.62
756 LID 156	\$ 5,941.99
759 LID 159	\$ (104.16)
760 LID 160	\$ (37,224.71)
761 LID 161	\$ (161.80)
	\$ 94,412,186.21
Cash Total	\$ 97,250,702.25
Variance	\$ (2,838,516.04)

Variance due to \$1.4 million outstanding NDC payment, \$1 million in prepayments on 2017 and outstanding checks

**DISPOSAL OF FACILITIES MAINTENANCE
VEHICLE**

- Facilities and Fleet Services has identified one (1) vehicle for disposal.
- Facilities Staff requests the following vehicles be declared surplus property:

Item	Serial Number	Estimated Value
1989 Dodge Van #809	2B4HB25YXKK315250	\$500.00

- Facilities and Fleet Services requests the Mayor and City Council approve the identified vehicle for disposal.
- Disposal falls within Public Works Fleet Services guidelines for funding, acquisition, maintenance, replacement and disposal of City fleet assets
- Fleet Services recommends disposal via public auction.
- Facilities Division Staff concurs with this recommendation

REQUEST:

- 1) Declare the equipment, as outlined above, as surplus property
- 2) Dispose of identified surplus property as recommend by Staff

RESOLUTION NO. 44-2016

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

WHEREAS, the City Council has authorized and passed Resolution No. 25-2015, implementing City policy to declare personal property surplus and to provide for its disposal through sale, transfer, recycling, discarding, destruction, or exchange; and

WHEREAS, the City Clerk of the City of Nampa has proposed for disposal of certain property that the City no longer has use for; and

WHEREAS the approval for the disposal of the below listed property has been obtained from the City Attorney or his designee, and is in compliance with City policy.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, AS FOLLOWS:

1. That the attached listed property shall be disposed of under the direction and supervision of the City Clerk, and in accordance with City policy.
2. The staff of the City of Nampa is hereby authorized to take all necessary steps to carry out the authorization provided by this Resolution.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 17TH DAY OF OCTOBER, 2016.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 17TH DAY OF OCTOBER, 2016.

Approved:

Mayor Robert L. Henry

ATTEST:

City Clerk

**CITY OF NAMPA
DEPARTMENT PROPERTY DISPOSAL REQUEST**

Permission is hereby requested to dispose of the following personal property declared surplus by the Council. Disposal will be in a manner meeting the best interests of the City and in accordance with Idaho Code and City Resolution No. 25-2015.

Disposal Method Code	Use Category	Qty.	Description of Item	Cond. Code	Estimated Value
02	Facilities Div.	1	1989 Dodge B250 Tradesman Van City Asset #24-010916-0000	R	\$500.00

Disposal Method Codes:

Condition Codes:

- 01 Transfer to another agency or department
- 02 Public Sale (Auction or sealed bid)
- 03 Leased property turned back
- 04 Recycle or sell for scrap
- 05 Unusable – ship to local dumpsite
- 06 Other: _____

- E Excellent
- G Good
- F Fair
- R Repairable
- U Unusable

Requesting Department: Facilities		Received By:
Requesting Person Name (Print): Brian Foster		Date Received:
Requesting Person Signature:	Date	

CITY OF NAMPA
REGULAR COUNCIL
OCTOBER 17, 2016
STAFF REPORT BY PUBLIC WORKS DEPARTMENT
MICHAEL FUSS, P.E., PUBLIC WORKS DIRECTOR

Wastewater Program Phase I Upgrades Project Group A Construction Update

City Staff is providing regular status updates of Phase I Upgrades Project Group A as requested by City Council. Staff and the Wastewater Program Management Team (WPMT) have been diligently tracking this project since construction started in early June 2015.

Project Status

Considerable progress has been made since the issuance of the June 2, 2015, Notice to Proceed for upgrades at the City's Wastewater Treatment Plant (WWTP):

- Contract Time Completed is currently at 55%
- Contract Work Completed is currently at 61%

Key activities and milestones achieved since the update to City Council on August 15, 2016, include:

- Continued operation of three new Primary Effluent Pumps to support regular operations at the plant
- Retrofits to Aeration Basin 2 that will enable phosphorus removal have been completed. Operations staff are seeing a steady decrease in phosphorus concentrations as the Aeration Basins are brought online and incorporated with the other WWTP processes
- Retrofits to Aeration Basin 1 are nearing completion. The new equipment is currently being tested and the new basin is expected to be in operation this month
- Excavation for Aeration Basin 3 has begun
- Submitted 628 submittals since the Beginning of Project: Technical submittals, as well as information required for compliance to the City's State Revolving Fund (SRF) Loan with the Idaho Department of Environmental Quality (IDEQ) have been received. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 20 days

Based on the current project schedule, the following are the major work items expected to be completed in the near future:

- Begin construction of Aeration Basin 3 with scheduled completion of late 2017

The following photos show the progression of work at the site:



Figure 1 – Clean water testing during startup of Aeration Basin 2



Figure 2 – Excavation for Aeration Basin 3 (previous location of Secondary Clarifier 1 and Secondary Effluent Pump Station)

Financial Report

The following table shows current financials for Phase I Upgrades Project Group A:

	Original Budget	Current Budget	Change Order Rate	Spent	Percent Spent
Project Group A – Ewing	\$12,494,000	\$12,810,663	2.5%	\$8,597,231	67%
Phase I Upgrades Contingency	\$1,500,000	\$1,183,337	N/A	N/A	N/A
TOTAL	\$13,994,000	\$13,994,000	N/A	\$8,597,231	61%

Water Division Lead and Copper Summary Report

Council members may have had inquiries regarding lead in the City’s domestic water system after the recent Flint, Michigan, incident. A summary report (see Exhibit 1) dated October 7, 2016, from the Water Division is attached regarding recent lead and copper testing of the Nampa domestic water system. Tests came back zero for lead and well below the maximum contaminant level of copper. It should be noted that the tests and system results are very conservative as samples were taken from representative locations where lead and copper are likely to occur should there be a problem. Therefore, Public Works staff is confident the City’s drinking water system is safe from lead and copper.

Public Hearing – Increase in Domestic Water Utility Rates Update

The attached notices (see Exhibits 2 and 3) for residential and commercial domestic water utility customers will be enclosed in the next billing cycles (from October through mid-December). Customers that receive electronic billing will also receive a similar digital notice. This information will notify every utility customer of the upcoming Public Open Houses, and Public Hearing, pertaining to the proposed water rate increase.

Engineer Division Fiscal Year 2017 Bidding Plan – Phase II

Tom Points, P.E., City Engineer, Engineering Division, will present the attached *Fiscal Year 2017 Budding Plan – Phase II* on the day of the report (see Exhibit 4).

**City of Nampa Public Works Department Water Division
Domestic Water Lead and Copper Testing Summary Report
October 7, 2016**

In accordance with the Idaho Department of Environmental Quality (IDEQ) “Idaho Rules for Public Drinking Water Systems,” and the Environmental Protection Agency (EPA), the City of Nampa Waterworks Division conducted lead and copper sampling per the monitoring schedule dictated by IDEQ. This sampling event is conducted on the 3 year monitoring schedule and includes a required 60 samples to be taken from various residences from around the City of Nampa.

The residences picked had to meet a specific criteria. This criteria being the resident structure had to have been built prior to 1988 and in an area that is representative of the water system city wide. Homes built prior to 1988, as determined by the EPA, would most likely have a plumbing system material of copper tubing and solder fitting that could potentially have a lead content. The second part of this criterion, as relating to being representative to the City water system, was that the water mains be constructed of a cast iron material. The reason being is that water mains made of cast iron would most likely have copper service lines and joints and the mainline piping would have a lead seal.

The City’s Water Division updated its sampling plan to encompass the above requirements before beginning the cycle of sampling. Results from the 60 sampling sites were provided to Water Division staff, which in turn provided the results to each participating property owner.

Some key things to know when interpreting lead and copper results:

- The MCLG (maximum contaminant level goal) for lead is **zero**
- MCL = Maximum Contaminant Level
- The action level that requires treatment for detected lead levels is an MCL of **0.015 mg/L**
- The MCLG for copper is results that are below **1.3 mg/L**
- The action level that requires treatment for detected copper levels is an MCL of **1.3 mg/L or higher**
- If action levels for these contaminants exceed the MCL, the water utility is required to take certain steps to correct the corrosiveness of the water supply to cease leaching of these contaminants
- The water utility must ensure that water from the customer’s tap does not exceed these levels in at least 90% of the homes sampled (90th percentile value)

Below are the collective results of this most current sampling period conducted on August 30, 2016:

- Level of lead detected during sampling = **NON-DETECTED or zero**
- The 90th percentile of lead detected = **NON-DETECTED or zero**
- The 90th percentile of copper detected = **0.07 mg/L**

In closing, the results of this lead and copper testing did not exceed MCL or MCLG, and no action is required to make any corrections.



CITY PLANS TWO OPEN HOUSES; COUNCIL SETS JAN. 17 PUBLIC HEARING ON PROPOSED 2017 WATER RATE INCREASE

Two years ago, the City of Nampa conducted an extensive study to evaluate the cost of domestic water delivery to homeowners and what needed to be done to maintain the city's aging water system.

Domestic water includes all water consumed in your home whether it is for drinking, preparing food, bathing, washing clothes and dishes, brushing teeth or any other household water use.

After mailings, open houses and a public hearing, the Nampa City Council in January 2016 approved an average water rate increase of 18 percent, effective March 1, 2016. At that same time, the City Council indicated it would revisit this issue in 2017 and 2018, because the study recommended similar increases for domestic water rates in the next two years. Annual increases of 4.5 percent are likely, beginning in 2019, so residential customers don't have large increases later on.

These are not automatic rate increases. That's why we are reaching out to you. We want you to know about the proposal and we want to invite you to two open houses and a public hearing in early January.

WHY THREE YEARS OF LARGE INCREASES?

These increases were recommended after an extensive water rate study that found serious deficiencies in our water delivery system. Nampa's aging water system has worked silently for years without significant pipe replacement but now it is time to reinvest. Without reinvestment, we could be headed for a water crisis characterized by unplanned outages, emergency repairs and even

PUBLIC OPEN HOUSES WILL BE HELD:

- Wednesday, Jan. 4, 2017, at Nampa Civic Center, 311 3rd St., S., Nampa. Drop by anytime from 5 to 7 p.m.
- Thursday, Jan. 5, 2017, at Snake River Elementary School, 500 Stampede Drive, Nampa. Drop by anytime from 5 to 7 p.m.

At the open house, city staff will present information about the planned improvements and your domestic water bill increase. You can talk with city staff, ask questions and provide comments.

The rate increase public hearing will be held on Tuesday, Jan. 17, at Nampa City Hall Council Chambers, 411 3rd St. S., Nampa, Idaho. Public hearings start at 7 p.m., attendees will have the opportunity to provide up to 3 minutes of public testimony regarding the proposed domestic water rate increase.

higher costs. Emergency repairs can cost 15 times more than planned replacement because they frequently require overtime staff hours, result in property damage, and can occur under newly paved roadways.

Current funding barely covers operations and basic maintenance costs. An additional \$33.4 million will be needed over the next 10 years to fund replacement of old pipes and valves along with improvements to pumps, wells and reservoirs.

PROPOSED DOMESTIC WATER RATE INCREASE

If the City Council approves the proposed rate increase for 2017, the average residential bill of \$24.77 will increase to \$28.19 (every two months) in 2017, effective March 1. That breaks down to \$1.71 more per month.

Domestic water bills are calculated on a fixed rate, which is based on the size of meter, and how much water a customer uses. The usage rate is also tiered, which means you pay a lower rate for the first 700 cubic feet than you do the second and third tiers. In essence, the new rate structure rewards conservation efforts. You can lower your bill by using less water. Your first 700 cubic feet will be billed at the lowest rate. The next 700 cubic feet will cost more and use over 1,400 cubic feet will cost the most.

**HERE’S HOW TO CALCULATE YOUR 2017 BILL
BASED ON A 1 INCH METER:**

- Multiply the 0.0053 rate by 700 cubic feet of water: \$3.71
- Multiply the 0.0092 rate by the additional cubic feet between 701 and 1,400: \$6.44
- Multiply the 0.0119 rate by any additional cubic feet over 1,400
- Add \$3.71 + \$6.44 (and the third tier if necessary): \$10.15 for consumption
- Add your total consumption charge to the fixed charge (For the average bill: \$10.15 + fixed charge of 18.04: \$28.19)

Residential Rate Structure (Meter Size Charge + Consumption)			
RESIDENTIAL	2016 (Approved)	2017 (Proposed)	2018 (Proposed)
METER SIZE	BI-MONTHLY FIXED CHARGE		
1" or less	\$15.88	\$18.04	\$20.50
1 ½"	\$23.05	\$26.20	\$29.77
2"	\$33.96	\$38.59	\$43.86
CONSUMPTION	RATE		
0-700 cu ft	\$0.0046	\$0.0053	\$0.0060
701-1,400 cu ft	\$0.0081	\$0.0092	\$0.0105
1,400 cu ft or more	\$0.0105	\$0.0119	\$0.0135
<i>* 2017 and 2018 rates are estimates</i>			

That’s an average increase of \$3.42 every two months, or you can break it down to \$1.71 per month.

Additionally, before rates were adjusted earlier this year, residential customers were charged the same rate, no matter how much water was used. While the tiered rate may be confusing, it is to your advantage, because the rate for the first 700 cubic feet of water costs much less.

TO LEARN MORE

To learn more visit <http://www.cityofnampa.us/increase> or send questions or comments to Karla Nelson at 468-4434 or nelsonk@cityofnampa.us





CITY PLANS TWO OPEN HOUSES; COUNCIL SETS JAN. 17 PUBLIC HEARING ON PROPOSED 2017 WATER RATE INCREASE

Two years ago, the City of Nampa conducted an extensive study to evaluate the cost of domestic water delivery to homeowners and commercial customers and what needed to be done to maintain the city's aging water system. Domestic water includes all water consumed in your home or business, whether it is for drinking, preparing food, bathing, washing clothes and dishes, brushing teeth or any other water use.

After mailings, open houses and a public hearing, the Nampa City Council in January 2016 approved an average water rate increase of 18 percent, effective March 1, 2016. At that same time, the City Council indicated it would revisit this issue in 2017 and 2018, because the study recommended similar increases for domestic water rates in the next two years. Annual increases of 4.5 percent are likely, beginning in 2019, so residential customers don't have large increases later on.

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At the open house, city staff will present information about the planned improvements and your domestic water bill increase. You can talk with city staff, ask questions and provide comments.

PUBLIC HEARING TUESDAY, JAN. 17

The rate increase public hearing will be held on Tuesday, Jan. 17, at Nampa City Hall Council Chambers, 411 3rd St. S., Nampa, Idaho. Public hearings start at 7 p.m., attendees will have the opportunity to provide up to 3 minutes of public testimony regarding the proposed domestic water rate increase.

significant pipe replacement but now it is time to reinvest. Without reinvestment, we could be headed for a water crisis characterized by unplanned outages, emergency repairs and even higher costs. Emergency repairs can cost 15 times more than planned replacement because they frequently require overtime staff hours, result in property damage, and can occur under newly paved roadways.

Current funding barely covers operations and basic maintenance costs. An additional \$33.4 million will be needed over the next 10 years to fund replacement of old pipes and valves along with improvements to pumps, wells and reservoirs.

PROPOSED COMMERCIAL DOMESTIC WATER RATE INCREASE

The average commercial customer has a 1” meter, consumes 7,600 cubic feet of water and currently pays \$78.87 every two months. If the City Council approves the proposed rate increase for 2017 the average bill will increase to \$103.76 (every two months) in 2017, effective March 1. That breaks down to \$12.45 more per month.

Customers are categorized as either commercial or residential according to their land use zone. This means that some residential houses that are located in zones which allow commercial uses are billed according to the commercial rate structure. Typically, domestic water rates end up being higher under the commercial rate structure but the designation usually saves customers money on their irrigation assessment.

HERE’S HOW TO CALCULATE YOUR 2017 BILL:

Average customer: 1” meter, 7,600 cubic feet of water consumed.

- Start with fixed charge: \$21.68
- Multiply the 0.0108 rate by 7,600 cubic feet of water used: \$82.08
- Add the fixed charge to the consumption: \$103.76

Commercial Rate Structure (Meter Size Charge + Consumption)			
COMMERCIAL	2016 (Approved)	2017 (Proposed)	2018 (Proposed)
METER SIZE	BI-MONTHLY FIXED CHARGE		
1” or less	\$16.55	\$21.68	\$28.40
1 ½”	\$23.77	\$31.15	\$40.81
2”	\$34.19	\$44.80	\$58.70
3”	\$76.96	\$100.83	\$132.11
4”	\$107.40	\$140.72	\$184.38
CONSUMPTION	RATE		
All Usage	\$0.0082	\$0.0108	\$0.0141
<i>* 2017 and 2018 rates are estimates</i>			

That’s an increase of \$24.89 every two months, or you can break it down to \$12.45 per month.

TO LEARN MORE

To learn more visit <http://www.cityofnampa.us/increase> or send questions or comments to Karla Nelson at 468-4434 or nelsonk@cityofnampa.us



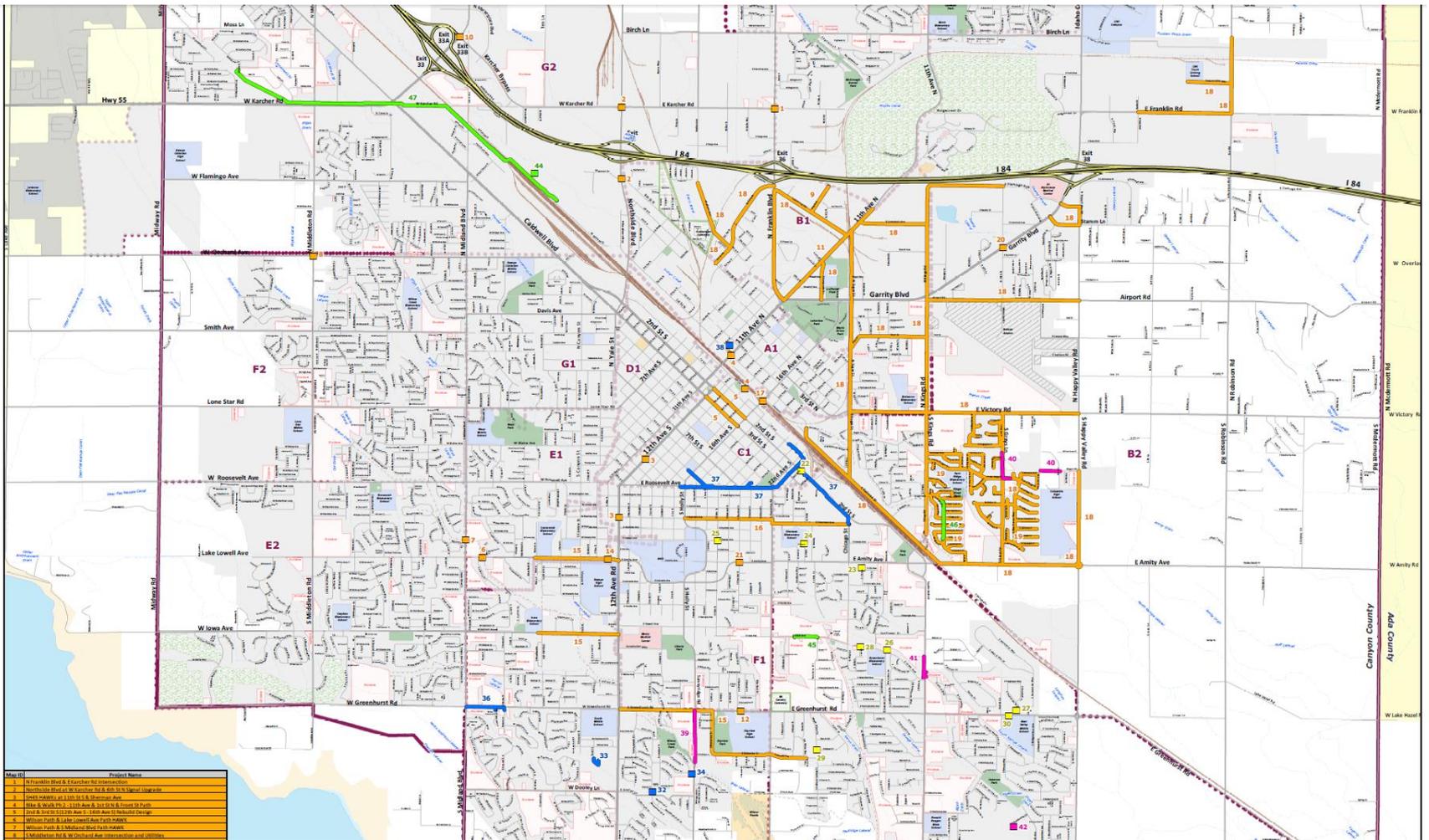


Fiscal Year 17 Bidding Plan – Phase II

Tom Points, PE

Nampa City Engineer

October 17, 2016 Council Meeting



GOAL:

- 52 projects (29 in FY 17 and 23 from FY 16)
- \$21M projects (\$13M in FY 17 and \$8M from FY 16)

**BY-LAWS
OF THE MAYOR’S TEEN COUNCIL
OF THE CITY OF NAMPA, IDAHO**

WHEREAS the youth constitute an underutilized resource of ideas, knowledge and experience with respect to the City of Nampa, Idaho (hereinafter "the City"), and its affairs; and

WHEREAS the Mayor of the City of Nampa (hereinafter “the Mayor”) desires and seeks input from the youth into the needs and issues of the City through a Mayor’s Teen Council; and

WHEREAS all high school students within the City of Nampa who are willing to devote their time and energy into improving the City and the community through a Mayor's Teen Council;

NOW THEREFORE, the Mayor and the City Council of the City of Nampa hereby establish the Mayor’s Teen Council and adopt the following By-Laws.

ARTICLE I. INTENT

The intent in preparing and adopting these By-Laws is to provide a framework for organization of the Mayor’s Teen Council, its actions and agenda. It is not the intent of the City, or the officers and members hereinafter described, to create a legal entity of any sort including without limitation, a corporation, non-profit corporation, Limited Liability Company, partnership nor any other business, public or quasi-public entity.

ARTICLE II. OFFICES

The principle location of the Mayor’s Teen Council shall be at the Office of the Mayor, 411 3rd Street South, Nampa, Idaho 83651. The Mayor’s Teen Council may have such other offices as the Executive Committee may designate or as the business of the Mayor's Teen Council may require.

ARTICLE III. MEMBERS

Section 1. **Monthly Meeting.** The Mayor's Teen Council shall hold bi-monthly meetings during the school year, the second and fourth Wednesdays of each month between September and May of the school year. Schedule may be revised by majority vote of the Executive Committee and approval of the Mayor.

Section 2. **Special Meetings.** Special meetings of the members, for any purpose or purposes, may be called by the Executive Committee.

Section 3. **Place of Meeting.** The Executive Committee may designate any place as the place of meeting for any meeting called by the Executive Committee. If no designation is made, or if a special meeting be otherwise called, the place of meeting shall be the principle location of the Mayor's Teen Council.

Section 4. **Notice of Meeting.** An email and social media update shall be sent the Monday prior to the bi-monthly meeting stating the place, day and hour at the direction of the chairperson, or the secretary, to each member of the council. Members are responsible to regularly look at the Mayor Teen Council emails and social media sites for updates. The notice of a regular or special meeting of the Mayor's Teen Council shall specify the purpose of the meeting, including amendment to these By-Laws, or business to be transacted at such meeting and the agenda to be considered.

Section 5. **Quorum.** A simple majority, being one more than half of members entitled to vote, shall constitute a quorum at a meeting of the members. If less than a quorum of such members is represented at a meeting, the members present shall adjourn the meeting. The members present at a duly organized meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum, but only if a quorum was present at the time the agenda has been approved and attendance of the members has been taken. If a quorum is present at the time the agenda has been approved and attendance of the

members has been taken, a majority of the members comprising the quorum is required for the Mayor's Teen Council to take action upon any item set forth in the approved agenda. Should the votes be evenly split, the Mayor shall cast a deciding vote.

Section 6. **Proxies.** At all meetings of members, a member may vote by proxy executed in writing by the member. Such proxy shall be left with the secretary prior to or at the time of the meeting.

Section 7. **Membership.** Membership on the Mayor's Teen Council shall maintain an open membership. To be considered an active voting member the youth should attend at least two (2) events a semester, two (2) fundraisers annually, and attend at least half (50%) of the regular meetings a semester. Sub-committee meetings count as having attended a meeting.

ARTICLE IV. EXECUTIVE COMMITTEE

Section 1. **General powers and duties.** The business and affairs of the Mayor's Teen Council shall be managed by the Executive Committee. The Executive Committee shall be responsible for planning the agenda for the school year and for each of the bi-monthly meetings of the Mayor's Teen Council, setting and proposing potential subcommittees and discharging any other responsibilities assigned by the Executive Committee or determined by majority vote of a quorum of the members of the Mayor's Teen Council.

Section 2. **Number, Tenure and Qualifications.** The number of executives on the Executive Committee shall be five (5) to six (6) and shall be members of the Mayor's Teen Council. Executives shall be elected by the last meeting in May and the term of office of each director shall be one (1) year, commencing from June 1 and continuing to May 31 of the following year, or until the election and qualification of successors. The executives shall be nominated from among the members of the Mayor's Teen Council. The Executive Committee shall consist of a chairperson or co-chairpersons, a vice-chairperson, a secretary, a treasurer, and a public information officer, each of whom shall be elected by ballot of the voting members of the Mayor's Teen Council.

Section 3. **Attendance.** Executive Committee members are allowed three (3) excused absences and one (1) unexcused absence per semester after which the person will be asked to step down and the members of the Mayor's Teen Council shall elect a new Executive Committee member. A member of the Executive Committee who fails or refuses to fulfill the duties associated with his/her position may be removed from the Executive Committee by a two-thirds (2/3) majority vote of the voting members of the Teen Council.

Section 4. Regular Meetings. A regular meeting of the Executive Committee may be held without other notice than this by-law, during or immediately following, and at the same place as each bi-monthly meetings of the members. The Executive Committee shall provide, by resolution, the time and place for the holding of one (1) additional regular meeting during the months of June, July and August immediately following the school year without other notice than such resolution. Additional regular meetings shall be held at the principle office of the Mayor's Teen Council in the absence of any designation in the resolution.

Section **45. Special Meetings.** Special meetings of the Executive Committee may be called by or at the request of the chairperson or other executive, and shall be held at the principle office of the Mayor's Teen Council at such other place as the Executive Committee may determine.

Section **56. Notice.** Notice of any additional or special meeting of the Executive Committee shall be given as outlined above in Article III, Section 4 of these by-laws. The notice shall specify the purpose of or business to be transacted at such a meeting and the agenda thereof.

Section **67. Quorum.** A majority of the number of executives fixed by these By-Laws shall constitute a quorum for the transaction of business at any meeting of the Executive Committee, but if less than such majority is present, the attending executives may adjourn the meeting.

Section **78. Election and Term of Office.** The executives to be elected by the members shall be elected annually by the members by the last meeting in May. Each executive shall hold office until resignation or termination in the manner herein provided.

Section **89. Vacancies**. Any vacancy occurring on the Executive Committee because of resignation, removal, disqualification or otherwise shall be filled by a vote of the Mayor's Teen Council. An executive so elected to fill a vacancy shall be elected for the unexpired term of the predecessor in office.

Section **910. Powers and Duties**. The powers and duties of the several officers shall be as provided from time to time by resolution or directives of the members.

In any event, the **chairperson** shall preside over and conduct all meetings of the Mayor's Teen Council and of the Executive Committee, determine agendas for the bi-monthly meetings of the Mayor's Teen Council and the Executive Committee, act as spokesperson for the Mayor's Teen Council, act as signatory on all documents for which the Mayor's Teen Council provides authorization to sign, delegate authority to any executive or member of the Mayor's Teen Council if circumstances so warrant, and act upon any other matters and in the manner authorized by the Mayor's Teen Council.

The **vice-chairperson** shall act in the place of the chairperson upon the chairperson's absence or inability to act as authorized herein, and take action as delegated by the chairperson.

The **secretary** shall prepare the minutes and agendas of each meeting of the Mayor's Teen Council and Executive Committee prior to the next bi-monthly meeting, email the notices of each meeting and prepare and enclose the agendas for each meeting with the notice of such meetings, ensure that the Mayor and Teen Council Advisor receive the agenda the Monday prior to the bi-monthly meeting, act in the place of the chairperson upon the chairperson's and vice-chairperson's absence or inability to act as authorized here and take action as delegated by the chairperson.

The **treasurer** shall monitor the Mayor's Teen Council budget and give regular reports of the budget balance and needs at the bi-monthly meetings, and act as head of the fundraising committee.

The **public information officer** shall be responsible for taking pictures at meetings and events, issuing press releases when necessary, updating the Mayor's Teen Council social media sites and posting the agendas, minutes and communications.

~~Executive Committee members are allowed two (2) excused absences and one (1) unexcused absence after which the person will be asked to step down and the members of the Mayor's Teen Council shall elect a new Executive Committee member. A member of the Executive Committee who fails or refuses to fulfill the duties associated with his/her position may be removed from the Executive Committee by a two thirds (2/3) majority vote of the voting members of the Teen Council.~~

Section 110. **Agendas.** Any member of the Mayor's Teen Council may submit a written request for placement of an item on the agenda to any member of the Executive Committee for consideration at the next following bi-monthly meeting. Such request shall be placed on the agenda at the discretion of the chairperson and, if placed upon the agenda, shall be considered at a monthly meeting determined by the Executive Committee, provided adequate and sufficient notice of the item for consideration has been given as set forth herein.

ARTICLE V. SUBCOMMITTEES

Section 1. **Standing committees.** The following subcommittee(s) shall be standing committees, and their term shall be perpetual: The Executive Committee, Fundraising Committee and Activities ~~Whitepaper~~ Committee. Any other subcommittees the Mayor's Teen Council determines are necessary shall be created for the limited term of the remainder of the school year and shall continue during such school year at the discretion of the Mayor's Teen Council. Such subcommittees shall be created by a majority vote of a quorum of members at any of the bi-monthly meetings of the members.

ARTICLE VI. AMENDMENTS

These By-Laws may be altered, amended, or repealed, and new By-Laws may be adopted by the Mayor's Teen Council with prior written notice to the members as provided herein; provided, however, that such alterations, amendments or repeals first be authorized by a two-thirds (2/3) vote

of all voting members of the Mayor's Teen Council and provided further that vote by proxy shall not be permitted.

ARTICLE VII. ADOPTION AND EFFECTIVE DATE

The foregoing By-Laws were regularly adopted at the meeting of the Mayor's Teen Council, and thereafter ratified at the meeting of the City Council of the City of Nampa held on the ~~6th day of April, 2015~~. These By-Laws shall be effective as of the ~~7th day of April, 2015~~.

Chairman

Vice-Chairman

Secretary

Treasurer

Public Information Officer

PROFESSIONAL SERVICES AGREEMENT ZONE C SEWER REHABILITATION FY17

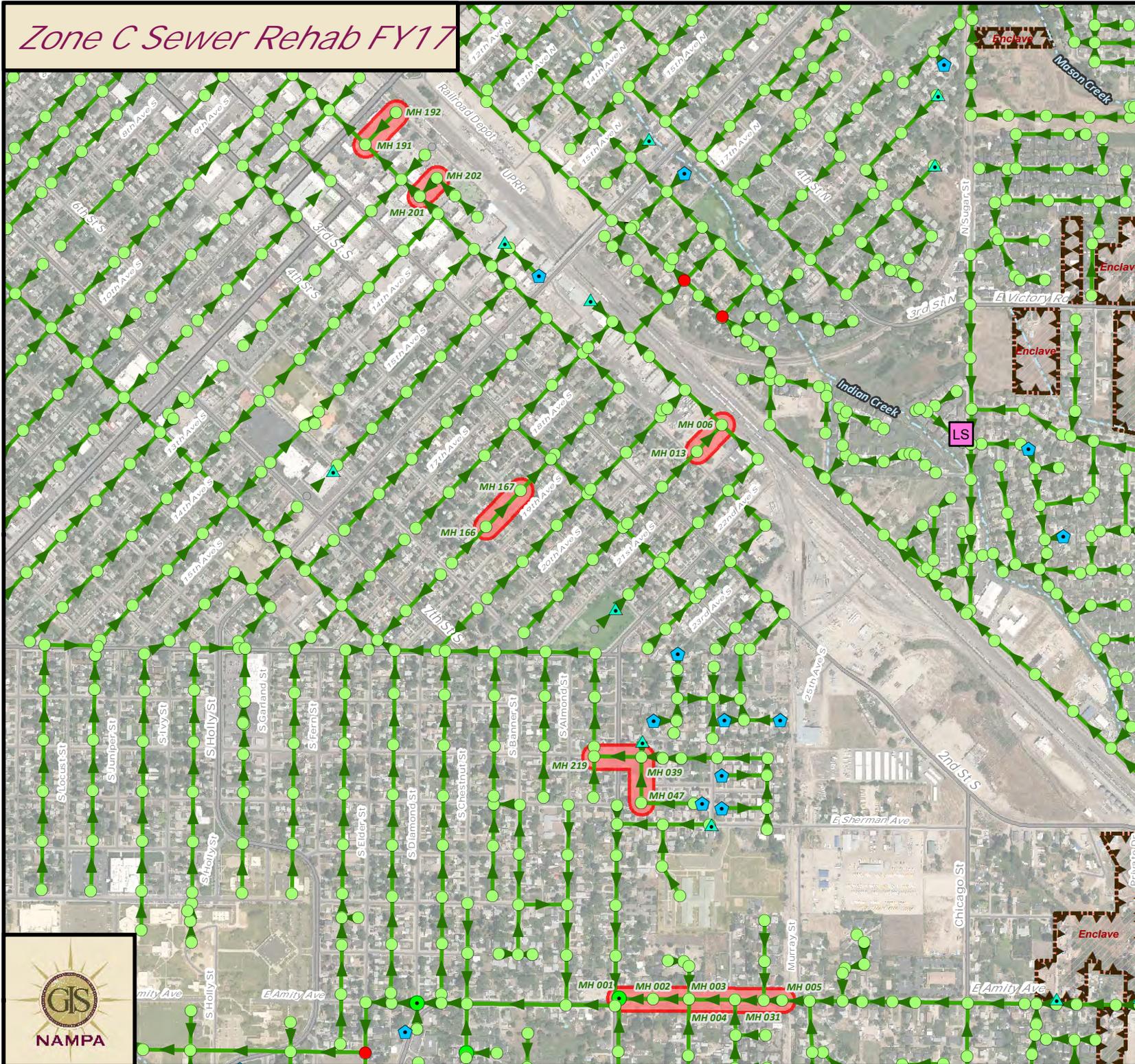
- Each year as part of the City’s Asset Management program the Wastewater Division identifies sanitary sewer lines and infrastructure that are in need of rehabilitation or replacement.
- For FY17 the Wastewater Division identified 5,811 feet (1.10 miles) sanitary sewer line in need of rehabilitation (Exhibit A). The rehabilitation method used for this project is primarily Cured-in-place pipe (CIPP). CIPP is a specialized form of rehabilitation that is cost effective while reducing construction impacts. Open trench excavation may be required if pipes are out of alignment or significantly deteriorated.
- JUB Engineers, Inc. has been selected by interview to design the project and assist with bidding and construction inspection.
- The Zone C Sewer Rehabilitation FY17 project has an approved FY17 Wastewater Division budget of \$416,000.

Design & Construction Inspection	\$ 77,527
<i>Construction Estimate</i>	<i>\$ 338,473</i>
Total	\$ 416,000

- JUB Engineers, Inc. has provided an initial Scope of Work and Labor Estimate to provide design, survey and construction support services for \$77,527 (Exhibit B).

REQUEST: Authorize Mayor and Public Works Director to sign Task Order and Contract with JUB Engineers, Inc. to provide professional services for the Zone C Sewer Rehabilitation FY17 project in the amount of \$77,527 (T&M N.T.E.).

Zone C Sewer Rehab FY17



9/14/2016



not to scale

-  Enclave Areas
-  City Limits
-  Project Location
-  Lift Station (Private)
-  WW Manhole
-  WW Drop Manhole
-  WW Diversion Manhole
-  WW Clean-out
-  WW Stub-out
-  WW Tee Connection
-  WW Lift Station Manhole
-  WW Manhole (Abn)
-  Gravity Sewer
-  Gravity Sewer (Abn)
-  Pressure Sewer

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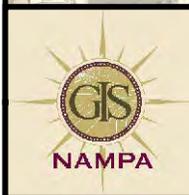


Exhibit A

Exhibit B



J-U-B ENGINEERS, Inc. Scope of Professional Services, Schedule and Fee Basis

Date: 10/17/2016

Task Order Number:

Project Number:

Project Name: Zone C Sewer Rehabilitation FY17

Consultant Company Address: 250 South Beechwood Ave., Boise, ID 83709

Consultant Project Manager/Contact Information: Phillip Krichbaum, P.E., e phk@jub.com, p 376-7330

Contract Amount: \$ 77,527 (T/M NTE)

Duration: Design 150 days

SECTION 1 - PROJECT DESCRIPTION:

The CITY has identified sanitary gravity sewers in asset management zone C that are in deteriorated condition and in need of rehabilitation for FY2017. Scope of the rehabilitation effort includes approximately 5,800 feet of sewer segments using primarily trenchless rehabilitation techniques. The CITY has completed an initial review of the CCTV inspection of the sewer reaches to be rehabilitated and reviewed these for suitability of cured-in-place (CIPP) rehabilitation. The approach is to confirm the suitability CIPP as the primary rehabilitation technique to provide a structurally independent pipe. Pipes ID #5 and #6 may require additional evaluation for pipe bursting and/or open trench excavation either as a point repair prior to the CIPP liner for full segment replacement. Service lateral rehabilitation is not intended with this project other than work involved to accommodate the CIPP installation. A summary of the collection sewer rehabilitation pipeline project locations is provided in the table below.

Pipe ID #	Section	Manhole	Location	Diameter	Length (FT)
1	22	202 to 201	13th Ave S.	6" clay	193
2	22	192 to 191	Front St.	6" clay	336
3	26	013 to 006	1st St. S. between 20th -21st Ave S.	8" clay	276
4	27	166 to 167	5th St. between 18th -19th Ave S.	8" clay	385
5	26	047 to 039	E Lincoln Ave.	8" concrete	351
6	26	039 to 219	S. Powerline Rd.	8" concrete	363
7	22	211 to 203	Alley between Front St. & 1st St. S. East of 13th Ave S.	6" clay	227
8	27	081 to 088	E. Roosevelt Ave	8" concrete	408
9	26	042 to 041	Nixon Ave	8" concrete	386
10	26	041 to 040	Meyer Ave	8" concrete	278
11	28	121 to 204	14th St. S. Between S. Olive St. & 12th St. S.	8" concrete	295
12	26	050 to 049	E. Sherman Ave.	8" concrete	352
13	26	053 to 043	Dufur St.	8" concrete	251
14	26	043 to 042	Dufur St.	8" concrete	129
15	26	905 to 053	Dufur St.	8" concrete	324
16	35	005 to 031	E. Amity Ave between S Murray St. and S Powerline Rd.	12" concrete	1,257
17		031 to 004			
18		004 to 003			
19		003 to 002			
20		002 to 001			
TOTAL					5,811

Generally, the approach will include the following tasks:

- Task 1 - Project Management and Meetings
- Task 2 - FY2016 Zone B CIPP Rehabilitation Evaluation and Design



- Task 3 - Bidding Assistance
- Task 4 - Construction Services

The project is intended to be designed and substantially constructed by the end of August 2017 with duration of project close out services potentially extending into September 2017. The CITY's goal is to incorporate flexibility in the construction contract start dates to allow lining Contractors to mobilize at optimal time periods.

SECTION 2 – ITEMS TO BE PROVIDED BY THE CITY TO J-U-B AND PROJECT ASSUMPTIONS

- 2.1 The CITY will provide J-U-B with the following for the design phase of the project:
 - A. Existing easements, plats and record ROW information in the project areas.
 - B. Liaison with private and public entities for site access, construction coordination, etc.
 - C. A geotechnical report is not available and an investigation will not be performed. Conservative assumptions will be taken in the structural design of the CIPP liner.
 - D. CCTV tapes, record drawings, locations of all service connections, and maintenance information about the subject sewers. CCTV tape quality shall be of sufficient quality to accurately evaluate the condition of the pipe, service line locations and establish pipe joint deflection or offsets. CCTV inspection during low flows or while by-pass pumping is encouraged.
 - E. Dye testing and additional CCTV inspection may be required to identify service laterals which are active or inactive as mutually agreed between the CITY and J-U-B.
 - F. Flow monitoring for larger interceptor sewers if no recent information is available from other CITY provided sources.
 - G. GIS shape files showing sewers and other utilities, rights-of-ways, property lines, addresses, ownership, and recent high resolution aerial mapping. This data will be used to develop base mapping for the project.
 - H. Field survey data of manholes in the rehabilitation area, including rim and invert elevations, pipe sizes, X,Y coordinates on CITY datum and compatible with CITY GIS data.
 - I. Secure and pay for final permits, easements, agency approvals, and agreements required for the project. J-U-B shall provide assistance to the CITY as outlined in subsequent tasks.
 - J. The CITY will provide QLPE review and DEQ coordination if required.
 - K. Assist J-U-B in field visits and coordination with residents. Mailings of project flyers to landowner for impacted rental properties as defined in Task 1.4.
 - L. Provide Project Manual front-end documents, insurance provisions, and supplemental specifications to the current ISPWC General Conditions.

- 2.2 The CITY will provide J-U-B with the following during the bidding and construction phases:
 - A. Distribute all bidding documents, addenda and other correspondence to plan holders.
 - B. Provide administration to bid the project.
 - C. Provide J-U-B access to software that may be used for transmitting RFI's, shop drawings and other correspondence.
 - D. Attend pre-construction conferences, construction progress meetings, agency progress meetings, substantial completion and final project close-out walk throughs.
 - E. During construction of the Project, the CITY shall promptly notify J-U-B of issues related to the Contractor's performance of the work.
 - F. Give prompt written notice to J-U-B whenever the CITY observes or otherwise becomes aware of any development that affects the scope or time of performance or furnishing

Exhibit B



of J-U-B's services, or any defect or non-conformance in J-U-B's services or in the Work of any Contractor.

- G. Render all final decisions related to: 1) Changes or modifications to the terms of the construction contract, 2) acceptability of the Work, and 3) claims or Work stoppages.
- H. Provide legal services as the CITY may require.

2) Assumptions:

- A. A SWPPP will not be required, as it is anticipated that this project will result in a land disturbance of less than one acre. The Contractor will be required to provide an Erosion and Sediment Control (ESC) plan per the Technical Specifications developed by J-U-B if excavation is required.
- B. It is assumed that no research or land surveys are required to establish public right-of-ways, easements, or property unless specifically listed in this Scope of Services. City/County GIS data will be used. The CITY will secure additional temporary construction easements if necessary for construction of the work.
- C. Time of Completion: The fee estimate for these services is based on an assumed level of effort. Construction support can vary depending on the CITY's retained Contractor execution of the work, weather, permitting, etc. It is anticipated that the will be construction contract will be for 60 days. Construction production is assumed to involve three (3) CIPP shots or sewer reaches per week, involving 6 to 8 hours of J-U-B's field involvement per shot. At any time, the level of field inspection can be modified as mutually agreeable by the affected parties. Winter shut-down periods are not assumed. Refer to Attachment "A-1" for staffing hour assumptions.
- D. J-U-B will serve as the Engineer during construction and Resident Project Representative (RPR). Roles of the Engineer and RPR during construction shall be defined in ISPWC Division 100, Standard General Conditions, and as modified by the CITY's Standard Supplementary Conditions provided with the Project Manual. J-U-B will be afforded the protections as the Engineer under the before mentioned documents.
- E. It is understood and agreed that J-U-B shall not, during the performance of Services, or as a result of observations of the Work in progress, supervise, direct, or have control over the Contractor's work. Further, J-U-B shall not have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s), for safety precautions and programs incident to the Work of the Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing their Work or providing any health and safety precautions required by any regulatory agencies. Accordingly, J-U-B does not guarantee or warrant the performance of the construction contracts by Contractor(s) nor assume responsibility of Contractor(s) failure to furnish and perform their Work in accordance with the Construction Contract Documents.
- F. The CITY agrees that the Contractor shall be solely responsible for jobsite safety per the Construction Contract Documents. The CITY agrees that the CITY and J-U-B shall be indemnified by the Contractor per the Contract Document General Conditions.
- G. J-U-B shall not be responsible for the acts or omissions of any Contractor(s), suppliers, or any individual or entity performing or furnishing any of the Work. J-U-B shall not be responsible for failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents. J-U-B shall not act as the Contractor's Quality Control manager or superintendent
- H. No pre-bid meetings are required.
- I. The Construction Contractor retained by the CITY will:

Exhibit B



1. Be required to provide a Traffic Control Plan as necessary per the Technical Specifications developed by J-U-B.
2. Supply a detailed construction schedule and submittal log at or prior to the pre-construction conference.
3. Coordinate directly will all affected landowners and residents for construction access and staging needs, and resolution of construction issues.

SECTION 3 – SERVICES TO BE PERFORMED BY J-U-B

J-U-B's scope of services is specifically limited to the following:

Task 1 – Project Management and Meetings

- 1.1 Kickoff Meeting:** J-U-B will prepare and conduct a kick-off meeting with CITY staff for the purpose of discussing the project approach and obtaining information that may be available from the CITY, reviewing project schedule, etc.
- 1.2 Progress Meetings:** Attend progress meetings with the CITY staff as needed to discuss project status, provide task order status summaries, present deliverables, and receive direction from the CITY. It is anticipated that two (2) progress meetings will be held during completion of Task 2 primarily in the design phase of the project. Bidding or construction meetings are provided as specifically listed in the relative tasks.
- 1.3 Project Management, Administration and Tracking:** Prepare monthly project updates with invoices, project management, and coordination with the project team and Public Works staff. Project updates shall include a summary percent completed work and fee expended. Monitor team progress, action item lists, task deadlines, items needed from CITY; provide documentation, permitting milestones, and critical path items as needed. This subtask will extend through the Bidding and Construction Phases.

Deliverables:

1. Kickoff meeting minutes.
 2. Progress reports and meeting summaries as applicable.
- 1.4 Resident/Business Coordination:** J-U-B shall assist the CITY with landowner coordination as described below:
- A. Design Phase: J-U-B with CITY input shall prepare a project flyer which will be handed out during the manhole assessment site visit. For rental properties, flyers will be mailed to the landowner by the CITY. The flyer will have J-U-B and CITY contact information that interested parties can call for additional information.
 - B. Meetings: Follow up meetings or correspondence may be required for some landowners. J-U-B with the CITY shall conduct site meeting or follow up telephone calls with those residents responding to the project flyer distributed prior to the design phase. An assumed level of effort for these meetings is listed in Attachment "A-1". Meetings notes shall be prepared summarizing discussions and copied to the CITY PM.
 - C. Prior to construction, an additional project flyer will be prepared by J-U-B and mailed by the CITY with the contractor's contact information and general project schedule.



Deliverables:

1. Project design and pre-construction informational flyers and a tracking log summarizing comments received and meeting notes.

Task 2 - CIPP Rehabilitation Evaluation and Design (Base Project Repairs)

- 2.1 Review Existing Information:** J-U-B will review information provided by the CITY in regard to the existing sewer system including:
 - A. Record drawings if available.
 - B. J-U-B shall review CCTV inspection video to verify the applicability of CIPP for each sewer segment to generally determine pipe and pipe joint condition is applicable for CIPP rehabilitation, broken pipe sections, joint condition, ovality, service lateral locations and connections, significant grade breaks, protrusions into the pipe, and offset joints that are visible from the CCTV and other factors that could potentially affect CIPP lining performance. It may be recommended that the CITY perform additional inspection videos if sections of the sewer are not clearly visible in the existing CCTV. The evaluation will be done in close coordination with CITY staff.
 - C. Review City provided information on easements, rights-of-ways (ROWS), plats, in addition with the research provided under Task 2.6.
 - D. J-U-B shall review available plats and UPRR ROW maps for determination of possible encroachment within UPRR ROW at MH 013 for Pipe ID # 3. If UPRR encroachment permitting is required, provisions will be added to the Project Manual for the contractor to secure the applicable permit.
- 2.2 Manhole Condition Assessment:** J-U-B will inspect each manhole with the assistance from the CITY, along the proposed rehabilitation alignment to visually assess the general condition of the manhole. The manhole assessment will be conducted from the ground surface without entering the manholes. Documentation of the manhole condition assessment will be summarized on manhole inspection forms. No confined space entries will be provided.
- 2.3 Prepare Preliminary CIPP Rehabilitation Summary Schedules and Base Mapping:** Based on information collected and reviewed, and hydraulic design flow, J-U-B shall evaluate.
 - A. J-U-B shall review each rehabilitation segment sewer and prepare draft rehabilitation schedules that will be used in final design. The schedules shall be prepared for each sewer segment tabulating service locations, protruding services, broken pipe sections, offset joints and other pertinent data to the CIPP design. J-U-B shall review each rehabilitation segment area and prepare a list of project issues to be provided to the CITY. Those segments that may not be valid for CIPP rehabilitation may require alternative rehabilitation methods. These assumed pipe segments are identified in Task 2.7.
 - B. Preliminary calculations will be prepared for each rehabilitation segment to estimate material thickness and preliminary opinions of construction cost shall be prepared for each method.
 - C. Concept hydraulic analysis and bypass pumping requirements for sewers larger than 8-inch.

Exhibit B



- D. J-U-B shall review the CITY's provided GIS information and prepare GIS map sheets for the rehabilitation segments. The map book will include 11"x17" figures such as: an overall site vicinity key map, section map showing sewer rehabilitation segment, sewer size, length, manhole ID #, etc. Service locations will not be shown. Scale will be 1"=200', color with available CITY aerial mapping background. Street address will be added to the adjoining residents and businesses.
- E. A preliminary opinion of probable construction cost will be prepared for the rehabilitation work.
- F. An internal QC review will be performed by a senior engineer on the CIPP evaluation and deliverables of this subtask. J-U-B shall submit these deliverables and meet with the CITY to review CITY comments.

2.4 90% Final Design Package: J-U-B shall complete final design and prepare construction documents for the sewer rehabilitation and related work elements as listed below. Design will be based on the CITY's proposed adopted version of the 2012 ISPWC as modified by the CITY's Construction Standards and will include the following:

- A. Address applicable CITY comments from subtask 2.3.
- B. Complete final design calculations of the liner thickness for each rehabilitation sewer.
- C. Prepare final rehabilitation schedules for each sewer segment (MH to MH) delineating information developed from subtask 2.3. Services to be reinstated and other information will be tabulated from distance measured in the CCTV inspections.
- D. Prepare final GIS map plan view sheets to include MH survey, ID #, length, sewer size, flow direction and GIS base mapping on 11"x17" sheets to be bound in the project manual.
- E. Prepare a draft Project Manual in accordance with CITY's requirements (Advertisement, Bidding Documents, Contract Documents, technical specifications, as well as rehabilitation schedules, and details for items that are not covered or are in addition (clarification) to the ISPWC and CITY Standard Construction Specifications.
- F. Prepare Supplemental Technical Specifications for the project including the preferred rehabilitation method, performance based bypass pumping, public notification requirements, traffic control performance requirements, and others deemed necessary for the project.
- G. Opinion of probable construction cost using the draft bid schedule.
- H. A senior engineer will perform a QC of the liner calculations, plans and technical specifications.
- I. J-U-B will submit four (4) copies of the 90% review package to the CITY for review and comment. J-U-B will meet with the CITY to review submittal package and receive comments and direction from Public Works staff on the project.

2.5 100% Final Design and Project Manual Package (Bid Ready): J-U-B prepare Bid Ready Construction Documents as follows:

- A. Incorporate applicable CITY review comments into the plans, technical specifications and Project Manual.

Exhibit B



- B. Prepare 100% complete design calculations, rehabilitation schedules and GIS mapping sheets.
- C. Updated the Project Manual to incorporate final design elements, front-end revisions, technical specifications, rehabilitation schedules, manhole inspection sheets, GIS map sheets, and details for items that are not covered or are in addition (clarification) to the ISPWC and CITY Standard Construction Specifications.
- D. Complete an internal QC review with a senior J-U-B engineer
- E. Opinion of probable construction cost and preliminary bid schedule.
- F. J-U-B will submit six (6) copies of the 100 % (Bid Ready) submittal package.

2.6 Title Reports and Research: Several of the pipe segments are located in alleys that require additional research to determine underlying rights-of-ways or easements to afford the CITY access. J-U-B shall order a title reports for Pipe ID # 5, #6 and #15 which may include six (6) properties. J-U-B will review each title report and provide a summary to the CITY PM on the findings.

2.7 Concept Evaluation of Alternative Rehabilitation Methods: Pipes ID #5 and #6 were identified by the CITY as possible candidates for alternative rehabilitation methods, namely pipe bursting. At a minimum, a spot excavation may be required clear an obstruction or partial pipe collapse. Alternatives routing to the collection sewer will be evaluated along with alternative in-place rehabilitation techniques. Spot field survey will be performed to determine possible re-routing options and constraints. A concept plan using available CITY GIS mapping and the spot survey will be prepared and presented to the CITY PM for review. An opinion of probably cost will be prepared for the alternative options. Final design and construction plan preparation will require an addendum to these scope of services.

Deliverables:

- 1. Four (4) copies of the Preliminary Rehabilitation Schedules and GIS Maps Sheets, draft opinion of probable construction cost and electronic pdf.
- 2. Four (4) copies of the 90% Project Manual, draft opinion of probable construction cost, and electronic pdf.
- 3. Six (6) copies of the Final (100% Bid Ready) Project Manual, final opinion of probable construction cost and an electronic pdf for the City to upload to the City's web based bidding service.
- 4. Electronic pdf copies of all title reports and findings summary.
- 5. Alternative rehabilitation concept plan and cost estimate.

Task 3 – Bidding Assistance

3.1 Bid Administration Services: J-U-B will assist the CITY during the bidding phases of the Task 2 and Task 3 projects as described below or specifically requested by the CITY:

- A. J-U-B will provide and additional (5) sets of the Project Manual for bidding purposes if necessary for each project.
- B. Respond to Bidders' questions and prepare and/or advise the CITY in the issuing addenda.



- C. Assist with the bid review as requested by the CITY and issue a summary of bids and recommendation for award if requested.

Deliverables:

1. Electronic copies of Bid Addendums as required.
2. Bid review and award recommendation memorandum.

Task 4 – Construction Services

4.1 Construction Engineering, Administration, and Inspection Services: J-U-B will provide a construction engineer and part-time resident project representative (RPR) and act as the primary point of contact on the project construction site assisting the CITY's PM during construction of the project as described below or specifically requested by the CITY. Periodic site visits are assumed over the construction period described in Section 2 which relates to approximately 20 hours per week as shown on Attachment A-1 for RPR field time.

- A. Project Meetings:
 1. Preconstruction Conference: J-U-B will arrange and conduct the pre-construction conference with the contractor, CITY, and agencies. Meeting minutes will be transmitted electronically.
 2. Construction Meetings: Construction meetings will be held bi-weekly at the site or City Hall with the Contractor and permitting agencies during the installation period. J-U-B shall copy meeting minutes to the CITY Project Manager. At these meetings, the Contractor will provide project schedules updates (monthly) and short-term look-ahead schedules detailing the activities planned for the following weeks.
- B. Shop Drawing and Product Data Reviews: J-U-B will review shop drawing and product data submittals for compliance with the design and contract documents.
- C. Construction Administration: J-U-B will review and prepare recommendations to the CITY regarding claims, change order and work directive preparation, address questions or RFI's, and other construction administration activities. J-U-B will coordinate observation staff throughout the project with agencies, Contractors, and the CITY. J-U-B will review completed quantities in pay applications submitted by the Contractor and recommend payment to the CITY's Project Manager. This will include substantial and final completion pay applications.
- D. Observation and Documentation: J-U-B's RPR shall provide observation and inspection during installation of the liner and related activities. J-U-B shall promptly document and notify the Contractor and CITY's Project Manager via phone call or meeting if non-compliant work is observed. The roles and responsibilities for correcting defective work are identified in the ISPWC General Conditions. J-U-B's RPR shall copy inspection diaries and available testing data via Email to the CITY's PM at one week intervals. Observation reports will include recording Contractor hours on the site, weather conditions, equipment (inactive, active) on the project field orders, or known changed conditions, lining install, cure and cool down procedures, daily activities during the liner installation, decisions, observations in general, and specific observations in more detail, such as observed testing procedures. Photos will be taken as appropriate.

Exhibit B



- E. Close-out Procedures: 1) J-U-B will review post-CIPP CCTV inspection video and other CIPP testing submittal data for general compliance with the contract documents and advise the CITY PM accordingly; 2) J-U-B will conduct a walk through with the CITY and prepare a preliminary punch list of remaining items prior to issuing substantial completion and submit to the CITY's Project Manager; 3) J-U-B will perform a walk-through with the CITY and Contractor to develop a final punchlist of remaining items and subsequently review completion of final punchlist items and other final completion documentation with the CITY's Construction Manager/Engineer.
- F. Limitation of Authority: J-U-B shall not:
1. Authorize any deviation from the Contract Documents or substitution of materials or equipment (including "or-equal" items).
 2. Exceed limitation of J-U-B's authority as set forth in the Task Order and Professional Services Term Agreement
 3. Undertake any of the responsibilities of the Contractor(s) or suppliers.
 4. Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences, or procedures of construction or of the Work, unless such advice or directions are specifically required by the Contract Documents.
 5. Advise on, issue directions regarding, or assume control over safety practices, precautions, and programs in connection with the activities or operations of the CITY or Contractor.
 6. Participate in specialized field or laboratory tests or inspections conducted by others, except as specifically authorized.
 7. Accept shop drawings or submittals from anyone other than the CITY.
 8. Authorize the CITY to occupy the Work in whole or in part.
 9. Act as the construction Contractor's Quality Control manager or superintendent.
 10. Approve the suitability of by-passing pumping or dewatering plans.

Deliverables:

1. One (1) paper set of related construction administrative documents, and electronic pdf copies to CITY PM.
2. Electronic copy of record information provided by the as provided by the Contractor along with a full size Mylar.
3. Electronic copies of field reports/diaries and testing reports as provided by the Contractor.

Project Schedule

Task Number	Task Name	Schedule/Milestone*
Task 1	Project Management and Meetings	On-going throughout other tasks
Task 2	CIPP Rehabilitation Evaluation and Final Design (Base Project Repairs)	Completed within 90 calendar days of Notice to Proceed.
Task 3	Bidding Assistance	Completed as required by CITY's bidding and contract award schedules.
Task 4	Construction Services	On-going throughout construction

*Does not include time for review and approval of the CITY, easement acquisition, and agency approvals. Does not include delays that may be incurred gathering necessary information from the CITY.

Exhibit B



Cost of Services:

The CITY will pay J-U-B for its services and reimbursable expenses on a not to exceed basis of the total listed below.

Task Number	Task Name	Fee Type	Amount
Tasks 1 - 2	Project Management and Meetings, CIPP Rehabilitation Evaluation and Design		\$ 41,217
Task 3	Bidding Assistance		\$ 2,416
Task 4	Construction Services		\$ 33,894
		TOTAL (T&M N.T.E.)	\$ 77,527

PROFESSIONAL SERVICES AGREEMENT
IOWA AVENUE PARALLEL SEWER LINES & QUEENS DRIVE
PRESSURE SEWER REFURBISHMENT

- The Iowa Avenue Parallel Sewer Lines & Queens Drive Pressure Sewer Refurbishment (Exhibit A) were identified and selected for upgrades/repair as part of the City's Wastewater Master Plan.
- The Iowa Avenue Parallel Sewer project will provide increased capacity for future development in the vicinity of Iowa Avenue between Ventura Drive and Florence Street.
- The Queens Drive Pressure Sewer project will increase the force main size to address current maintenance issues and to provide increased capacity for future development.
- In an effort to reduce costs, these two projects were combined and will be bid together as one project.
- The proposed schedule includes design and construction within FY17.
- JUB Engineers Inc. has been selected by interview to design the project, assist with bidding, and provide construction engineering and inspection services.
- The project has an approved FY17 Wastewater Division budget of \$531,000.
- JUB Engineers has provided an initial Scope of Work and Labor Estimate to provide design and construction services for \$91,250 (Exhibit B).
- Engineering has reviewed the Scope of Work and Labor Estimate and recommends approval.

REQUEST: Authorize Public Works Director and Mayor to sign Task Order and Contract for professional services on the E. Iowa Ave. Parallel Sewer Line & S. Queens Dr. Pressure Sewer Refurbishment project in the amount of \$91,250 (T&M N.T.E.).

FY17 Project Location

06-Wastewater

E Iowa Ave Parallel Sewer Lines

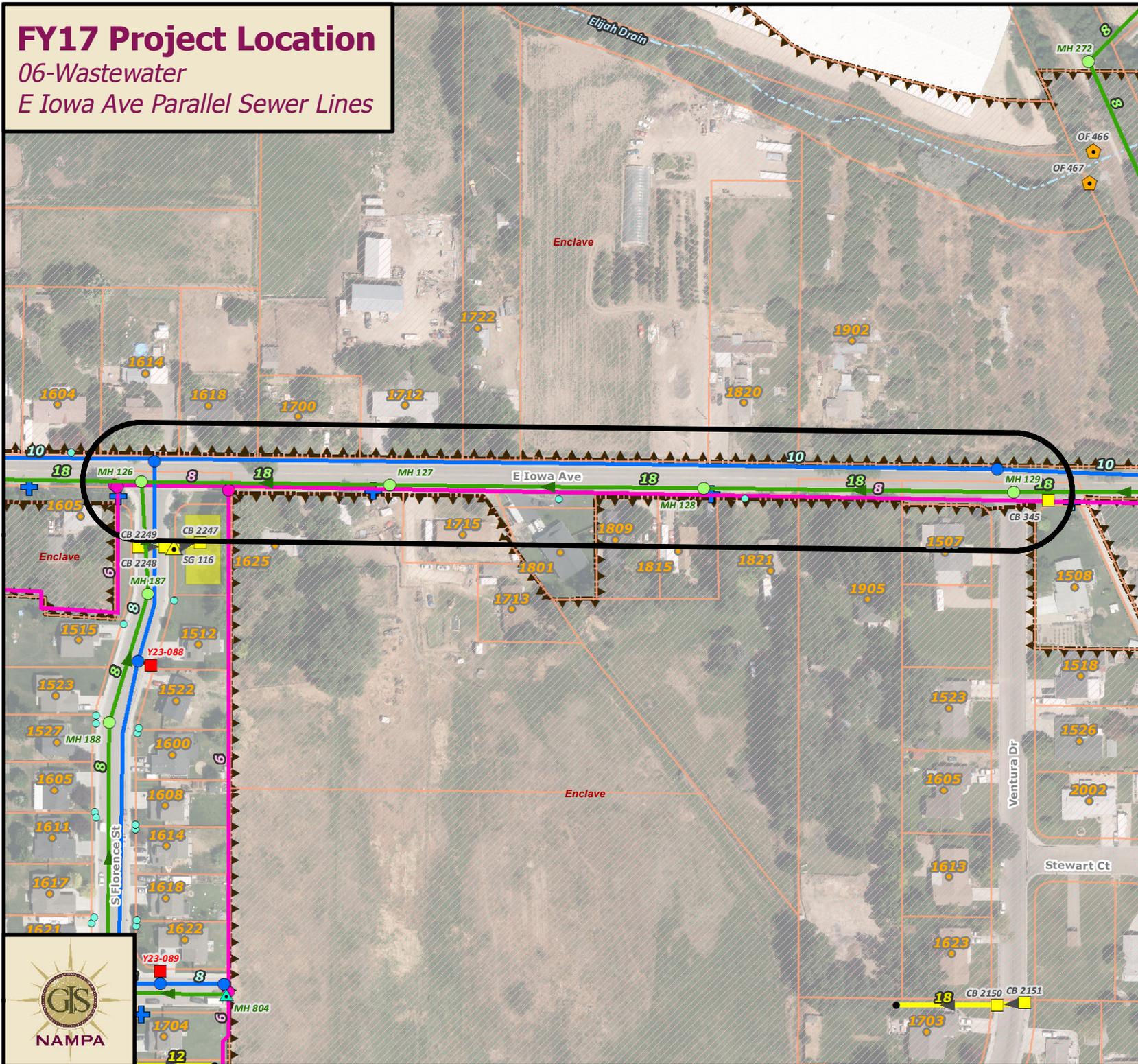


8/15/2016



not to scale

- Address Points
- County Parcels
- Enclaved Areas
- City Limits
- Project Location
- WW Manhole
- WW Stub-out
- Gravity Sewer
- SD Sand & Grease Trap
- SD Catch Basin
- SD Outfall
- SD Node
- Stormdrain
- SD Pond
- Hydrant
- Domestic Valve
- Water Meter
- Domestic Main
- Fire Line
- Irrigation Valve
- Irrigation Main
- Pole, Street Light (IPCO)



File: R:\Maps\Internal_CPR_etc\Projects_Map2017 Construction Projects\FY17_ProjectLocations_Master.mxd



October 5, 2016

Clemente Salinas, Project Manager
City of Nampa – Engineering Division
411 3rd St. S
Nampa, ID 83651

Re: E. Iowa Ave. Parallel Sewer Lines and S. Queens Dr. Pressure Sewer Refurbishment Project

Clemente,

I am pleased to offer the enclosed Scope of Work and attached fee for the above referenced project, and look forward to beginning the project later this fall. Please let me know if you have any questions or need any further information.

Sincerely,
J-U-B ENGINEERS, Inc.



Josh Elliott, P.E.
Project Manager

JE

Enclosures (2): Scope of Work
Attachment A-1 – Work-hour Estimate

Scope of Work

Date: October 5, 2016

Task Order Number:

Project Number:

Project Name: E. Iowa Ave. Parallel Sewer Lines & S. Queens Dr. Pressure Sewer Refurbishment

Consultant Company Address: 250 S. Beechwood Ave., #201, Boise, ID 83709

Consultant Project Manager/Contact Information: Josh Elliott, P.E., email – jelliott@jub.com, phone – 376-7330

Contract Amount: \$91,250 (T/M NTE)

Duration: 105 days (with limitations as described under the “Project Schedule” Section)

Project Description:

The CITY has identified necessary capacity and replacement improvements for the Queens Lift Station and E. Iowa Trunk Sewer through the 2014 Sewer Master Plan (SMP). These projects generally entail the following:

The Queens Lift Station is located at the intersection of S. Queens Dr. and E. Rock Ct. in a residential subdivision with the existing pressure sewer routed north along Queens Dr. to Little John Ct. An evaluation will identify necessary upgrades to the lift station and pressure sewer for capacity and peak velocity over the next planning cycle. It is anticipated that final design will include upsizing the pressure sewer to 6-inch. Lift station final design and bidding tasks are not included at this time; however, the lift station evaluation task will provide a technical memorandum detailing the recommended upgrades and associated estimated improvement costs for possible task order amendment.

The E. Iowa Sewer improvements are anticipated along E. Iowa Ave. from approximately Ventura Dr. to S. Florence St. The E. Iowa Sewer portion of the project will evaluate and design capacity improvements necessary to accommodate future flows as identified in the SMP. E. Iowa Ave. lies under the jurisdiction of the City of Nampa.

Project Assumptions:

1. The CITY will provide J-U-B with the following for the construction phase of the project:
 - Provide ongoing review of J-U-B’s work and timely consideration of planning or design inquiries within a time acceptable to both the CITY and J-U-B.
 - Record drawings of existing facilities which are incorporated into the project or pertinent for planning or design of the project.
 - Pump manufacturer, model numbers, performance curves, and related existing equipment information.
 - SCADA trending data for the Queens Lift Station upon request and as available
 - CITY will provide a listing of desired lift station components, control sequence and panel requirements, and related design and performance standards.

- GIS shapefiles of existing City utilities and served homes within the project area
 - CCTV of the E. Iowa sewer
 - Easements of record for the lift station site
 - Field locate the existing pressure sewer as feasible with existing locating wire
 - Access to the Sewer Master Plan
 - Future road widening plans within the project area, as available
 - Locations of future gravity sewer stub-outs for the E. Iowa Sewer
 - Water and sewer service locations along E. Iowa Ave.
 - Pay for any necessary permit fees.
 - Pay for all legal notice for advertisement of Bids.
 - Provide information related to potential developments adjacent to the proposed improvements including locations and phasing constraints, and provide guidance on the City's desired stub-out locations.
 - Provide a liaison with area stakeholders, residents and agencies
 - Provide Project Manual front-end documents, insurance provisions, and supplemental specifications to the current ISPWC General Conditions.
2. The CITY will provide J-U-B with the following during the bidding and construction phase of the project:
- Distribute all bidding documents, addenda and other correspondence to plan holders.
 - Provide administration to bid the project.
 - Provide J-U-B access to software that may be used for transmitting RFI's, shop drawings and other correspondence.
 - Attend pre-construction conferences, construction progress meetings, agency progress meetings, substantial completion and final project close-out walk-throughs.
 - During construction of the Project, the CITY shall promptly notify J-U-B of issues related to the Contractor's performance of the work.
 - Give prompt written notice to J-U-B whenever the CITY observes or otherwise becomes aware of any development that affects the scope or time of performance or furnishing of J-U-B's services, or any defect or non-conformance in J-U-B's services or in the Work of any Contractor.
 - Render all final decisions related to: 1) Changes or modifications to the terms of the construction contract, 2) acceptability of the Work, and 3) claims or Work stoppages.
 - Provide legal services as the CITY may require.
3. Assumptions:
- These scope of services do not include final design of improvements at the Queens Lift Station.
 - One construction package (bidding documents) is assumed for the gravity and pressure sewer projects generally described herein. Re-packaging or splitting the sewer improvements into multiple phases will require a modification to the scope and fee.
 - The CITY's retained Contractor for construction of the proposed improvements will provide the necessary Traffic Control Plan (TCP), Erosion and Sediment Control Plan (ESCP) and dewatering plan, as necessary.

- The Queens Lift Station pressure sewer work will occur within the floodplain and floodway. It is assumed that construction will cause “no rise” and that no flood study will be necessary. Only a floodplain development permit application is assumed.
- All work will be completed in the public rights-of-ways. No provisions for will be made for acquisition of permanent or temporary construction easements.
- No potholing for utility locates will be required. If needed, these may be performed under the management reserve account, with written CITY authorization.
- No lift station monitor will be installed to determine existing pumping rates. If needed, this may be performed under the management reserve account, with written CITY authorization.
- Pavement patch backs will utilize the City’s Standard Drawings for the applicable street classification.
- Time of Completion: The fee estimate for these services is based on an assumed level of effort. Construction support can vary depending on the CITY’s retained Contractor execution of the work, weather, permitting, etc. It is anticipated that the construction contract will be for 9 weeks. Construction production is assumed at approximately 85 lineal feet of pipe installation per day, for five days per week with field observation and documentation for roughly 20 hours per week for the first 7 weeks and 10 hours per week for the last two. At any time, the level of field inspection can be modified as mutually agreeable by the affected parties. Weather shut-down periods are not assumed. Refer to Attachment “A-1” for staffing hour assumptions.
- J-U-B will serve as the Engineer during construction and Resident Project Representative (RPR). Roles of the Engineer and RPR during construction shall be defined in ISPWC Division 100, Standard General Conditions, and as modified by the CITY’s Standard Supplementary Conditions provided with the Project Manual. J-U-B will be afforded the protections as the Engineer under the before mentioned documents.
- It is understood and agreed that J-U-B shall not, during the performance of Services, or as a result of observations of the Work in progress, supervise, direct, or have control over the Contractor’s work. Further, J-U-B shall not have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s), for safety precautions and programs incident to the Work of the Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing their Work or providing any health and safety precautions required by any regulatory agencies. Accordingly, J-U-B does not guarantee or warrant the performance of the construction contracts by Contractor(s) nor assume responsibility of Contractor(s) failure to furnish and perform their Work in accordance with the Construction Contract Documents.
- The CITY agrees that the Contractor shall be solely responsible for jobsite safety per the Construction Contract Documents. The CITY agrees that the CITY and J-U-B shall be indemnified by the Contractor per the Contract Document General Conditions.
- J-U-B shall not be responsible for the acts or omissions of any Contractor(s), suppliers, or any individual or entity performing or furnishing any of the Work. J-U-B shall not be responsible for failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents. J-U-B shall not act as the Contractor’s Quality Control manager or superintendent

- The Construction Contractor retained by the CITY will:
 - Provide a Traffic Control Plan (TCP), Erosion and Sediment Control Plan (ESCP) and dewatering plan, as necessary and in accordance with the Contract Documents.
 - Provide construction staking based on J-U-B's provided construction control points.
 - Supply a detailed construction schedule and submittal log at or prior to the pre-construction conference.
 - Coordinate directly will all affected landowners and residents for construction access and staging needs, and resolution of construction issues.

Scope of Services: J-U-B's Scope of Services is specifically limited to the following:

1. Project Management, Sub-consultant Administration, Public Involvement, and Agency Coordination

1.1. Kick Off Meeting and Field Review – J-U-B will prepare agenda and conduct a kickoff meeting with CITY staff to discuss project approach and schedule, to meet at the Queens Lift Station to review the City's desired improvements and existing deficiencies, and to gather existing information relevant to both the E. Iowa Sewer and Queens Lift Station including pertinent record drawings, supervisory control and data acquisition (SCADA) trends, survey information, utility shapefiles, and easement information. J-U-B will record meeting minutes and transmit them to CITY.

Subtask 1.1 Deliverables:

- Meeting minutes

1.2. Progress Meetings – J-U-B will schedule progress meetings with the CITY, prepare agenda and record minutes. Progress meetings will be scheduled to review CITY comments at the following design milestones:

- 50% design review,
- 90% design review.

No meetings are anticipated to review the recommendations of the Queens Lift Station Upgrade Technical Memorandum or Preliminary Engineering Report (PER), or the 30% concept alignment for the parallel E. Iowa Sewer.

Subtask 1.2 Deliverables:

- Meeting minutes with summary of review comment responses

1.3. Budget and Tracking – J-U-B to provide monthly progress report(s), detailing expenditures per task to date, schedule updates, progress during the billing period, information needs, and known potential delays. Monthly progress report(s) will be submitted with monthly invoice(s).

Subtask 1.3 Deliverables:

- Monthly invoices with progress summary reports.

1.4. Sub-consultant Administration – J-U-B will retain the services of a licensed electrical engineer to perform initial evaluation, PER support, and subsequent design and bidding support tasks for the Queens Lift Station upgrades. J-U-B will administer the sub-consultant contract, and will coordinate evaluation, preliminary engineering and design tasks with the sub-consultant.

1.5. Public Involvement –

1.5.1. Informational Flyer – J-U-B will create an informational flyer with input from the CITY to distribute to residents immediately adjacent to both the E. Iowa Sewer and Queens Lift Station projects. The flyer may include information such as project schedule, what to expect during construction, project benefits, and frequently asked questions. A preconstruction flyer will be distributed during final design and another will be distributed after the construction contract is awarded and shall be updated with the contractor's contact information.

1.5.2. Specifications will outline public outreach and coordination requirements including coordination with bus services, emergency services, solid waste services, and adjacent residents.

Subtask 1.5 Deliverables:

- Pre-construction Informational Flyers

1.6. Agency Coordination

1.6.1. Idaho Department of Environmental Quality (IDEQ) – J-U-B will coordinate, prepare, and submit final PER (if necessary), construction plans, specifications, and checklists for approval to the IDEQ for Task 2 deliverables.

1.6.2. Irrigation District and United States Army Corps of Engineers (USACE) –

1.6.2.1. Initial Research – There appears to be one buried irrigation pipe crossing along the proposed E. Iowa Sewer corridor. J-U-B will coordinate with the irrigation drainage authority and USACE as necessary to determine the jurisdictional authority over the facility and if any permits or license agreements are necessary for the utility crossing. It is assumed that one meeting with irrigation district authority will be necessary.

1.6.2.2. License Agreements and USACE 404 Permit – If it is determined that a license agreement and/or Joint Agency 404 permit crossing is necessary, J-U-B shall prepare the necessary legal descriptions, exhibits, and permit applications. No wetland delineation will be performed as this work is anticipated to be completed within the public right-of-way. J-U-B will coordinate and submit permitting and license agreement packages upon completion of the 90% design submittal.

1.6.3. The Queens Lift Station pressure sewer construction work is anticipated to require a Floodplain Development Permit through the City of Nampa. J-U-B shall coordinate with the City's floodplain administrator on the proposed infrastructure improvements and shall prepare a Floodplain Permit application package. It is assumed that the improvements will cause "no rise" within the floodplain or floodway and no modeling or flood study will be required. J-U-B will prepare one application showing the extent of improvements within the floodplain and that pre-existent elevations will be maintained. No wetland delineation will be performed as this work is anticipated to be completed in the public roadway. J-U-B will coordinate and submit application package upon completion of 90% design outlined under subtask 2.3.

Subtask 1.6 Deliverables:

- IDEQ coordination of the preliminary engineering report and construction plan approval documents.
- Legal descriptions and exhibits, as necessary, for inclusion with final license agreements.
- USACE approval, as necessary, of waterway crossing permit applications.
- Floodplain Development Permit application package.

2. Design Services

2.1. Preliminary Evaluation and Engineering –

2.1.1. Site Meeting – J-U-B and their retained electrical sub-consultant will meet CITY staff at the Queens Lift Station site to observe pumping, control and telemetry equipment. CITY staff will be consulted to gather input on desired upgrades. This meeting will be combined with the Task 1.1 meeting.

2.1.2. Information Gathering – J-U-B will compile information related to the E. Iowa and Queens Lift Station/Pressure Sewer design constraints as gathered from the Task 1.1 meeting. Information is anticipated to include record drawings, utility shapefiles, SCADA information, masterplan flow projections and service area boundaries, and easement information.

2.1.3. Flow Verification – J-U-B will estimate the existing pumping flow rate for the Queens Lift Station based on wet well geometry and SCADA pump on/off times and level trending information. J-U-B will also review the Sewer Master Plan (SMP) peak future flows, land use and flow generation assumptions in the service area, and phasing needs for the Queens Lift Station and E. Iowa Sewer service areas. J-U-B may refine the peak flows developed in the SMP, only with CITY approval, and shall base design of the proposed improvements, including any necessary phased upgrades, upon the updated peak flows.

2.1.4. Design Evaluation Technical Memorandum (Queens Lift Station and pressure sewer only) – Summarize design constraints, pipeline corridor, proposed replacement/upgrade improvements including pumps, control and telemetry equipment, estimated schedule and budget, IDEQ compliance requirements, flow verification, and any sequencing/phasing recommendations for the proposed improvements. IDAPA 58.01.16.440.07 requires standby power, sufficiently reliable power, or sufficient emergency storage for portable power generation in the case of power loss. J-U-B's retained electrical sub-consultant will coordinate with Idaho Power and evaluate whether power reliability is in accordance with the IDAPA requirements and shall document their findings in the Technical Memorandum. A draft memorandum will be submitted to the CITY for review and comment. This memorandum shall assist the City in evaluating the implementation of the lift station upgrades and will allow the CITY to pursue additional budget and subsequent project authorization if needed.

2.1.5. PER (Queens Lift Station and pressure sewer only) – IDAPA 58.01.16.411 requires a PER for all pump station projects. As this is an existing facility, the PER will focus on flow projections, wet well sizing, and pumping, pressure sewer and control and power upgrades. The narrative will summarize the existing facility's systems such as electrical controls, back-up power, pumping capacity, and odor control. The Technical Memorandum developed under subtask 2.1.4 will serve as the basis of the PER. A draft PER will be compiled in accordance with the IDAPA 58.01.16.411 requirements and submitted to the CITY for internal review in conjunction with internal QC by a senior engineer. Review comments will be addressed and a final PER will be submitted to IDEQ for approval.

Subtask 2.1 Deliverables:

- Site meeting minutes provided under Task 1.1
- Design Evaluation Technical Memorandum
- PER – Draft and Final

2.2. Topographic Survey and Base Map Development – J-U-B shall complete a topographic survey detailing the Queens Lift Station site and along the proposed E. Iowa gravity sewer and Queens Lift Station pressure sewer corridors. The survey shall encompass approximately 50 feet past

the proposed termination and connection points, and the entire proposed alignment corridor between them. This amounts to approximately 3,000 linear feet of topographic survey and mapping collection at approximately the width of the accessible right-of-way. It is anticipated that the topographic survey will include the following:

- 2.2.1. Research and Utility Request: Research available land monuments, plats, records of survey, and right-of-ways along the project corridor. Contact utility companies prior to survey via Dig-line to request field locations of utilities and available utility mapping. Utilities will be shown to the extent they are visible in the field or located by the utility or Owner. No title reports will be purchased to establish the current property boundaries along each road unless specifically requested by the City. Title reports can be purchased for each property at a cost of approximately \$300 per parcel (not currently included in J-U-B budget).
- 2.2.2. Establish survey control along the alignment using: horizontal coordinate system, NAD 1983 translated to the Canyon County G.I.S. system, and vertical control based on NAVD 1988. Right-of-ways (ROW's) will be established using research information referenced above and found land monuments. Land monuments will be located and shown where found from visual observations during the field topographic survey.
- 2.2.3. Establish temporary construction benchmarks (T.B.M.'s) at each end of the pressure sewer alignment, and at each end of the gravity sewer alignment with one intermediate T.B.M.
- 2.2.4. Complete topographic survey along the proposed sewer improvement alignments as generally described above. The survey shall generally encompass top-of-gutter to top-of-gutter within the right-of-way along Queens Drive from Little John Ct. to E. Rock Ct. as well as shoulder to shoulder along E. Iowa Ave. from Florence St. to Ventura Dr. including CITY manholes #126-#129 and cross-sections at 100' intervals, on centerline, edge of pavement, and natural ground near the right-of-way. At local road intersections, cross-sections will be developed on side streets to extend 50' beyond the anticipated sewer improvements. Existing utilities shall be located to the extent that they are visibly marked by the utility company. Where accessible within the project limits, gravity sewer and storm drain structure rim and invert elevations will be gathered.
- 2.2.5. Prepare topographic mapping in Civil 3D 2015 at a 1" = 40' scale, 22"x34". Topographic features will be depicted using standard symbols. Topographic features will be shown on the design plans such as fences, utility poles, surfacing, utilities to the extent that they are found or field located by the utility companies, edge of pavement, borrow ditch, face of curb, sidewalks, striped roadway centerline, guard rails, top face of retaining wall, signal poles, signs, mail boxes, telephone risers, top of bank and waterway flowlines, large trees, monuments of record, physical survey of monuments, and property pins that are found. Driveway access limits and property lines outside of the paved roadway will be approximately placed using available GIS information. Provide locations (X & Y

coordinates) and elevation of local temporary benchmarks to be used on the Project. Property lines and street right-of-ways will be shown from the research subtask described above and available county GIS information.

2.3. Preliminary and Final Design

2.3.1.30% Alignment Alternatives Roll-plot (E. Iowa Sewer only) – J-U-B will consider multiple capacity-increasing alternatives for the E. Iowa Sewer including parallel pipeline installation and, if feasible, regrading and replacement of the existing trunk line. A roll-plot will be provided to and comments gathered from the CITY prior to continuing design. Two concepts for flow diversion at the Iowa Sewer will be prepared.

2.3.2.50% Complete Preliminary Design Plans -

- 2.3.2.1. Develop preliminary design alignments and profiles for the pressure and gravity sewer improvements to show bury depth and design grades. The design will be based on compliance with the PER, point of connection constraints, CITY street and utility corridor compliance, utility separations, utility conflicts, constructability, construction access, excavation depths, minimization of pavement repair and impacts to public traffic access. Conceptual details of the diversion structure will be prepared.
- 2.3.2.2. Prepare 50% review package in accordance with Nampa Construction Standards and submit to the CITY for review. Plans shall be prepared on 22"x34" ANSI size "D" sheets.
- 2.3.2.3. Meet with the CITY to review 50% complete plans and receive comments and direction from the staff (Review meeting will be included in Task 1.2).
- 2.3.2.4. Prepare a preliminary opinion of probable construction cost.

2.3.3.90% Complete Design Plans (Agency Review)

- 2.3.3.1. Revise the alignment and profile from the CITY's review comments at the preliminary design meeting as appropriate.
- 2.3.3.2. Complete final design of the sewer with considerations for CITY and utility corridor compliance, constructability, surface disturbance, sanitary separations, utility conflicts, excavation depths, easement Grantor and/or permit conditions and other pertinent design issues. Complete final design of the flow diversion structure, as applicable.
- 2.3.3.3. Complete design of surface repair, diversion structure (if necessary) and other pertinent details.

- 2.3.3.4. Prepare 90% complete plan and profile sheets and detail sheets. Plan and profile sheets will be prepared at 1" = 40' scale, 22"x34" ANSI size "D" sheets.
 - 2.3.3.5. Prepare 90% Project Manual including front end contracting documents, bid schedule, technical specifications and/or special provisions for items that are not covered or are in addition (clarification) to the City of Nampa Standard Construction Specifications (2015 Edition).
 - 2.3.3.6. Complete an internal QC review with a senior J-U-B engineer.
 - 2.3.3.7. Prepare the preliminary Opinion of Probable Construction Cost.
 - 2.3.3.8. Submit 90% complete package to the CITY in concurrence with the IDEQ review submittal and meet with the CITY to gather review comments. CITY review meeting is included in Task 1.2 and IDEQ Submittal is included in Task 1.6.
- 2.3.4.100% Plans and Project Manual (Bid Ready) –
- 2.3.4.1. Incorporate appropriate CITY and agency review comments and complete final revisions to the gravity and pressure sewer construction plans and project manual.
 - 2.3.4.2. Finalize Opinion of Probable Construction Cost.

Subtask 2.3 Deliverables:

- 30% Alignment Alternatives Roll-plot
- 50% Complete Preliminary Design Plans
- 90% Complete Design Plans, Project Manual, and Opinion of Probable Construction Cost
- 100% Complete Design Plans, Project Manual, and Opinion of Probable Construction Cost will be provided under Task 3.1

2.4. Electrical and Controls Engineering –

- 2.4.1. Attend Task 1.1 site meeting to review the condition of the existing Queens Lift Station and discuss the CITY's desired improvements.
- 2.4.2. Provide Technical Memorandum assistance documenting the state of the existing lift station, and which improvements are required and desired.
- 2.4.3. Provide PER assistance documenting the proposed electrical and control equipment upgrades in accordance to IDAPA 58.01.16.411.

Subtask 2.4 Deliverables:

- Supporting documentation for Subtask 2.1 deliverables

3. Bid Support

3.1. Bid Documents – J-U-B will prepare 10 printed sets and one (1) PDF of bid documents and plans to be distributed by the CITY during the bid process.

Subtask 3.1 Deliverables:

- Bidding Documents - (10) printed hard copies and (1) .pdf electronic copy.

3.2. Pre-Bid Meeting – J-U-B will prepare agenda and conduct meeting with CITY staff and interested parties to discuss project, answer questions, etc.

Subtask 3.2 Deliverables:

- Meeting minutes

3.3. Bid Administration – J-U-B will review bid comments, prepare addendum, and advise CITY on bid inquiries. Assume one (1) addendum will be issued.

Subtask 3.3 Deliverables:

- Addenda as necessary during the bid period

3.4. Bid Evaluation – J-U-B will prepare bid summary, assist CITY in reviewing bids and make recommendation for award. J-U-B will not attend the bid opening.

Subtask 3.4 Deliverables:

- Award recommendation

4. Construction Engineering and Administration Assistance

4.1. Construction Engineering, Administration, and Inspection Services – J-U-B will provide a construction engineer and part-time resident project representative (RPR) and act as the primary point of contact on the project construction site, assisting the CITY's PM during construction of the project as described below or specifically requested by the CITY. Periodic site visits are assumed over the construction period described in the "Project Assumptions" Section of this document and at the assumed level of effort shown on Attachment A-1.

4.2. Project Meetings –

4.2.1. Preconstruction Conference – J-U-B will arrange and conduct the pre-construction conference with the contractor, CITY, and agencies. Meeting minutes will be transmitted electronically.

- 4.2.2. Construction Meetings – Construction meetings will be held bi-weekly at the site or City Hall with the Contractor and permitting agencies during the installation period. J-U-B shall copy meeting minutes to the CITY Project Manager. At these meetings, the Contractor will provide project schedules updates (monthly) and short-term look-ahead schedules detailing the activities planned for the following weeks.
- 4.3. Shop Drawing and Product Data Reviews – J-U-B will review shop drawing and product data submittals for compliance with the design and contract documents.
- 4.4. Construction Administration – J-U-B will review and prepare recommendations to the CITY regarding claims, change order and work directive preparation, address questions or RFI's, and other construction administration activities. J-U-B will coordinate observation staff throughout the project with agencies, Contractors, and the CITY. J-U-B will review completed quantities in pay applications submitted by the Contractor and recommend payment to the CITY's Project Manager. This will include substantial and final completion pay applications.
- 4.5. Observation and Documentation – J-U-B's RPR shall provide observation and inspection during installation of the pipeline improvements and related activities. J-U-B shall promptly document and notify the Contractor and CITY's Project Manager via phone call or meeting if non-compliant work is observed. The roles and responsibilities for correcting defective work are identified in the ISPWC General Conditions. J-U-B's RPR shall copy inspection diaries and available testing data to the CITY's PM at two week intervals. Observation reports will include recording Contractor hours on the site, weather conditions, equipment (inactive, active) on the project field orders, or known changed conditions, approximate length of pipeline installation, daily activities during installation, decisions, observations in general, and specific observations in more detail, such as observed testing procedures. Reports shall be sent via Email to the CITY PM at two week intervals. Photos will be taken as appropriate.
- 4.6. Close-out Procedures – 1) J-U-B will review testing submittal data for general compliance with the contract documents and advise the CITY PM accordingly; 2) J-U-B will conduct a walk through with the CITY and prepare a preliminary punch list of remaining items prior to issuing substantial completion and submit to the CITY's Project Manager; 3) J-U-B will perform a walk-through with the CITY and Contractor to develop a final punchlist of remaining items and subsequently review completion of final punchlist items and other final completion documentation with the CITY's Construction Manager/Engineer; 4) J-U-B will provide CITY with record drawings based on an as-built field survey of gravity sewer manhole rims and inverts, and construction documentation provided by the CONTRACTOR and RPR and will provide record drawings as follows: one (1) CD with plans in PDF and AutoCAD format, one (1) Mylar copy, one (1) print copy.
- 4.7. Limitation of Authority – J-U-B shall not:
- Authorize any deviation from the Contract Documents or substitution of materials or equipment (including "or-equal" items).

- Exceed limitation of J-U-B's authority as set forth in the Task Order and Professional Services Term Agreement
- Undertake any of the responsibilities of the Contractor(s) or suppliers.
- Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences, or procedures of construction or of the Work, unless such advice or directions are specifically required by the Contract Documents.
- Advise on, issue directions regarding, or assume control over safety practices, precautions, and programs in connection with the activities or operations of the CITY or Contractor.
- Participate in specialized field or laboratory tests or inspections conducted by others, except as specifically authorized.
- Accept shop drawings or submittals from anyone other than the CITY.
- Authorize the CITY to occupy the Work in whole or in part.
- Act as the construction Contractor's Quality Control manager or superintendent.
- Approve the suitability of by-passing pumping or dewatering plans.

Task 4 Deliverables:

- One (1) paper set of related construction administrative documents, and electronic pdf copies to CITY PM.
- Record drawing information as provided by the Contractor and detailed under Subtask 4.6.
- Electronic copies of field reports/diaries and testing reports as provided by the Contractor.

5. Management Reserve Account

5.1. Management Reserve Account – A reserve account is included for miscellaneous items that arise during the project that are beyond the basic and additional services established in the Agreement. These may include utility potholing services, lift station flow monitoring, etc. Work will not commence on these items without prior written authorization from the CITY.

6. Additional Services

6.1. Additional Services – J-U-B can furnish additional services, such as construction assistance or design of the lift station improvements identified under Task 2.1 as specifically authorized by

the CITY in writing. The scope and fee for these services, if any, will be coordinated and authorized by the CITY as needed during design.

Project Schedule:

The following schedule is based on a Notice to Proceed (NTP) from the City on or about November 1, 2016. A NTP issued on a different date will change the schedule accordingly.

Task Number	Task Name	Schedule*
Task 1	Project Management, Sub-consultant Administration, Public Involvement, and Agency Coordination	Ongoing
Task 2	Design Services	105 calendar days
Task 3	Bid Support	Ongoing as required
Task 4	Construction Engineering and Administration Assistance	9 weeks is assumed
Task 5	Management Reserve Account	TBD
Task 6	Additional Services	TBD

*Non-Agency or CITY review time only. Does not include time for review and approval of the CITY and applicable agencies. Does not include delays that may be incurred gathering necessary information from the CITY.

Cost of Services:

The CITY will pay ENGINEER for its services and reimbursable expenses on a time and materials not-to-exceed basis of the total listed below.

Task Number	Task Name	Fee Type	Amount
Task 1	Project Management, Sub-consultant Administration, Public Involvement, and Agency Coordination		\$11,150
Task 2	Design Services		\$45,300

Task 3	Bid Support		\$3,300
Task 4	Construction Engineering and Administration Assistance		\$28,500
Task 5	Management Reserve Account		\$3,000
Task 6	Additional Services		TBD
		T&M N.T.E. TOTAL	\$91,250

DATED this _____ day of _____, 2016.

Nampa:

Robert L. Henry, Mayor

ATTEST:

City Clerk

J-U-B Engineers:

By _____
Phil Krichbaum, P.E.
J-U-B ENGINEERS, Inc.
250 S. Beechwood Ave. No. 201
Boise, Idaho 83709

Its _____
Project Manager

Exhibit B Page 17 of 18

ATTACHMENT A-1

E. Iowa Sewer and Queens Lift Station Upgrade

City of Nampa, Idaho

WORK-HOUR ESTIMATE



October 4, 2016

Proj. # 10-16-112

TASK	Senior QA/QC	Struc. Engr.	Project Manager	Modeler	Designer	Public Fac.	Design EIT	PLS Surveyor	Survey Tech	Surveyor	Drafter	Resident Engineer	Observer	Billing	Clerical	GPS Equip	Task Subtotal	TASK TOTAL
III - Services to be Performed by JUB																		
TASK 1 - PROJECT MGMT, SUBCONSULTANT ADMIN, PI, & AGENCY COORD.																		
1.1 Kick-off Meeting/Field Evaluation	2		2															\$662
1.2 Progress/Design Review Meetings (2 assumed)	4						4											\$932
1.3 Budget, Tracking, and Project Management	6													3				\$1,116
1.4 Sub-Consultant Administration	2																	\$292
1.5 Public Involvement	1						8											\$1,197
1.6.1 IDEQ Coordination/Submittals	2		8				6									4		\$2,260
Irrigation Authority Coordination, Research, Lic. Agmnts																		
1.6.2 (1 assumed)			2			2		4		2								\$1,572
1.6.3 USACE Coordination and Permitting			6					10									6	\$2,250
1.6.4 Floodplain Development Permit			2			2		4										\$876
TOTAL TASK 1	5		34			2	8	26	4	2						3	4	\$11,150
TASK 2 - DESIGN SERVICES																		
2.1.2 Information Gathering	1		2															\$477
2.1.3 Flow Verification	1		1		6													\$1,093
2.1.4 Design Eval. Tech Memo																		
Design Constraints, Corridor, Improvement Summary	2		6															\$1,246
Schedule, Budget	1		4															\$769
IDEQ Compliance Req'ts			3															\$438
Sequencing/Phasing	1		2		2													\$731
2.1.5 PER																		
Draft Report			8		2	2						6						\$2,262
Internal QC Review	4															2		\$740
Final Report	2		4			1											2	\$1,508
2.2 Initial Topographic Survey/Research/Basemap			1		3				10	24	24	4				24		\$6,849
Supplemental Survey			3		1			5	6	6	2					6		\$2,560
2.3.1 E. Iowa Alignment Alternatives Roll-plot	1	2	3		1							3						\$1,323
2.3.2 50% Design Package	6	2	8		3			14				24						\$6,196
2.3.3 90% Design Package																		
Address 50% Review Comments			3					4				4						\$1,122
Finalize pipeline alignments/profiles			3			1		8				16						\$2,596
Details (Surf. Repair, Diversion Struc, etc.)			14					8				22						\$5,438
Project Manual (Front End, Specs, SP's, Bid Sched.)			1		8			20							2			\$3,173
Opinion of Probable Const. Cost	0.5	1	1					3										\$665
Internal QC Review	2																	\$370
2.3.4 100% Design Package																		
Address 90% Review Comments			3			1		4				6						\$1,408
Finalize Construction Bidding Docs (Plans/Proj. Man.)			1		4		1	4				12						\$2,223
Finalize Opinion of Probable Construction Cost	0.5		1					1										\$326
2.4.1 Electrical/Controls Site Review																		\$600
2.4.2 Electrical/Controls Tech. Memo Support																		\$400
2.4.3 Electrical/Controls PER Support																		\$800
TOTAL TASK 2	22	21	72	10	14		66	15	30	30	103				6	30		\$45,300
TASK 3 - Bid Support																		
3.1 Bid Documents			2															\$492
3.2 Pre-Bid Meeting			3															\$438
3.3 Bid Administration (inquiries, addenda, etc.)	2		4		1		4					4						\$1,756
3.4 Bid Eval./Award Recommendation	1		3															\$623
TOTAL TASK 3	3		12		1		4					4					4	\$3,300
TASK 4 - Construction Engineering & Administration Assistance																		
4.2.1 Precon												2	2					\$454
4.2.2 Construction Meetings (bi-weekly for 12 wks, 6 total)												12	12					\$2,724
4.3 Shop Drawings and Product Data			10									6						\$2,210
4.4 Claims, RFI's, Pay Apps, Admin			6									18						\$3,126
4.5 RPR Obs. & Doc. (10 wks @ 20hr, 2 wks @ 10hr)													160					\$16,320
4.6 Closeout (Punchlists, walkthroughs, record drawings)			4		1		2		6	8	6	6	6			6		\$3,663
TOTAL TASK 4			20		1		2		6	8	44	180	6			6		\$28,500
TASK 5 - Management Reserve Account																		
1 Reserve Account																		
TOTAL TASK 5																		\$3,000
TASK 6 - ADDITIONAL SERVICES																		
1 TBD																		
TOTAL TASK 6																		TBD
TOTAL																		\$91,250

Task Order Review Checklist



Project: E IOWA AVE PARALLEL SEWER LINES & S QUEENS DR PRESSURE SEWER REFURBISHMENT

Date: 10/5/2016

SOW should contain the following information:

- | | | |
|--|---|-----------------------------|
| 1) Name of Project | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 2) Name of Firm | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 3) Contact Name and Number | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 4) Current Date | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 5) Page Numbers | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 6) Outline of task(s) to be provided | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| a) PM, Design, Bid, Construction | | |
| 7) Project Schedule | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| a) Milestone Dates and Cost Estimates at PM (Preliminary Design Portion), Design, Bid,
Construction | | |
| 8) Cost of Service | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| a) (fee for services to be noted "Time and Material Not to Exceed") | | |
| 9) Any Key Understandings to be noted | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 10) Cover letter with the correct contact information | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

PROFESSIONAL SERVICES AGREEMENT FY17 WATER PROJECTS

- The project will construct three (3) system improvements identified in the 2014 Water Master Plan (Exhibit A). Each project is briefly explained below:
 1. Burke Lane Water Pipeline – Connect existing line at Ridge Dr. to 12th Ave. N. on Burke Lane. Connection will create loop in system and increase available fire flow to Lake Ridge Elementary.
 2. Victorian Crest Pressure Zone Modification – Change pressure zones for homes on S. San Francisco Ln. and Pascoe Ln. (both south of Greenhurst near Midland). Water model simulations show drop below 40 psi during maximum daily demand (MDD) plus fire flow in existing pressure zone.
 3. Smart Street Water Pipeline – Connect existing line at Smart St. to line behind Kids Stuff Kindergarten. Connection will create loop in system and increase available fire flow during MDD.
- Keller Associates, Inc. has been selected by interview to design the project, assist with bidding and answer questions during construction. Construction observation will be performed under the City’s Master Agreement with HDR.
- FY17 Water Projects have an approved FY17 Water Division budget of \$107,000 (design only). The intent is to design the project in FY17 and construct in FY18. Construction may be moved up if funds become available through bid savings.

Engineering	\$ 93,055
<i>Construction Estimate</i>	<i>\$ 616,894</i>
<i>Observation Estimate (8%)</i>	<i>\$ 49,351</i>
Total	\$ 759,300

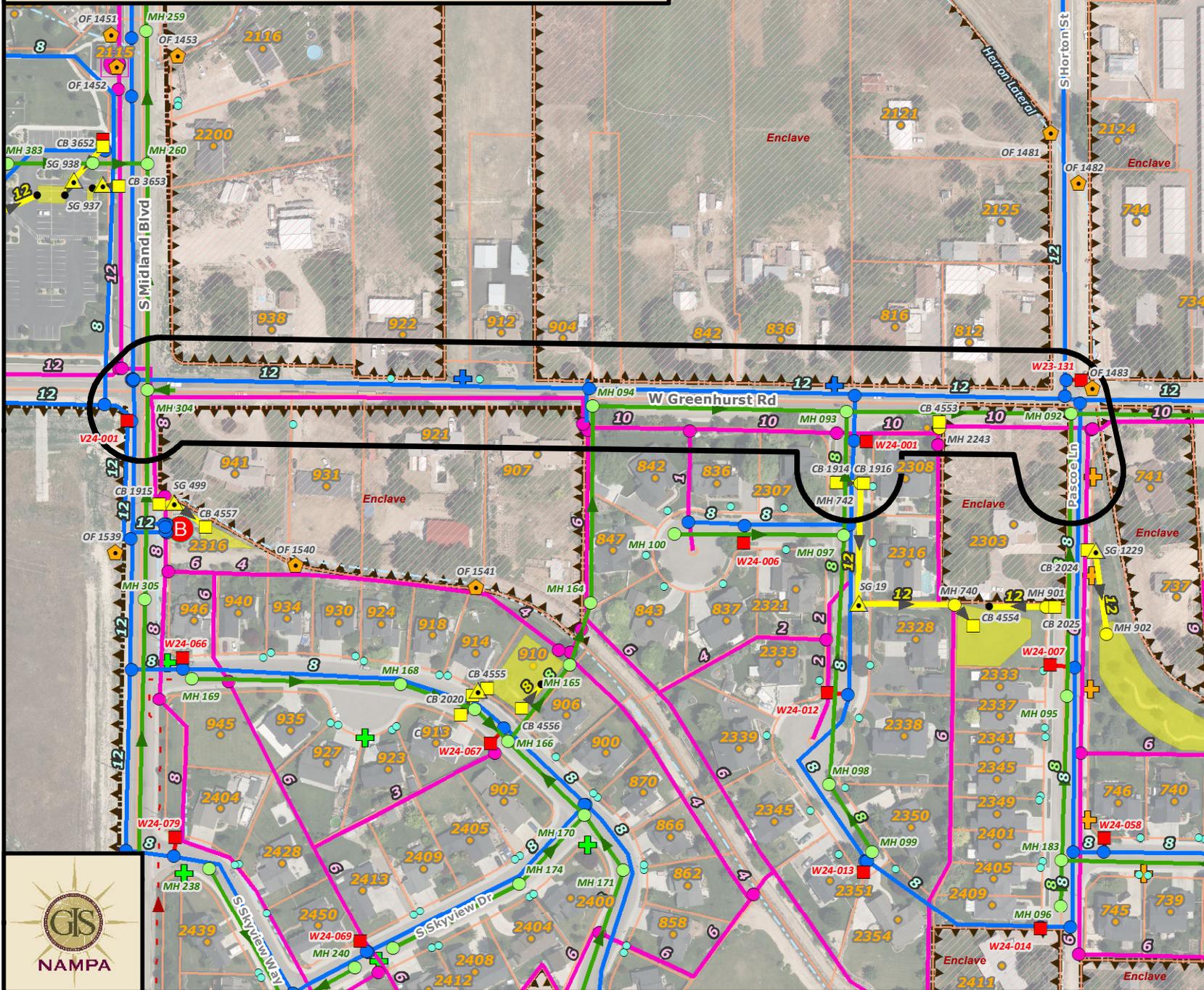
- Keller Associates, Inc. has provided an initial Scope of Work and Labor Estimate to provide design, survey and construction support services for \$93,055 (Exhibit B).

REQUEST: Authorize Mayor and Public Works Director to sign Task Order and Contract with Keller Associates, Inc. to provide professional services for the FY17 Water Projects in the amount of \$93,055 (T&M N.T.E.).

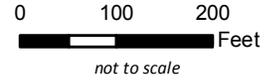
FY17 Project Location

04-Water-Domestic

Victorian Crest Sub Water Pressure Zone Modification



8/15/2016



- Address Points
- County Parcels
- ▨ Enclaved Areas
- ▭ City Limits
- ▭ Project Location
- WW Manhole
- Gravity Sewer
- Pressure Sewer (Abn)
- ▲ SD Sand & Grease Trap
- SD Catch Basin
- ⬢ SD Outfall
- SD Manhole
- SD Node
- ▶ Storm drain
- SD Pond
- Hydrant
- Domestic Valve
- Water Meter
- ⓑ Booster Pump
- Domestic Main
- Fire Line
- Irrigation Valve
- Irrigation Pump
- Irrigation Main
- ⊕ Pole, Street Light (Nampa)
- ⊕ Pole, Street Light (IPCO)
- ⊕ Pole, Street Light (Power Only)

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Exhibit A

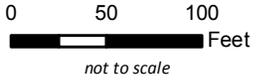
FY17 Project Location

04-Water-Domestic

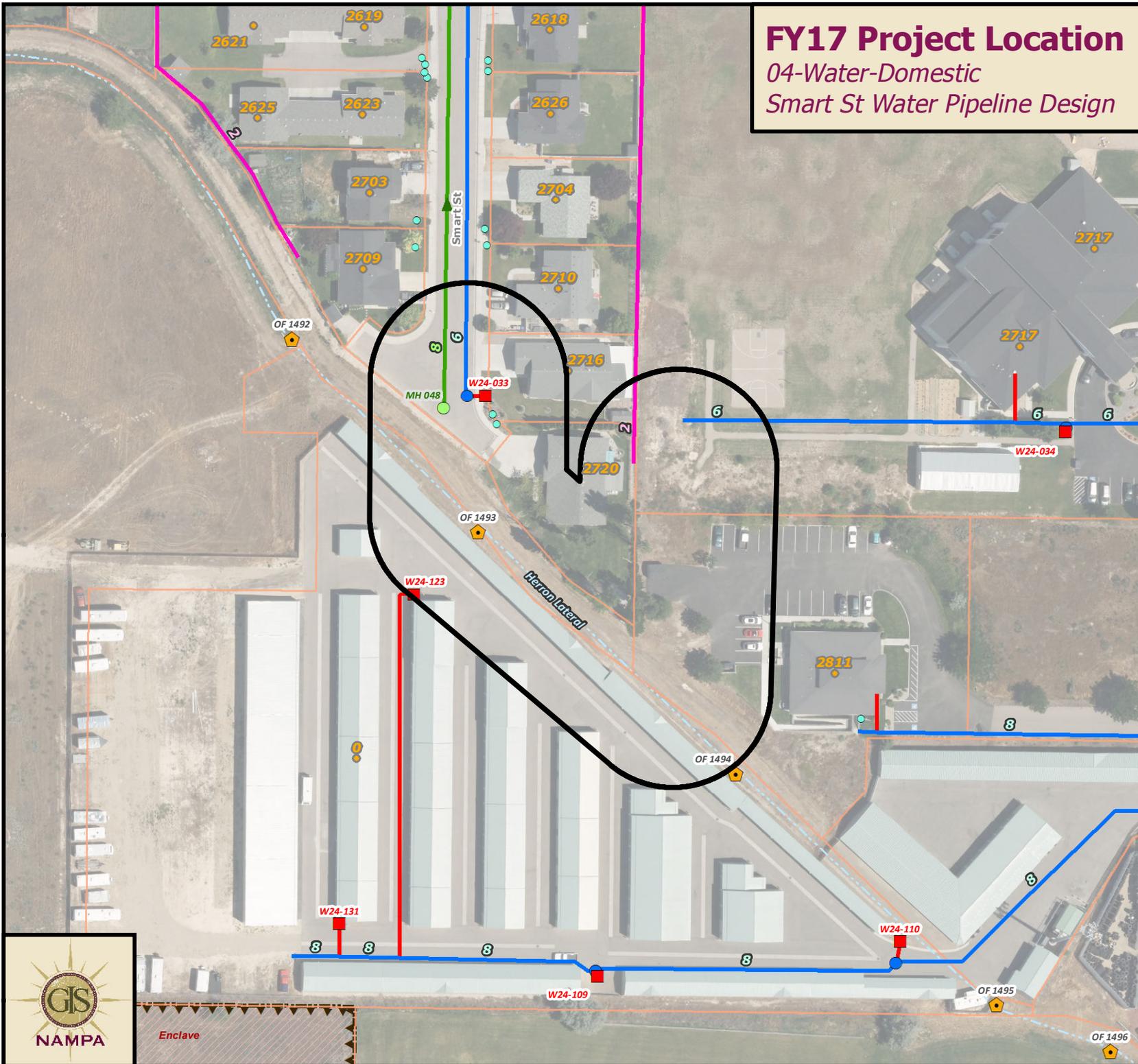
Smart St Water Pipeline Design



8/15/2016



- Address Points
- County Parcels
- Enclaved Areas
- City Limits
- Project Location
- WW Manhole
- Gravity Sewer
- SD Outfall
- Hydrant
- Domestic Valve
- Water Meter
- Domestic Main
- Fire Line
- Irrigation Main



File: R:\Maps\Internal_CPR_etc\Projects_Map2017 Construction Projects\FY17_P\ProjectLocations_Master.mxd

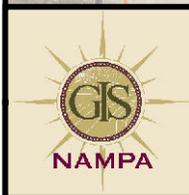
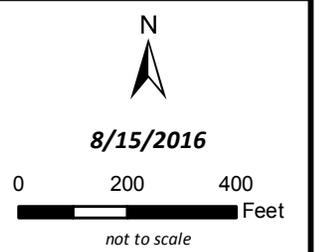
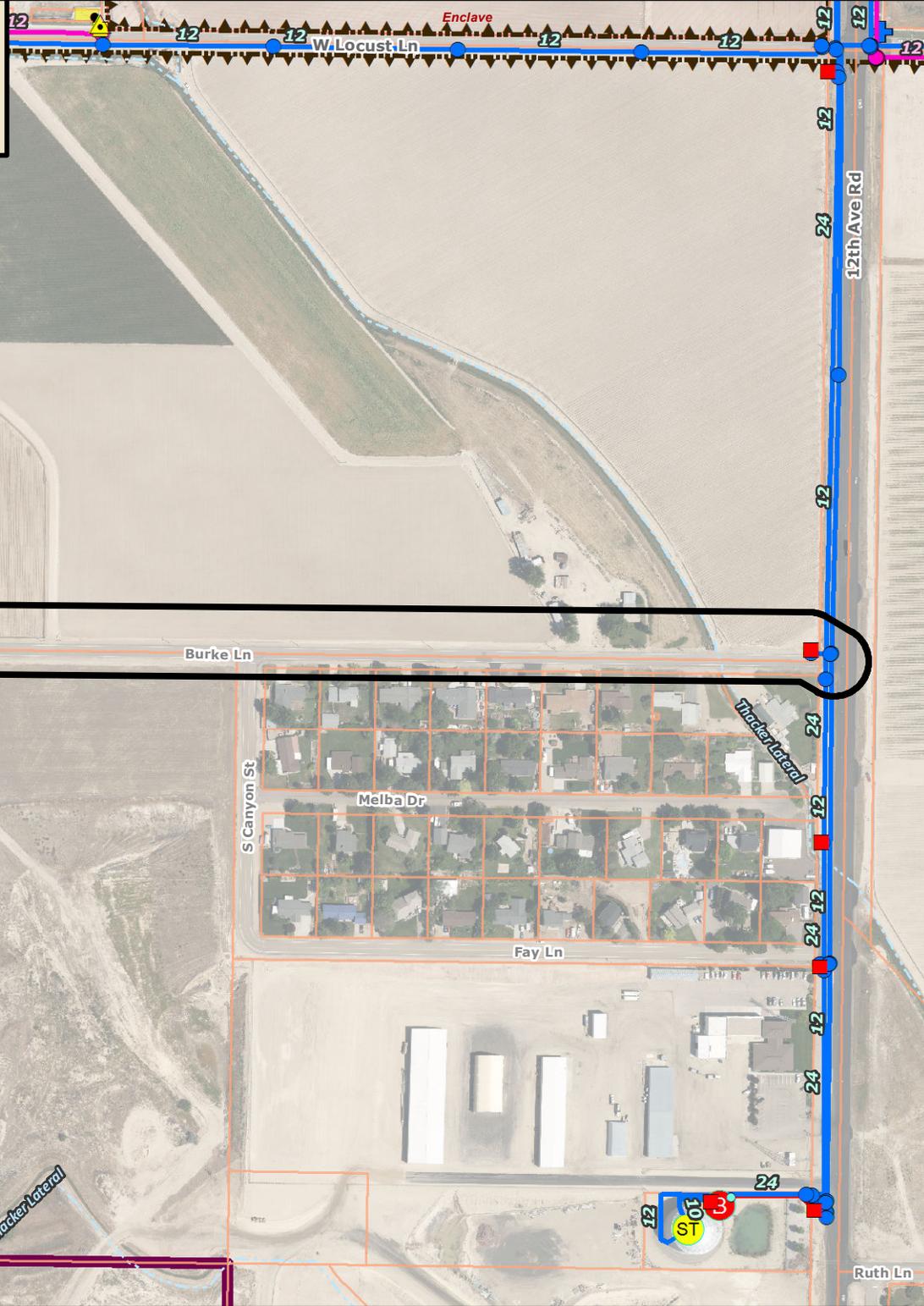


Exhibit A

FY17 Project Location

04-Water-Domestic

Burke Ln Water Pipeline Design



- County Parcels
- Enclaved Areas
- City Limits
- Impact Area
- Project Location
- WW Manhole
- Gravity Sewer
- SD Sand & Grease Trap
- SD Catch Basin
- SD Manhole
- SD Node
- Storm drain
- SD Pond
- Hydrant
- Domestic Valve
- Water Meter
- Booster Pump
- Storage Tank
- Domestic Main
- Fire Line
- Irrigation Valve
- Irrigation Main
- Pole, Street Light (Nampa)
- Pole, Street Light (IPCO)

File: R:\Maps\Internal_CPR_etc\Projects_Map2017 Construction Projects\FY17_P\ProjectLocations_Master.mxd

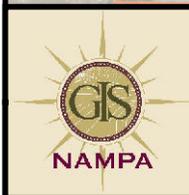


Exhibit A



SCOPE OF SERVICES

Scope of Work

Date: October 4th, 2016

Project Number:

Project Name: FY17 Water Projects

Consultant Company Address: Keller Associates, 131 SW 5th Ave, Ste A, Meridian, ID 83642

Consultant Project Manager/Contact Information: James Bledsoe, PE (208.288.1992)

PROJECT DESCRIPTION

The City of Nampa (City) intends to construct several water system projects to improve fire protection and pressure zone management within the City. These projects are identified in the 2014 Water System Master Plan as 1.1E (Burke Lane Pipeline), 1.3F (Victorian Crest Pressure Zone Modification), and 1.4I (Smart Street Pipeline behind Kid's Stuff Kindergarten). Together, these projects include approximately 2,620 feet of new 8-inch waterline in Burke Lane, 1,590 feet of new 8-inch waterline in Greenhurst Road, and 480 feet of new 8-inch waterline in Smart Street.

All work is anticipated to be open cut construction in public rights-of-ways and existing easements. The project will include pre-design support, field topographic survey, preliminary and final design, preparation of specifications, permitting and agency coordination, bidding support, and construction support services for all projects identified above. It is anticipated that the City or their designated representative will provide construction engineering and inspection services (CE&I) for these projects. Consultant services are more particularly described in the following sections.

CONSULTANT SERVICES

Task 1 – Project Management

Project management includes general project administration services including contract administration, monthly invoicing, progress reports, and internal project administration. Deliverables include monthly progress reports, expense summaries by task, and invoices.

Task 2A – Concept Design Support

The Consultant will provide the following services:

- 2.1 *PRV and Individual Pressure Regulators Evaluation for Victorian Crest Pressure Zone Modification:*
Consultant will compare the operating pressures and costs for servicing the Victorian Crest area for two alternatives. The first alternative will quantify the number of individual PRVs and estimate the associated cost for varying acceptable pressures (80 psi, 85 psi, and 90 psi). The second alternative will evaluate service to the area with a single, larger PRV and possible check valve for fire flows. Information will be summarized in a pre-design meeting with City staff, with preferred alternative to be documented in meeting minutes.

Exhibit B

- 2.3 **Smart Street Pipeline Shortcut Evaluation:** Consultant will explore alternative routes, including the possibility of installing the new water main between the last two homes on the east side of Smart Street. An estimate of costs, benefits, and drawbacks will be prepared for up to three alternatives. Information will be summarized in a pre-design meeting with City staff, with preferred alternative to be documented in meeting minutes.

Task 2B – Design

The Consultant will provide the following services:

- 2.4. **Topographic Survey and Temporary Construction Benchmarks:** Consultant will complete topographic surveys within the rights-of-way this project. Topographic survey activities will be subcontracted out to a third party in order to meet the City's deadline.

Consultant will research record documents in Canyon County to establish existing right-of-way widths and for use in the Monument Preservation of existing monuments (pursuant to Idaho Code 55-1613 and 54-1234) to be referenced on the Construction Plans. Consultant will utilize the Nampa G.I.S. mapping to approximately place property lines Horizontal, and vertical control will be based on City of Nampa control available on the City's website. Consultant will establish temporary bench marks at approximately 500 foot intervals along the project alignments. If easements are determined necessary for any portion of the project, the Consultant will provide boundary and legal descriptions. For budgeting purposes one easement and record of surveying was assumed.

Consultant will coordinate with Dig-Line for the purpose of requesting field locates and maps of subject utilities such as gas, power, telephone, storm drainage, cable T.V., street lighting, traffic signals, irrigation, and other utilities that respond to the request for utility locate. Utilities depicted on the plans as a result of this task will not be verified and must be field verified, located, and protected by the contractor during construction.

- 2.5. **Preliminary Design:** Consultant will provide the following services as part of preliminary design:

- 2.5.1 **Kickoff Meeting:** Consultant will attend a kick-off meeting with the City for the purposes of obtaining project information and to receive any general direction that the City may have with respect to proceeding with the project. At this time, the City will provide the Consultant with the information pertaining to any design related requirements.
- 2.5.2 Use the survey data and City and utility-provided mapping information to prepare a basemap of the existing project areas.
- 2.5.3 Prepare preliminary water main alignments and possible PRV location for Victorian Crest Pressure Zone Modification, and provide preliminary layout exhibits to the City for review. This scope assumes pipeline sizes and layout are not anticipated to change from what is presented in the project description.
- 2.5.4 Provide an updated opinion of probable cost.
- 2.5.5 Preliminary design concept review meeting with the City.

- 2.6 **Final Design:** Final design of the water mains, water service lines to the existing meter pits, and possible PRV will be completed by Consultant with considerations made for sanitary separation per State Public

Exhibit B

Drinking Water Regulations, surface disturbance, water service impacts, constructability, traffic issues, utility conflicts, and other pertinent design issues.

- 2.6.1 *Design Drafting:* Consultant will perform design drafting in AutoCAD for the construction plans which will include the City's standard notes, vicinity maps, sheet indexes, north arrows, scale, topography, pipe size, type, fitting, surface repair, crossing requirements, property lines, easements, found monuments and property corners, land ownerships from Nampa GIS, survey control, pay limits, and special details necessary for a biddable product. Drafting will be completed on 22"x34" sheets, ANSI standard size "B" sheets (50% and 90% review sets of drawings will be 11"x17"). Final design drawings to include plan views only, except where complexities warrant a detail showing a profile.
- 2.6.2 *Property Owner Communication:* During the final design, Consultant will endeavor to contact local stakeholders (school district and adjacent businesses) anticipated to be directly affected by the project. Requirements to notify the owners/residents of construction activities will be incorporated into the contractor's responsibilities during construction.
- 2.6.3 *Special Provisions:* Special provisions will be in accordance with the 2012 ISPWC and the modifications to these standards found in the City of Nampa 2015 Standard Construction Specifications. Consultant will be responsible for preparing Special Provisions for the project. Consultant will utilize the City's existing front end construction documents (bid advertising, instructions to bidders, bid forms, bid bonds, insurance requirements, agreements, general provisions, and supplemental conditions).
- 2.6.4 *50% Plans:* Consultant to complete 50% plan and submit a review set of plans to the City. Update cost estimate, and meet with City to receive comments and discuss plans.
- 2.6.5 Upon 90% completion of the plans and specifications, Consultant will submit a review set of plans to the City for review. Project erosion and sediment control plans general specifications will be provided and the contractor will be required to submit final sediment and erosion control plans to the City at the time of construction. Final specifications will include traffic control constraints, and it is anticipated that traffic control plans will be prepared by the Contractor. The Consultant will update the cost estimate and meet with the City to receive comments and discuss plans.
- 2.6.6 Consultant will incorporate appropriate revisions made by the City and other permitting agencies into a final set of plans and specifications. Prepare an updated opinion of probable cost using the bid schedule developed for the project. Since Consultant has no control over the cost of labor, materials, equipment, or services furnished by others, or over the contractor's methods of determining prices, or over competitive bidding or market conditions, the Consultant does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by the Consultant.
- 2.6.7 *Agency Permitting and Coordination:* Consultant will prepare exhibits, assist in submitting applications, and coordinate with local agencies to request approvals. For budgeting purposes, no environmental related activities are anticipated (e.g. no wetland delineation, biological, and archeological investigations). For this project it is anticipated that the following permits/approvals will be needed:
 - Potential easement on private property at the south end of Smart Street. Alternatively, potential irrigation agreement for work within irrigation easement.

Exhibit B

- Irrigation canal crossing on east end of Burke Lane Pipeline.

- 2.6.8 *Potholing*: If requested by the City, Consultant will assist in coordinating potholing services from a third party contractor capable of potholing in a nondestructive manner (i.e. vacuum truck). A \$2,500 budget has been established for this subtask, which includes subcontractor's costs as well as the Consultant's time to coordinate, administer and process the data. The subcontractor will be preapproved by the Owner and shall be responsible for the means, methods, and safety of their work, and associated liabilities.

Task 3 – Bid and Award Services

- 3.1. **Bidding, Publishing, and Administration**: Consultant will provide ten (10) hard copies and one electronic copy (PDF format) of the bid documents to the City. Bid plans will be produced at reduced size (11"x17"). Consultant will provide bid administration services to coordinate the Bid process with the City, prepare addenda when necessary during the Bid process to clarify bidding requirements, and attend a pre-bid meeting to answer bidders' questions. Legal notice for advertisement of Bid will be prepared by and paid for by the City. Plans and addenda will be distributed by the City.
- 3.2. **Bid Opening and Award**: Consultant review the bid abstract prepared by the City, review bidder qualifications, if necessary, and provide a recommendation for contract award to City.
- 3.3. For budgeting purposes, one bid process was assumed. Additionally, it is not anticipated that Consultant staff will prepare staff reports or attend a City council meeting to discuss award of the bids.

Task 4 – Construction Support Services

This scope of work is to provide construction support services. It is understood that the City or their assigned representative will provide CE&I services. Consultant will provide the following construction support services:

- 4.1. Review contractors' submittals to check that proposed materials generally conform to the specifications. Review contractors' temporary water service plan / temporary water shutdown plan (if applicable) to aid in minimizing customer water service interruption. Copies of reviewed submittals will be submitted to the City for future City reference. Submittal reviews will include specified materials. It is anticipated that the City will review traffic control, erosion and sediment control, and construction testing (i.e. compaction tests, pressure tests, and bacteria tests).
- 4.2. Respond to requests for information and provide plan and specification clarification.
- 4.3. Review change orders and work change directives.
- 4.4. The City or their assigned representative will provide observation and review of Contractor's performance or any other construction phase services, and as such the City assumes responsibility for interpretation (or seeking interpretation) of the Contract Documents and for construction observation. For budgeting purposes, four (4) Consultant field visits are included for the purpose of understanding issues encountered in the field and providing direction to the City for the project. Field visits (if any) will be completed at the request of the City.
- 4.5. City or their representative, will provide other construction services not listed above, including but not limited to reviewing and processing pay requests, issuing a Notice of Substantial Completion to the contractor, developing a "punch list", and processing all closeout documents.
- 4.6. **Record Drawings**. Upon completion of the Work, the Consultant shall compile for and deliver to the City a reproducible set of Record Documents, based on information from the contractor and observations made

Exhibit B

during construction. Record Documents will include marked-up construction drawings, addenda, change orders and other data that show significant changes made during construction. The Consultant does not warrant the accuracy of information provided by others. Record Drawings will be prepared in AutoCAD format. One CD/DVD with AutoCAD and PDF drawings of the record drawings as well as one mylar set of drawings will be provided the City. No operations and maintenance manual is anticipated with this project.

CITY PROVIDED INFORMATION AND RESPONSIBILITIES

The following data and/or services are to be provided by the City without cost to Consultant.

1. Provide easement negotiations (if needed).
2. Provide ongoing review of the work and timely consideration of project issues.
3. Provide relevant record drawings and other relevant information of record.
4. Provide input on waterline valving, connection locations, water system isolation plan for construction, and fire hydrant placements.
5. Provide identification of service lines to be retained (if any) and the extent of replacements (i.e. up to meter pit or include meter setter).
6. Assist in identifying buildings or properties requiring service connections.
7. Pay for all permits, fees, or other payments required to secure permitting for construction of the proposed improvements.
8. Provide electronic copy of available GIS mapping, include parcel data.
9. Provide electronic copies of the most current edition of the City of Nampa Specifications and Drawings for Construction, including front-end documents.
10. Provide and pay for legal notices for Advertisement of Bids.
11. Distribute bid documents and addenda to contractors. Provide place for bid opening. Provide legal counsel for bid award if necessary.
12. Provide a Qualified License Professional Engineering (QLPE) review and approval of the final plans.
13. Provide construction engineering and inspection services.

TIME OF COMPLETION

The Consultant will complete the work based on the following schedule:

- Topographic Surveying within 30 days of notice to proceed
- Preliminary Design within 60 days of notice to proceed
- 50% Design within 45 days of receiving City input on preliminary design
- 90% Design within 30 days of receiving City input on 50% design
- Final Design within 20 days of receiving City input on 90% design

Exhibit B

COMPENSATION SCHEDULE

Task	Description	Compensation
1	Project Management	\$6,280
2A	Concept Design Support	\$4,280
2B	Design	\$77,445
3	Bidding	\$5,050
4	Construction Services	TBD
	TOTAL	\$93,055

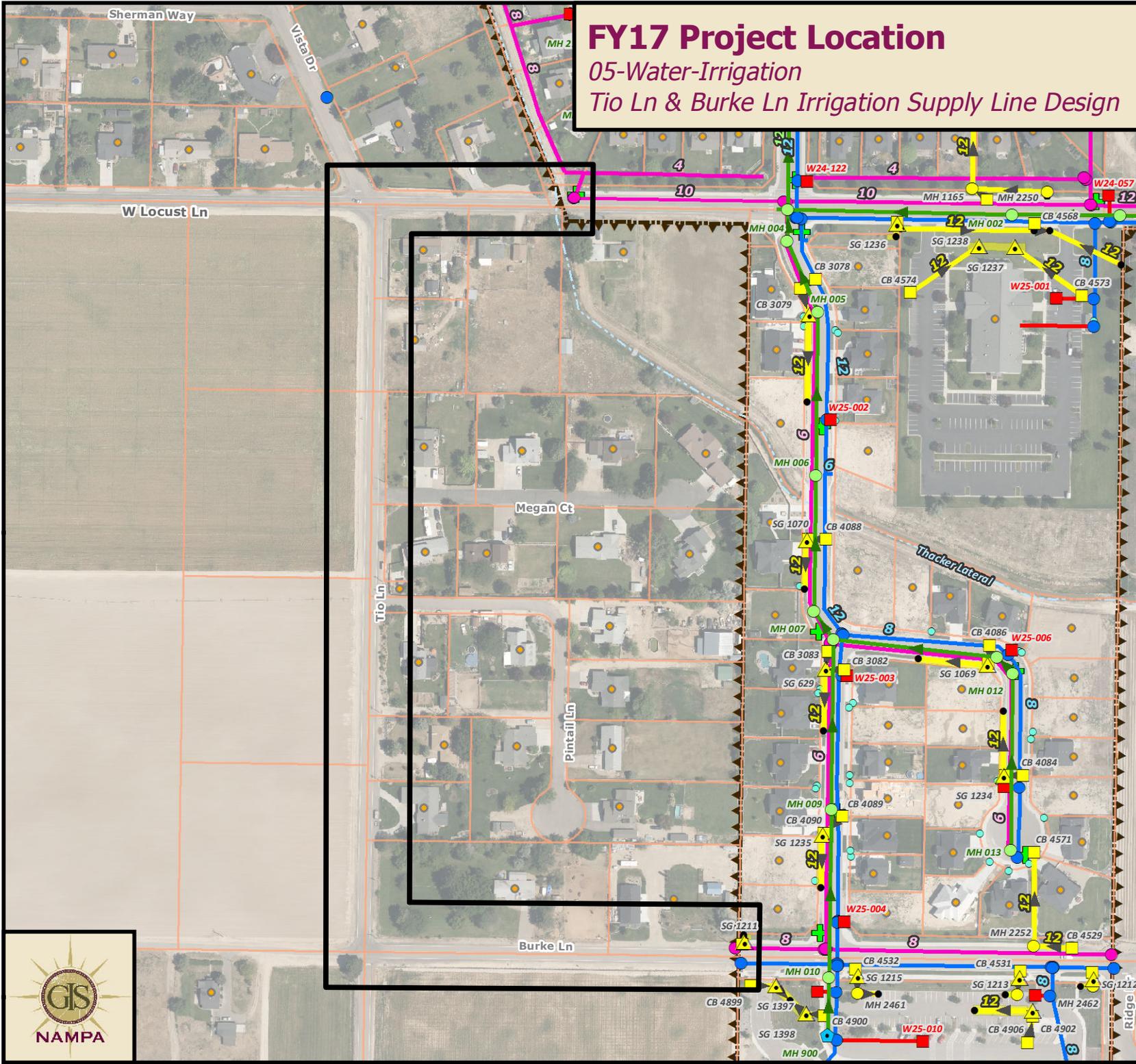
Services will be completed on a time and materials basis. The Not-To-Exceed (NTE) amount to complete all services listed above for this task order is ninety-three thousand fifty five dollars (\$93,055). While the budget amounts for each task may be exceeded, no compensation over the total NTE budget will be paid without prior written approval by the City. The hourly rates for services and direct expenses are per the Master Agreement and the current approved Rate Schedule on file with the City (rate schedules are updated annually in January), and will be the basis for any additions and/or deletions in services rendered.

PROFESSIONAL SERVICES AGREEMENT

TIO & BURKE LANE IRRIGATION SUPPLY & PIPELINE

- As part of the Public Works Asset Management Program and according to the 2014 Irrigation System Master Plan, Engineering identified necessary system improvements at Tio Lane and Burke Lane (see Exhibit A).
- The project will increase irrigation supply, mitigate low pressure during drought conditions and expand service to new customers.
- The project includes location of a well site, irrigation water rights negotiations, testing, well design and approximately 1/2 mile of pipe design.
- Engineering interviewed Keller & Associates, Civil Survey and JUB for professional services. Keller Associates scored highest based on experience in this field.
- Keller Associates has provided a Scope of Work to provide field investigation, site location, water rights and design for the amount of \$166,810 (Exhibit B).
- Total FY17 funding (design only) is through water enterprise and equals \$180,000.
- Engineering's goal is to begin construction as early as possible in FY18.
- Engineering Division has reviewed the Scope of Work and recommends approval.

REQUEST: Authorize Mayor and Public Works Director to sign Task Order and Contract with Keller Associates for professional services on Tio & Burke Lane Supply & Pipeline Project in the amount of \$166,810 (T&M N.T.E.)



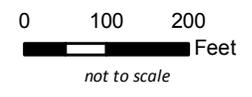
FY17 Project Location

05-Water-Irrigation

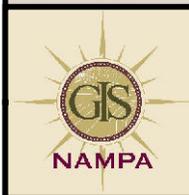
Tio Ln & Burke Ln Irrigation Supply Line Design



10/5/2016



- Address Points
- County Parcels
- City Limits
- Project Location
- WW Manhole
- WW Clean-out
- Gravity Sewer
- SD Sand & Grease Trap
- SD Catch Basin
- SD Manhole
- SD Node
- Stormdrain
- SD Pond
- Hydrant
- Domestic Valve
- Water Meter
- Domestic Main
- Fire Line
- Irrigation Valve
- Irrigation Main
- Pole, Street Light (Nampa)





ATTACHMENT A - SCOPE OF SERVICES

Scope of Work

Date: October 4, 2016

Project Number:

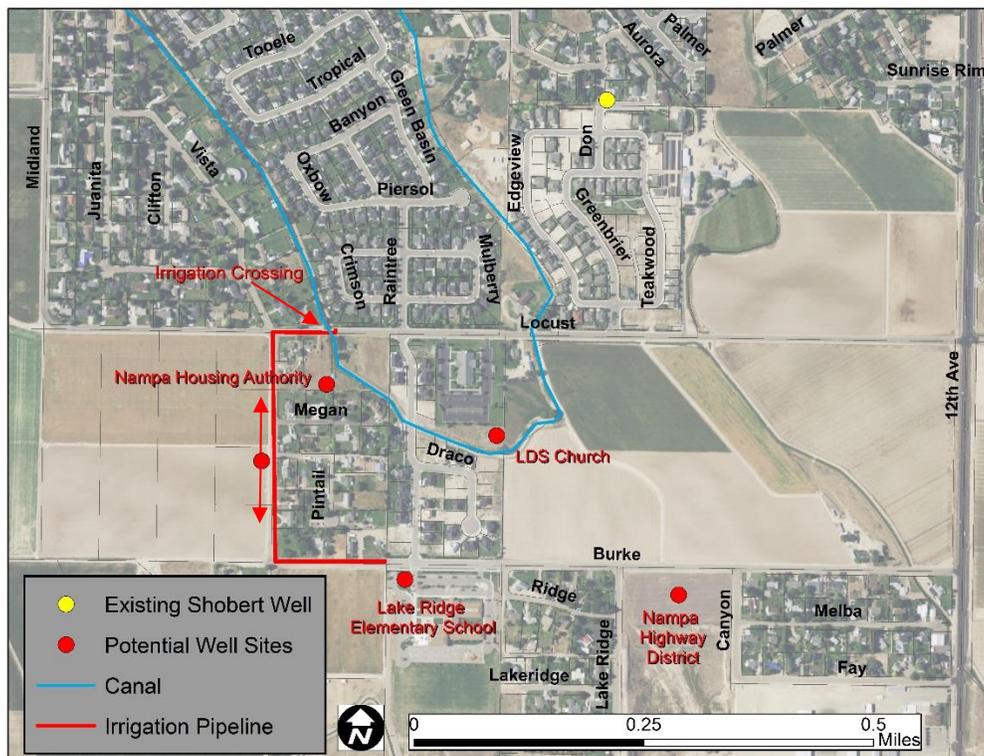
Project Name: Tio Lane and Burke Lane Irrigation Supply and Pipeline

Consultant Company Address: Keller Associates, 131 SW 5th Ave, Ste A, Meridian, ID 83642

Consultant Project Manager/Contact Information: James Bledsoe, PE (208.288.1992)

PROJECT DESCRIPTION

The City of Nampa (Owner) intends to construct a new irrigation supply well and irrigation pipeline to increase supply to the irrigation system. This project is identified in the 2014 Irrigation System Master Plan as project 1.14 (Tio Ln and Burke Ln, south of W Locust Ln) and includes a new irrigation supply well and approximately 2,330 feet of new 12-inch irrigation pipeline. The project area is illustrated in the figure below. For well siting purposes, the existing Shobert well site, Lake Ridge Elementary school property and northern part of the Nampa Highway District property will also be considered.



The project will include well siting, field topographic survey, preliminary and final design, preparation of specifications, permitting and agency coordination, bidding support, and construction support services. It is anticipated that four construction contracts will be bid from this project: well test hole, well hole construction, well house construction, and the irrigation pipeline construction. The Owner or their designated representative will provide construction engineering and inspection services (CE&I) for the irrigation pipeline portion of the project. The City is targeting 1,500 to 2,250 gpm for the new well. Well facilities are anticipated to include variable frequency drive (VFD) controls, masonry or wood frame building, and HVAC improvements. Consultant services are more particularly described in the following sections. The irrigation pipeline is anticipated to require an irrigation crossing and highway district approvals.

CONSULTANT SERVICES

Task 1 – Project Management

Project management includes general project administration services including contract administration, monthly invoicing, progress reports, maintaining project schedule, and internal project administration. Deliverables include monthly progress reports and invoices.

Task 2 – Well Siting, Land Acquisition, and Test Well

The Consultant will provide the following services:

- 2.1. **Hydrogeologic Evaluation:** Consultant will utilize the services of Brockway Engineering to prepare a hydrogeologic evaluation of the adequacy of the aquifer at/near the project area as described above. This evaluation will be prepared using available information for deep wells near the project area to provide important information required to design the well hole. Evaluation of the Shobert well site will include evaluating options of modifying the Shobert well to become the new irrigation supply well, and/or determining if a new well hole may be drilled at this site for the new irrigation supply well.
- 2.2. **Model Evaluations, Cost Comparison, and Technical Memorandum:** Consultant will evaluate up to five (5) well sites. The evaluation will include findings from the hydrogeologic evaluation, a hydraulic computer modeling analysis, and concept level cost comparison. Upon completion of the evaluation and cost comparison, Consultant will prepare a Technical Memorandum summarizing the findings and recommending a site for further design under Task 3. Attend a meeting with owner to review findings and recommendations.
- 2.3. **Well Siting and Land Acquisition – Consultant’s Role:** Consultant will provide assistance to the Owner in identifying a well site for the new irrigation supply well. This assistance will include up to 3 meetings with property owners and providing technical support in property owner meetings/negotiations.
- 2.4. **Well Siting and Land Acquisition – Owner’s Role:** The Owner will be responsible for providing services associated with acquisition of the well site. These services include property appraisal, legal review, title reports, coordination of property owner meetings/negotiations, securing the services of an agent, and other activities needed to secure the well site. It is anticipated that the land purchase may be conditioned on the successful completion of a well hole.

- 2.5. **Test Well Design and Construction Services:** After reviewing the findings from the well site evaluations, the Consultant will assess with the Owner whether a test well is warranted. The test well may be a small-diameter bore for acquisition of lithologic data only, or may be drilled larger to accommodate a small test pump. Should a test well be recommended, this task includes design and specification of a small-diameter exploratory hole, drilling permit acquisition, obtaining quotes for the test well construction, and analysis of lithologic results (and yield-drawdown results if the well is pump-tested).

Task 3 – Well Production Hole Design, Bidding, and Construction

The Consultant intends to use Brockway Engineering to assist in providing the following services:

- 3.1. **Well Hole Pre-Design:** Consultant will provide the following services as part of the preliminary design:
 - 3.1.1. Use the information gathered in Task 2 and prepare a concept design of the proposed well hole design for the proposed site.
 - 3.1.2. Provide the proposed well hole design information to the Owner, and participate in a conference call to review any Owner comments regarding the design.
- 3.2. **Well Hole 90% Design:** Provide well hole construction documents including: drawings, specifications, cost estimate, construction contract documents, and bidding documents. A single submittal will be made at a 90% level of completion for the Owner’s review before the final design documents are produced.
- 3.3. **Well Hole 100% Design:** These documents will incorporate comments received from the Owner. The drawings and specifications will be submitted to the Owner and IDWR for approval.
- 3.4. **Well Hole Bidding:** The following services will be provided for the well hole bidding:
 - 3.4.1. The well hole will be bid separate from the rest of the project. Consultant will address questions during bidding, and issue needed addendums.
 - 3.4.2. **Bidding, Publishing, and Administration:** Consultant will provide ten (10) hard copies and one electronic copy (PDF format) of the bid documents to the Owner. Bid plans will be produced at reduced size (8½”x11” or 11”x17”). Consultant will provide bid administration services to coordinate the bid process with the Owner and prepare addenda when necessary during the bid process to clarify bidding requirements. No pre-bid meeting is assumed. Legal notice for advertisement of bid will be prepared by and paid for by the Owner. Plans and addenda will be distributed by the Owner.
 - 3.4.3. **Bid Opening and Award:** Consultant review the bid abstract prepared by the Owner, review bidder qualifications, if necessary, and provide a recommendation for contract award to Owner.
 - 3.4.4. For budgeting purposes, one bid process was assumed. Additionally, it is not anticipated that Consultant staff will prepare staff reports or attend a City council

meeting to discuss award of the bid.

3.5. **Drilling Permit:** Consultant will prepare and submit a drilling permit application to IDWR, and coordinate with IDWR.

3.6. **Construction:** The following services will be provided during the well hole construction:

3.6.1. **Submittal Review:** Consultant will review contractors' submittals to check that proposed materials generally conform to the specifications. Copies of reviewed submittals will be submitted to the Owner for future Owner reference. Submittal reviews will include specified materials. It is anticipated that the Owner will review traffic control, erosion and sediment control, and construction testing (i.e. flow and pressure tests).

3.6.2. Respond to requests for information and provide plan and specification clarification.

3.6.3. Review change orders and work change directives.

3.6.4. **Well Hole Construction Administration/Periodic Observation:** Services during construction of the well hole will include general administration support services to the Owner. Periodic construction observation will, on average, be 10 hours per week except during surface seal installation, which is anticipated to take one day. Based on review of the drill log, well cuttings, and geophysical log, a final design for the well will be provided to the Contractor.

3.6.5. **Pump Test:** Based on data obtained during the drilling process including estimate of well yield by the driller, Consultant will design a pumping test protocol including minimum pump performance, pump setting, final well development, data to be collected, and anticipated duration of step test and final production testing. Consultant will provide continuous onsite support during the final well development and step test and will collect data on pump yield and drawdown during this period. Consultant will not provide continuous onsite support for the long-term production test.

3.6.6. **Well Completion Report:** Consultant will prepare a well completion report describing the lithology encountered, final well design, anomalous conditions, results of the pumping test, and recommended pump design flow and total dynamic head.

Task 4 – Well House and Pipeline Design

Once the production well has been completed, the Consultant will proceed with the design of the well and pipeline improvements:

4.1. **30% Design:** Consultant will complete the following services as part of preliminary design:

4.1.1. **Topographic Survey and Temporary Construction Benchmarks:** Consultant will complete a topographic survey of the selected well site and pipeline corridor.

Consultant will research record documents in Canyon County to establish existing right-of-way widths and for use in the Monument Preservation of existing monuments (pursuant to Idaho Code 55-1613 and 54-1234) to be referenced on the Construction Plans. Consultant will utilize the Nampa G.I.S. mapping to approximately place property lines horizontal, and vertical control will be based on City of Nampa control available on the City's website. Consultant will establish temporary bench marks at the well site and at approximately 500 foot intervals along the irrigation pipeline corridor to be used for construction.

Consultant will coordinate with Dig-Line for the purpose of requesting field locates and maps of subject utilities such as gas, power, telephone, storm drainage, cable T.V., street lighting, traffic signals, irrigation, and other utilities that respond to the request for utility locate. Utilities depicted on the plans as a result of this task will not be verified and must be field verified, located, and protected by the contractor during construction.

It is anticipated that surveying will be completed in two phases. The first phase will include the well site and will be completed in anticipation of well drilling and property acquisition. The second phase will include the pipeline corridor and will proceed following the well drilling, unless directed to be complete sooner by the Owner.

- 4.1.2. **Kickoff Meeting:** Consultant will attend a kick-off meeting with the Owner for the purposes of obtaining project information and to receive any general direction that the Owner may have with respect to proceeding with the well house and pipeline alignment. At this time, the Owner will provide the Consultant with the information pertaining to any design related requirements.
- 4.1.3. **30% Pipeline Design:** Consultant will use the survey data, and Owner and utility-provided mapping information to prepare a basemap of the existing pipeline corridor. Prepare preliminary well house location and the irrigation pipeline alignment, and provide preliminary layout exhibits to the Owner's review. This scope assumes pipeline sizes and layout are not anticipated to change from what is presented in the project description.
- 4.1.4. **30% Well House Design:** The well house will be designed to facilitate transition of the new well from an irrigation well to a potable water well at a future date. In order to facilitate this transition, space will be allotted in the well house for chlorination and space for backup power and fuel will be allotted outside the building. It is anticipated that a building layout similar to Well 20 will be provided. The Consultant will preliminarily size a pump and motor, and develop conceptual layouts showing a mechanical layout and site plan for the new well house.
- 4.1.5. Consultant will provide an updated opinion of probable cost.
- 4.1.6. Consultant will participate in a 30% design review meeting with the Owner.
- 4.2. **Final Design:** Final design of the well house and irrigation pipeline will be completed by Consultant with considerations made for sanitary separation per State Public Drinking Water

Regulations, surface disturbance, irrigation service impacts, constructability, direction from the Owner, utility conflicts, and other pertinent design issues. Consultant will prepare civil, mechanical, electrical, architectural, and structural design plans and specifications for the construction of the well facilities.

- 4.2.1. **Design Drafting:** Consultant will perform design drafting in AutoCAD for the construction plans which will include the Owner's standard notes, vicinity maps, sheet indexes, north arrows, scale, topography, pipe size, type, fitting, surface repair, crossing requirements, property lines, easements, found monuments and property corners, land ownerships from Nampa GIS, survey control, pay limits, and special details necessary for a biddable product. Drafting will be completed on 22"x34" sheets, ANSI standard size "B" sheets (50% and 90% review sets of drawings will be 11"x17"). Final design drawings to include plan views only, except where complexities warrant a detail showing a profile.
- 4.2.2. **Property Owner Communication:** During the final design, Consultant will endeavor to contact local stakeholders (school district and adjacent businesses) anticipated to be directly affected by the project. Requirements to notify the owners/residents of construction activities will be incorporated into the contractor's responsibilities during construction.
- 4.2.3. **Special Provisions:** Special provisions will be in accordance with the 2012 ISPWC and the modifications to these standards found in the City of Nampa 2015 Standard Construction Specifications. Consultant will be responsible for preparing Special Provisions for the project. Consultant will utilize the City's existing front end construction documents (bid advertising, instructions to bidders, bid forms, bid bonds, insurance requirements, agreements, general provisions, and supplemental conditions).
- 4.2.4. **60% Plans:** Consultant to complete 50% plan and submit a review set of plans to the Owner. Update cost estimate of the irrigation well house and irrigation pipeline, and meet with Owner to receive comments and discuss plans.
- 4.2.5. **90% Plans and Specifications:** Upon 90% completion of the plans and specifications, Consultant will submit a review set of plans to the City for review. Project erosion and sediment control plans general specifications will be provided and the contractor will be required to submit final sediment and erosion control plans to the City at the time of construction. Final specifications will include traffic control constraints, and it is anticipated that traffic control plans will be prepared by the Contractor. The Consultant will update the cost estimate and meet with the City to receive comments and discuss plans.
- 4.2.6. **100% Plans and Specifications:** Consultant will incorporate appropriate revisions made by the City and other permitting agencies into a final set of stamped plans and specifications. Prepare an updated opinion of probable cost using the bid schedule developed for the project. Since Consultant has no control over the cost of labor, materials, equipment, or services furnished by others, or over the contractor's methods of determining prices, or over competitive bidding or market conditions, the

Consultant does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by the Consultant.

- 4.2.7. **Design Assumptions:** The well house will be of similar construction to that of Well 20; a geotechnical is not included; the well house will be provided with an HVAC system; the Consultant will coordinate with the City's SCADA integrator who will be responsible for the SCADA design and integration of the well; adequate three phase power will be available near the well site.

Task 5 – Bidding (Well House and Irrigation Pipeline)

It is anticipated that the well house and irrigation pipeline will be bid separately. The Consultant will provide the following services for each contract to be bid:

- 5.1. **Bidding, Publishing, and Administration:** Consultant will provide ten (10) hard copies and one electronic copy (PDF format) of the bid documents to the City. Bid plans will be produced at reduced size (11"x17"). Consultant will provide bid administration services to coordinate the bid process with the City, prepare addenda when necessary during the bid process to clarify bidding requirements, and attend a pre-bid meeting to answer bidders' questions. Legal notice for advertisement of Bid will be prepared by and paid for by the City. Plans and addenda will be distributed by the City.
- 5.2. **Bid Opening and Award:** Consultant will attend the bid opening, review the bid abstract prepared by the City, review bidder qualifications, if necessary, and provide a recommendation for contract award to City.
- 5.3. For budgeting purposes, one bid process was assumed for the well house and one bid process was assumed for the irrigation pipeline. Additionally, it is not anticipated that Consultant staff will prepare staff reports or attend a City council meeting to discuss award of the bids.

Task 6 – Construction Services (Well House and Irrigation Pipeline)

This scope of work is to provide construction support services. It is anticipated that these services will include separate contracts for the well house and pipeline projects. The Consultant will provide the following construction support services:

- 6.1. **Pre-Construction Meeting:** The Consultant will attend and chair a pre-construction meeting with the Owner and Contractor to coordinate construction activities and meetings to happen throughout the duration of project. Consultant will draft a meeting agenda, and provide meeting minutes to the Owner and Contractor.
- 6.2. **Submittal Review:** Consultant will review contractors' submittals to check that proposed materials generally conform to the specifications. Review contractors' temporary water service plan / temporary water shutdown plan (if applicable) to aid in minimizing customer water service interruption. Copies of reviewed submittals will be submitted to the City for future City reference. Submittal reviews will include specified materials. It is anticipated that the City will review traffic control, erosion and sediment control, and construction testing (i.e. compaction tests, pressure tests, and bacteria tests).

- 6.3. Respond to requests for information and provide plan and specification clarification.
- 6.4. Review change orders and work change directives.
- 6.5. **Construction Administration Services:** The City or their assigned representative will provide construction administration and observation and review of Contractor's performance for the irrigation pipeline portion of the project. The scope of the Consultant's efforts for the pipeline project is anticipated to be limited to tasks 6.1 through 6.4 above.

For the well house facilities, Consultant will provide general construction administration support including developing a punchlist for substantial and final completion, providing startup support services, and making periodic site visits at intervals appropriate to the stage of construction in order to observe the progress and quality of the work completed by the Contractor. Such visits and observation are not intended to be an exhaustive check or a detailed inspection of the Contractor's work but rather are to allow the Consultant to become generally familiar with the work in progress and to determine, in general, if the work is proceeding in accordance with the contract documents. Based on this general observation, the Consultant shall keep the Owner informed about the progress of the work and shall endeavor to guard the Owner against deficiencies in the work. Construction site visits are intended to be supplemental to the observations that will be completed by the Owner on a day-to-day basis. In completing these services, it is recognized that the Contractor is solely responsible for furnishing and performing the work in accordance with the contract documents.

City or their representative, will provide other construction services not listed above, including but not limited to reviewing and processing pay requests, issuing a Notice of Substantial Completion to the contractor, developing a "punch list", and processing closeout documents.

- 6.6. **Record Drawings:** Upon completion of the Work, the Consultant shall compile for and deliver to the Owner a reproducible set of Record Documents, created by the contractor. Record Documents will include marked-up construction drawings, addenda, change orders and other data that show significant changes made during construction and will include the contractor's hand drawn redlines scanned into a final PDF document (should the Owner desire the electronic files be updated, these can be provided as an additional service). Because these Record Documents are based on unverified information provided by other parties, the Consultant cannot and does not warrant the accuracy of the Record Documents.

Task 7 – Additional Services

The Consultant will provide the following services:

- 7.1. **Water Rights Permitting:** The water rights permitting and support services associated with this project will be subcontracted to SPF Water Engineering. The scope for these services is attached (See Attachment B) and does not include water rights protest support or legal support services. Should the water right application be protested, an amendment to this agreement will be necessary to support the Owner through the water right protests.
- 7.2. **Agency Permitting and Coordination:** Consultant will prepare exhibits, assist in submitting applications, and coordinate with local agencies to request approvals. No environmental related activities are anticipated (e.g. no wetland delineation, biological, and archeological

investigations). For this project it is anticipated that the permits/approvals will be limited to irrigation canal crossings and a permit for work within the Nampa Highway District.

- 7.3. **Easements/Record of Survey:** Easements (if necessary) and a record of survey will be provided for the well site acquired by the City.

CITY PROVIDED INFORMATION AND RESPONSIBILITIES

The following data and/or services are to be provided by the City without cost to Consultant.

1. Provide ongoing review of the work and timely consideration of project issues.
2. Provide relevant record drawings and other relevant information of record.
3. Provide input on well site selection.
4. Provide input on irrigation pipeline valving, connection locations, and irrigation system isolation plan for construction (if necessary).
5. Assist in identifying buildings or properties requiring service connections.
6. Pay for all permits, fees, or other payments required to secure permitting for construction of the proposed improvements.
7. Provide electronic copy of available GIS mapping, include parcel data.
8. Provide electronic copies of the most current edition of the City of Nampa Specifications and Drawings for Construction, including front-end documents.
9. Provide and pay for legal notices for Advertisement of Bids.
10. Distribute bid documents and addenda to contractors. Provide place for bid opening. Provide legal counsel for bid award, if necessary.
11. Provide a Qualified License Professional Engineering (QLPE) review and approval of the final pipeline plans.
12. Provide construction engineering and inspection services as noted above.
13. Contract separately for SCADA design and integration.

TIME OF COMPLETION

It is anticipated that the Consultant will complete Tasks 1-4 within 12 months. Actual completion schedule may vary depending on how long it takes to secure the well site and water rights.

COMPENSATION SCHEDULE

Services will be completed on a time and materials basis. The Not-To-Exceed (NTE) amount to complete all services listed above for this task order is shown in the following table. While the budget amounts for each task may be exceeded, no compensation over the total NTE budget will be paid without prior written approval by the City. The hourly rates for services and direct expenses are per the Master Agreement and the current approved Rate Schedule on file with the City (rate schedules are updated annually in January), and will be the basis for any additions and/or deletions in services rendered.

Task	Description	Compensation
1	Project Management	\$10,000
2	Well Siting, Land Acquisition, and Test Well	\$19,385
3	Well Production Hole Design, Bidding, & Construction	\$25,060
4	Well House & Pipeline Design	\$90,480
5	Bidding (Well House & Pipeline)	\$11,480
6	Construction Services (Well House & Pipeline)	TBD
7	Additional Services	\$10,405
	TOTAL	\$166,810

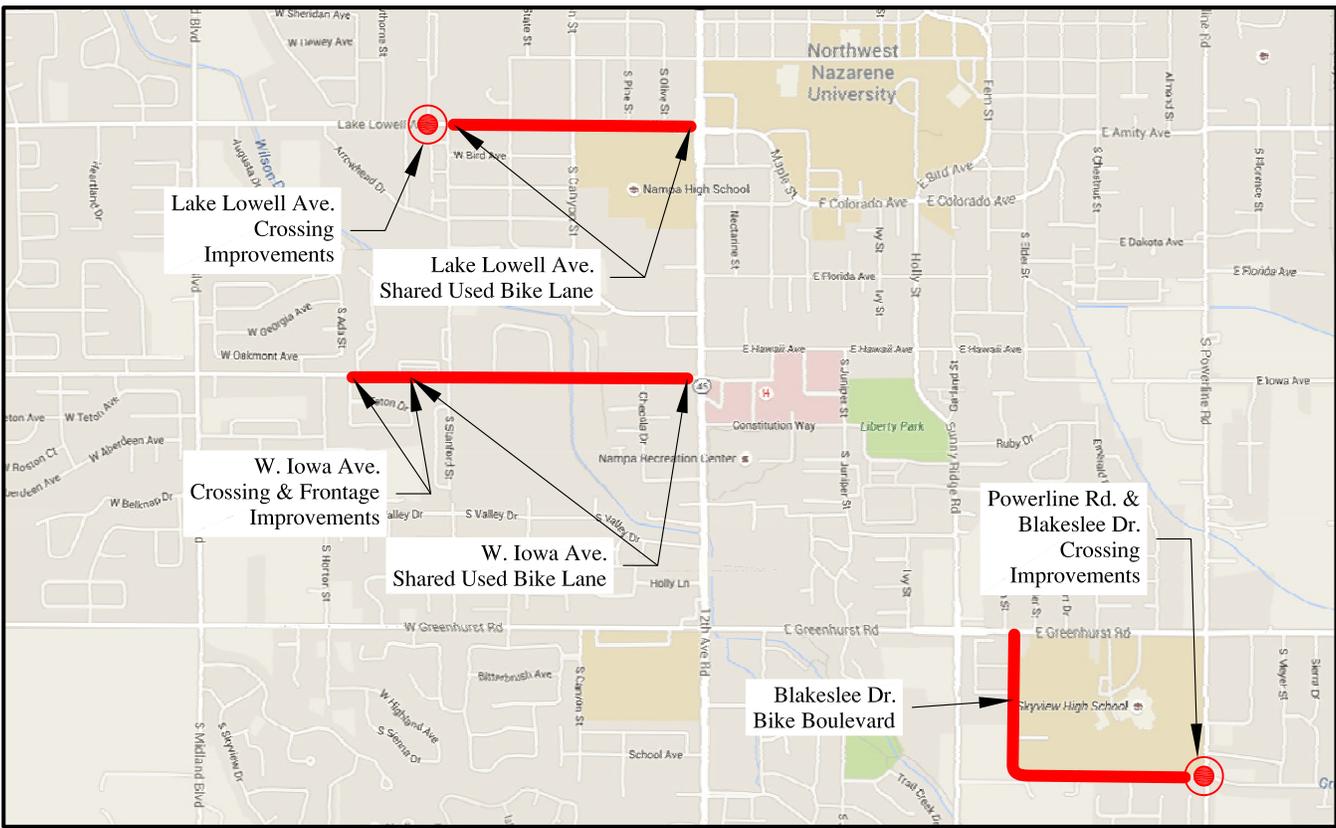
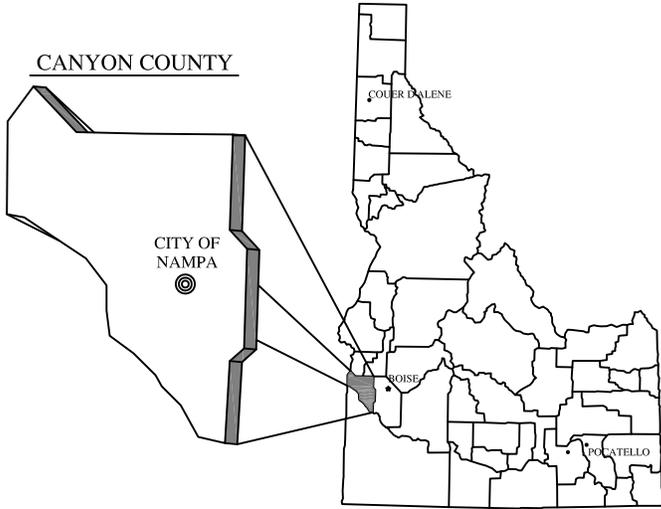
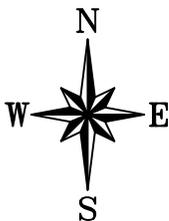
PROFESSIONAL SERVICES AGREEMENT
SOUTH NAMPA MULTIMODAL CONNECTIVITY PROJECT
(Key # 19590)

- This project is part of a continuing effort to invest in safe and efficient pedestrian and bicycle infrastructure in the City of Nampa, especially near schools.
- The City, in partnership with Valley Regional Transit and COMPASS secured Federal Funds to design and construct safety improvements at the following locations (see Exhibit A):
 - *Skyview High School (Powerline Road/Blakeslee Drive)*—Rapid Flashing Beacon (RFB) crosswalk, lighting, pedestrian ramps and Bike Boulevard facilities.
 - *Iowa Elementary (Iowa Avenue)*—Rapid Flashing Beacon (RFB) crosswalk, lighting, sidewalks, pedestrian ramps and shared use bike lanes.
 - *Centennial Elementary (Lake Lowell Avenue/Mason Lane)*—Rapid Flashing Beacon (RFB) crosswalk, lighting, pedestrian ramps and Bike Boulevard facilities.
- The projects were chosen based on high pedestrian volumes, crash data, proximity to transit facilities, accessibility and in an effort to establishing safe routes to schools.
- Funding is through the Federal Transit Administration (FTA) grant program administered by Valley Regional Transit (VRT) under a subrecipient agreement authorized by Council on April 18, 2016.
- The City received confirmation from VRT, on September 16, 2016, that the FTA has awarded the funds for the project.
- Estimated project costs are:

Design & Construction Engineering	\$ 79,640.00
Construction Estimate	<u>\$ 440,360.00</u>
<i>Total Estimate</i>	<i>\$ 520,000.00</i>
- Total FY17 funding is \$520,000 of which 80% (\$416,000) is Federal and 20% (\$104,000) is City match.
- Following consultant interviews, Engineering chose Paragon Consulting based on their transportation design expertise, understanding of the FTA grant process, desire to innovate (for efficiency and cost savings), and public involvement experience.
- Paragon submitted a scope of work (Exhibit B) in the amount of \$79,640.00 to provide design and construction engineering and inspection (CE&I) services (see Exhibit B).
- Engineering has reviewed the Scope of Work and Labor Estimate and recommends approval.

REQUEST: Authorize Mayor and Public Works Director to sign Task Order and Contract with Paragon Consulting for professional services on the South Nampa Multimodal Connectivity project in the amount of \$79,640.00, Time and Materials Not to Exceed.

CITY OF NAMPA TRANSIT - SOUTH NAMPA MULTIMODAL CONNECTIVITY KEY NO. 19590



CITY OF NAMPA TRANSIT - SOUTH NAMPA MULTIMODAL CONNECTIVITY KEY NO. 19590		
Scale: N.T.S.	Date: 11/2/2015	Project Number: 005-15-002
Drawing: P:\Projects\Nampa 005-15-002\CEs\CADD\Vicinity Map.dwg		



157 W. 4th Street
 Kuna, Idaho 83634
 PH: (208) 922-9138
 FX: (208) 922-9168

SCOPE OF WORK

FOR

CITY OF NAMPA

SOUTH NAMPA MULTIMODAL CONNECTIVITY

KEY No. 19590

PROJECT No. 02-1533

OCTOBER 4, 2016

Prepared By:
Paragon Consulting, Inc.
157 W. 4th Street
Kuna, Idaho 83634



Project Manager:
Joe Barton, P.E.
(208) 921-8486

Scope of Work

Date: October 4, 2016

Task Order Number:

Project Number: 02-1533

Project Name: South Nampa Multimodal Connectivity, Key No. 19590

Consultant Company Address:

PARAGON Consulting, Inc.

157 W. 4th Street

Kuna, ID 83634

Consultant Project Manager/Contact Information:

W. Joe Barton, P.E.

(208) 921-8486 (Cell)

jbarton@paragonfbk.com

Contract Amount: \$79,640.00 (T/M NTE)

Duration: October 17, 2016 thru September 30, 2017 (348 Calendar Days)

(Construction Substantial Completion August 25th, 2017)

Project Description and Assumptions:

This Scope of Work (SOW) covers the design of three improvement projects in the City of Nampa, including the following:

- a. Skyview High School, Powerline Road and Blakeslee Drive intersection Rectangular Rapid Flashing Beacon (RRFB) and Bike Boulevard. This location will include RRFB installation, street lighting, ADA compliant pedestrian improvements, crosswalk upgrades, pavement markings and bike facility connection.
- b. Iowa Elementary, Iowa Avenue mid-block Rectangular Rapid Flashing Beacon (RRFB) and Shared Use Lanes. This location will include RRFB installation, street lighting, sidewalk gap connection, ADA compliant pedestrian improvements, crosswalk upgrades, pavement markings and bike facility connection.
- c. Centennial Elementary, Lake Lowell Avenue and Mason Lane intersection Rectangular Rapid Flashing Beacon (RRFB) and Shared Use Lanes. This location will include RRFB installation, street lighting, ADA compliant pedestrian improvements, crosswalk upgrades, pavement markings and bike facility connection.

The three improvement projects will follow a design and bid schedule to accommodate a construction window outside the normal school year to reduce the inconvenience of construction on the schools. Construction is anticipated during the 2017 summer break.

The three improvement projects will be developed under this Scope of Work (SOW). However, each project will be developed independently of the other, with separate design plans, combined contract documents and bidding procedures, with separate bid schedules for each location.

Scope of Work

South Nampa Multimodal Connectivity, Key No. 19590

Major project assumptions include the following:

- The potential budget for the project is up to \$520,000
- All Rectangular Rapid Flashing Beacons and components are based on CITY standard equipment with no special equipment design required
- No Right-of-Way Acquisition is required
- Construction easements may be required from the Nampa School District and/or Private Property Owners
- No special permits are required
- No environmental documentation is required beyond the previously approved Categorical Exclusion Document
- No major CITY utility (water, sewer, PI, etc.) improvements are anticipated
- All plans will be developed on 11x17 plan sheets (expandable to 22x34)
- CITY Standards are used as the basis of the design with incorporation of the required Federal Clauses

The following SOW represents the tasks required to complete the three improvement projects. The SOW labor estimate is attached as “Exhibit A”.

A critical path diagram depicting the anticipated project schedule is attached as “Exhibit B”.

PARAGON Consulting, Inc. is sub-consulting the survey services for this project to Compass Land Surveying. The Compass Land Surveying Scope of Work is attached as “Exhibit C”.

1. Project Management

- 1.1. Kick Off Meeting – PARAGON will prepare an agenda and conduct a meeting with CITY staff to discuss project approach, schedule, available information, etc. PARAGON will record meeting minutes.
- 1.2. Utility Research Meeting – PARAGON will prepare an agenda and conduct a meeting(s) with appropriate CITY utility divisions or Public Utility Companies to gather record drawings, field knowledge and any historical data available. PARAGON will record minutes and incorporate research into design.
- 1.3. Council Meeting – PARAGON will prepare Nampa City Council write-ups and exhibits, attend council meeting(s) to answer questions, etc. Assume one (1) council meeting and two (2) council write-ups.
- 1.4. CITY Meeting – PARAGON will schedule monthly progress meeting(s) with CITY, prepare agenda and record minutes. Monthly progress meeting(s) can be incorporated into Project milestone meeting(s).
- 1.5. Budget and Tracking – PARAGON will provide monthly progress report(s), detailing expenditures per task to date, percent of budget spent and percent complete. Provide schedule updates, progress report(s) and revisions. Monthly progress report(s) will be submitted with monthly invoice(s).
- 1.6. Sub-Consultant Administration – PARAGON will administer sub-consultant agreement(s), including providing Project instructions, reviewing sub-consultant deliverables, reviewing invoices and providing Project feedback.

2. Design Services

2.1. Public Outreach

2.1.1. Property Owner Coordination – PARAGON will prepare exhibits and informational material for use in identifying and communicating Project information to the Nampa School District and private property owners, adjacent to the Project. PARAGON will meet with the Nampa School District and adjacent property owners to discuss potential impacts to access and frontage improvements. Considering the Nampa School District’s vested interest in the Project, it is anticipated that up to 3 School District Meetings will be required along with several property owner meetings throughout the design of the Project.

2.1.2. Public Mailers & Press Releases – PARAGON will prepare an informational mailer for distribution by the CITY. The initial mailer will include information from the Concept Design and will announce the anticipated project timeline.

PARAGON will prepare a follow up informational mailer for distribution by the CITY prior to construction activities. The follow up mailer will contain information relative to the construction duration and potential impacts to traffic.

PARAGON will compile information from the design, property owner meetings and public open house and provide the CITY with information pertinent for a press release prior to the start of construction.

2.1.3. Advisory Group Coordination – PARAGON will prepare agendas and project information for use in meetings with interested groups from the community (School Safety Team, Bike and Pedestrian Advisory Committee, Crosswalk Safety Committee, school principal & staff, etc.). PARAGON will meet with the interest groups, prepare minutes and provide responses to questions and comments. It is anticipated that up to 3 interest group meetings may be required.

2.1.4. Public Open House – PARAGON will prepare exhibits and informational material for use in conducting a Public Open House meeting to disseminate information relative to the Project. The Public Open House will be held following the Concept Design phase of the Project so that major Project design elements can be displayed for the public.

Public Open House exhibits are anticipated to include an aerial photograph background, overlaid with major project design elements (striping layout, pedestrian ramps, intersection and approach layout, etc.). Additionally, an informational flyer for each location will be developed to hand out at the meeting.

PARAGON will incorporate review comments received during the open house and other comments received by the CITY into the design as appropriate.

PARAGON Consulting will work with CITY staff to secure a location close to the project for the open house meeting. If the schedules align, the open house meeting may be held with the open house meeting for the Nampa High School Frontage Improvement Project.

2.2. Concept Design

2.2.1. Develop Topographic Map – The field survey data will be transferred electronically and placed in an X-Y-Z format. The files will be merged together into a single data file. The survey data will be imported into CAD and a complete topography will be drafted. This topographic file will be the basis of presentation mapping and plans.

2.2.2. Concept Design Layout – Conceptual layouts will be developed for evaluation and for use in meetings with the Nampa School District and the CITY. Through these meetings and evaluations, final concept layouts will be developed as the recommended alternatives.

2.2.3. Concept Summary Report – PARAGON will prepare the Draft Concept Summary Report for submittal to and review by the CITY. The Concept Summary Report will include Project vicinity maps, Project area maps showing the Project limits and features, a short narrative of the options evaluated and the concept level cost estimates. The Draft Concept Report will be discussed with CITY staff and then finalized and stamped for the Project files.

2.3. Final Design

2.3.1. Final Design Plans – PARAGON will complete the final design including the following final plan sheets, as applicable (independent plan sets will be produced for each of the three projects):

- Title Sheet – Prepare the final plan set title page
- Survey Control & General Notes – Prepare a map showing the local Project survey control and general notes for Project construction
- Vicinity & Special Map(s) – Prepare the Vicinity Maps and/or Special Maps
- Typical Cross Section(s) – Prepare typical cross sections at critical locations throughout the Project. Cross sections will show paving, base, sub-base, curbs, sidewalks, etc.
- Plan Sheets – Prepare the final plan layout for the Project with construction callouts and details
- Rectangular Rapid Flashing Beacons Details – Prepare the final RRFB signal details, including power service, mast arms for lighting, sign placement, etc.
- Miscellaneous Details – Prepare final layout of other Project details (ADA upgrades, lighting, etc.)
- Permanent Signing and Striping Plan – Prepare final layout and details for the pavement markings and permanent signing
- Construction Traffic Control Plan – Prepare construction traffic control plans

2.3.2. Final Design Review – PARAGON will attend an informal final design review with the CITY (following a 2 week review period) to gather comments on the final design and resolve any outstanding design issues before preparing the PS&E package.

2.4. Plans, Specifications & Estimate (PS&E)

2.4.1. Address Final Design Review Comments – PARAGON will compile the Final Design Review Comments, respond to each comment and resolve identified issues prior to incorporating into the PS&E plans.

2.4.2. PS&E Plans – PARAGON will complete the final plan revisions and prepare a complete set of PS&E plans for each of the three projects.

2.4.3. Prepare Design Files – PARAGON will compile a project design file for submittal to the CITY as a record of the design process. The design file may include the final approved concept report, design review comments and responses, property owner contact information and correspondence records, utility contacts and correspondence records, design quantity calculations, special permit requirements, etc.

2.5. Contract Documents – PARAGON will prepare contract documents using the CITY provided template document(s) in Microsoft (MS) Word format. The contract documents will include the required federal clauses to meet the requirements of the FTA funding. The contract documents will include the following sections:

- Project Advertisement
- Bid Forms & Instructions to Bidders
- Bid, Performance & Payment Bonds
- Naming of Subcontractor(s)
- Contract Agreement
- Notice of Award & Notice to Proceed
- Supplementary Conditions
- Special Provisions

Draft contract documents will be completed for review at the Final Design stage of the project development and then finalized for publication during the PS&E stage of the project development.

A single set of contract documents will be prepared to cover all three projects. Three bid schedules will be developed with a subtotal for each project and with a total bid for all three projects as the basis for bid comparison.

2.6. Engineers Construction Cost Estimate – PARAGON will prepare a project construction quantity estimate and associated cost estimate at critical milestones, including the following:

- Concept Report
- Final Design
- PS&E

3. Bid Administration and Support

3.1. Bid Documents – PARAGON will prepare up to 20 sets of bid documents and plans to be distributed by the CITY during the bid process.

3.2. Pre-Bid Meeting - PARAGON will prepare an agenda and conduct a pre-bid meeting with CITY staff and interested parties to discuss the Project, answer questions, etc. PARAGON will record meeting minutes and transmit to CITY.

- 3.3. Bid Administration – PARAGON will review bid comments, prepare addendum, and advise the CITY on bid inquiries. Assume one (1) addendum will be issued.
- 3.4. Bid Opening – PARAGON will attend the bid opening, prepare bid summary, assist CITY in reviewing bids and make recommendation for award. If requested, PARAGON will prepare the Bid Award and Notice to Proceed documents.
4. Construction Engineering and Inspection, Administration Assistance
 - 4.1. Pre-Construction Meeting – PARAGON will attend and administered the pre-construction meeting to gain an understanding of the CONTRACTOR’s Project approach and schedule. Paragon will prepare the agenda and meeting minutes.
 - 4.2. Construction Inspection – PARAGON will observe construction activities as needed and/or requested by CITY. Inspection will be performed with qualified inspection staff, including the following major tasks:
 - Inspector Diaries – Daily reports will be prepared to record the CONTRACTOR’s work on the site, weather conditions, data relative to questions of change orders, field orders, or changed conditions, site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures. CONTRACTOR inspections, tests, and approvals required by the Contract Documents will be received and reviewed.
 - Identify and Recommend Corrections – Any omissions, substitutions, defects and deficiencies in the work of the CONTRACTOR will be identified and documented with recommendations reported to the CITY. Change Orders and Work Change Directives will be prepared as appropriate. It is assumed that a maximum of 2 Change Order and 4 Work Change Directives will be required.
 - Pay Quantity Collection – Pay quantities and quantity measurements will be checked for accuracy and prepared for processing for payment to the CONTRACTOR.
 - 4.3. Filing & Records Verification - Project files will be maintained at PARAGON’s office in Kuna, Idaho. Copies of important or requested information will be forwarded to the City of Nampa. An on-going process of periodic checks of the files will occur during the Project to ensure that all records are being accurately kept and the filing system is up to date. Major tasks under this scope of work item include:
 - Progress Estimate Preparation – For each scheduled progress estimate, documentation will be prepared for and presented to the City of Nampa. Progress Estimates will contain the quantities and justification for each bid item payment with a summary sheet showing the amounts to be paid.
 - Materials Certifications – Certifications, as required by bid item, will be requested for all materials incorporated into the Project. No materials will be accepted for payment until

the certifications are received and reviewed for acceptance. Minimum Testing Requirements (MTR's) submitted by the Contractor will be reviewed and approved.

- Bi-Weekly Progress Meetings – Bi-Weekly progress meetings will be held at the City of Nampa. These bi-weekly meetings will be of an informal nature due to the estimated short Project duration. A bi-weekly update memo including project progress, schedule, budget and other critical items will be provided.
- Contract Submittal Review – PARAGON will provide Contractor Shop Drawing and submittal coordination and review. It is anticipated that each submittal will have an initial submittal for review and a final submittal for approval. Anticipated submittals include Contractor's CPM Schedule, Traffic Control Plan and Material Certifications. It is expected that PARAGON will perform routine interpretations and clarifications on the Project.

4.4. Wage Compliance – PARAGON will complete the required federal wage compliance reporting for the project. Major tasks under this scope of work item include:

- Review certified payrolls.
- Conduct on-site inspections, perform employee interviews, and identify additional classes if applicable.
- Address all non-compliance, complaints and issues.

4.5. Project Closeout - At Project close-out, all records will be finalized and quantity calculations verified. A final package of records will be submitted to the City of Nampa for the official Project files. Major tasks under this scope of work item include:

- Verify that all necessary documents have been received for final payment to the Contractor and Project completion.
- Receive bonds, certificates, or other evidence of insurance not previously submitted and required by the Contract Documents, including certificates of inspection, tests and approvals, shop drawings, samples, and the annotated record documents which are to be assembled by the Contractor in accordance with the Contract Documents to obtain final payment.
- Promptly conduct an inspection after notice from the Contractor that the entire work is ready for its intended use, in the company of the City of Nampa and the Contractor, to determine if the work is Substantially Complete. If there are no objections from the City of Nampa, PARAGON will deliver a certificate of substantial completion to the City of Nampa and the Contractor.
- Coordinate and conduct a final inspection, to include representatives from the City of Nampa and Contractor, to determine if the completed work is acceptable so that PARAGON may recommend final payment to the Contractor. PARAGON will also provide a notice that the work is acceptable to the best of their knowledge, information and belief based on the extent of the services provided under this agreement.

- Furnish to the City of Nampa a project close out file including critical contractor correspondence, inspection diaries, change orders, payment applications, contractor quality acceptance test results and contractor submittals.

Project Schedule

PARAGON proposes to implement its services from October 17, 2016 thru September 30, 2017 (see attached “Exhibit B”, CPM Schedule) with the following approximate Milestones:

- Task Order Notice to Proceed – October 17, 2016
- Concept Report Review Meeting – November 29, 2016
- Public Open House – December 14, 2016
- Final Design Review Meeting – February 22, 2017
- PS&E Complete – March 3, 2017
- Bid Advertisement – March 13, 2017
- Bid Award by City Council – April 17, 2017
- Construction Substantial Completion – August 25, 2017
- Project Closeout – September 30, 2017

Cost of Services

Services will be on a time and materials not-to-exceed (NTE) basis (see attached “Exhibit A”).

Key No. 19590, South Nampa Multimodal Connectivity Project
Project Management \$6,750.00
Design \$43,540.00
Bid Support \$3,010.00
Construction Engineering & Inspection \$26,340.00

Total cost of services = \$79,640.00 (Time and Materials, Not to Exceed)

Federal Requirements

Consistent with the Federal Transit Administration (FTA) Grant, this Scope of Work includes the Federal Required contract provisions, included as Exhibit E and entitled Exhibit E - Federal Requirements.

Attachments:

Exhibit A – Labor Estimate & Cost Summary
Exhibit B – CPM Schedule
Exhibit C – Compass Land Surveying SOW
Exhibit D – Not Used
Exhibit E – Federal Contract Clauses

Task Order Review Checklist



Project: South Nampa Multimodal Connectivity, Key No. 19560

Date: October 4, 2016

SOW should contain the following information:

- | | | |
|--|---|-----------------------------|
| 1) Name of Project | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 2) Name of Firm | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 3) Contact Name and Number | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 4) Current Date | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 5) Page Numbers | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 6) Outline of task(s) to be provided | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| a) PM, Design, Bid, Construction | | |
| 7) Project Schedule | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| a) Milestone Dates and Cost Estimates, PM, Design, Bid, Construction | | |
| 8) Cost of Service | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| a) (fee for services to be noted "Time and Material Not to Exceed") | | |
| 9) Any Key Understandings to be noted | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 10) Cover letter with the correct contact information | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |



**South Nampa Multimodal Connectivity
Project Key Number: 19590
City of Nampa**

A. SUMMARY ESTIMATED LABOR-HOURS

	Labor Category	Labor-Hours	Hrly Rate		Labor Cost
1	Project Manager	208	@ \$130.00	= \$	27,040.00
2	Engineer	332	@ \$100.00	= \$	33,200.00
3	CADD	172	@ \$75.00	= \$	12,900.00
TOTAL LABOR COST					= \$ 73,140.00
PARAGON TOTAL					\$ 73,140.00

B. SUB-CONSULTANTS & EXPENSES

1	Compass Land Surveying, PLLC	= \$	4,500.00
2	Publish Bidding Documents	= \$	500.00
3	Allowance for Spanish Translator	= \$	500.00
4	Publish Record Drawings	= \$	1,000.00
SUB-CONSULTANT & EXPENSE TOTAL			\$ 6,500.00

TOTAL = \$ 79,640.00
TIME AND MATERIALS NOT TO EXCEED



South Nampa Multimodal Connectivity
Project Key Number: 19590
City of Nampa

1 PROJECT MANAGEMENT

		Total L-Hrs	PM L-Hrs	Engineer L-Hrs	CADD L-Hrs
1.1	Kick Off Meeting	4	2	2	
1.2	Utility Research Meeting	8	2	4	2
1.3	Council Meeting	4	4		
1.4	City Meeting	24	16	8	
1.5	Budget & Tracking	12	12		
1.6	Sub-Consultant Administration	4	4		
1	TOTAL - PROJECT MANAGEMENT (HOURS)	56	40	14	2
	TOTAL - PROJECT MANAGEMENT (LABOR COST)	\$	6,750.00		

2 DESIGN SERVICES

		Total L-Hrs	PM L-Hrs	Engineer L-Hrs	CADD L-Hrs
2.1.1	Property Owner Coordination	20	8	8	4
2.1.2	Public Mailers & Press Releases	8	2	4	2
2.1.3	Advisory Group Coordination	8	8		
2.1.4	Public Open House	20	4	8	8
2.2.1	Develop Topographic Map	16			16
2.2.2	Concept Design Layout	40	8	16	16
2.2.3	Concept Summary Report	6	2	4	
2.3.1	Final Design Plans	116	16	40	60
2.3.2	Final Design Review	4	2	2	
2.4.1	Address Final Design Review Comments	14	2	4	8
2.4.2	PS&E Plans	86	16	30	40
2.4.3	Prepare Design Files	12	4	8	
2.5	Contract Documents	32	24	8	
2.6	Engineers Construction Cost Estimate	14	2	6	6
2	TOTAL - DESIGN PHASE (HOURS)	396	98	138	160
	TOTAL - DESIGN PHASE (LABOR COST)	\$	38,540.00		

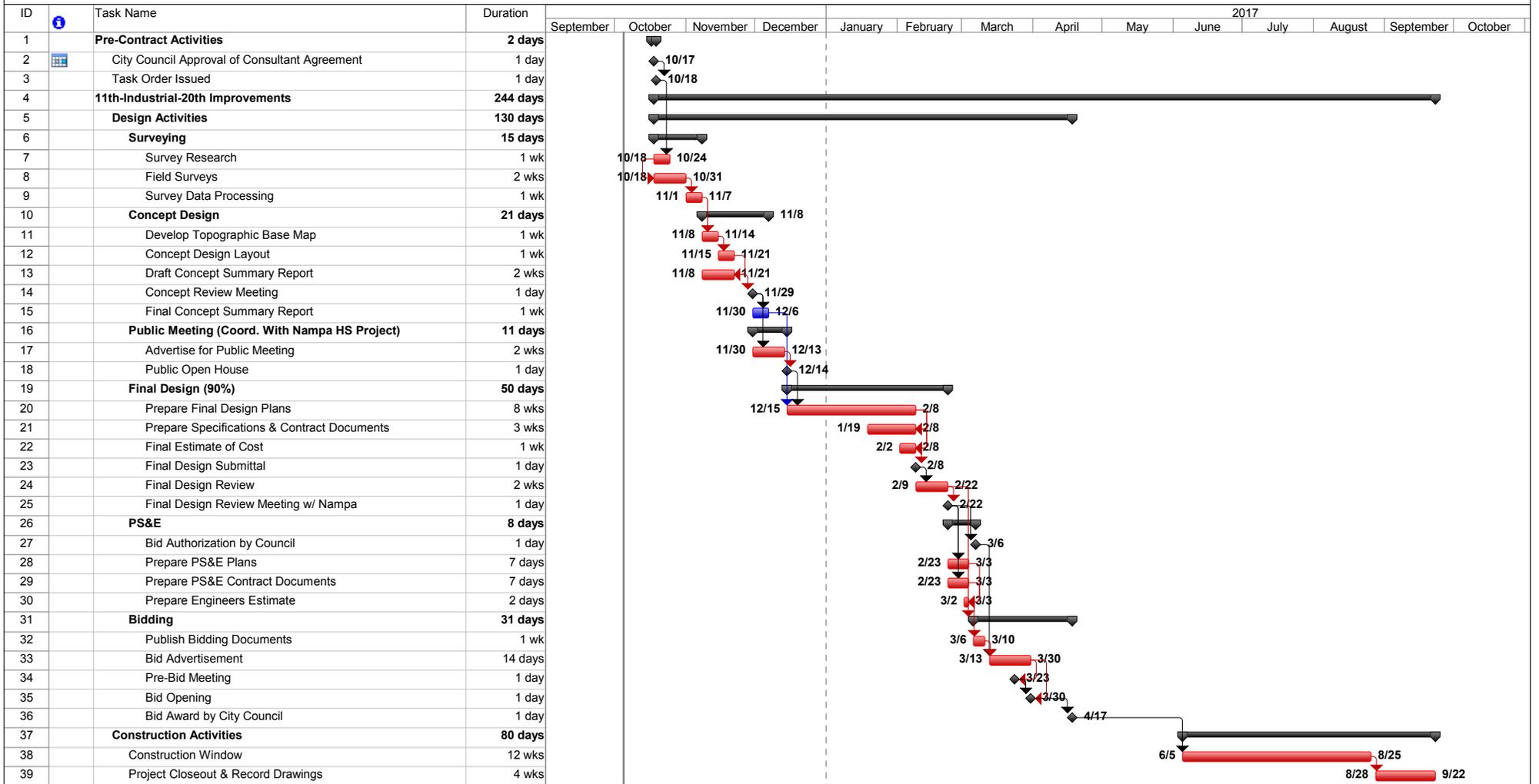
3 BID ADMINISTRATION AND SUPPORT

		Total L-Hrs	PM L-Hrs	Engineer L-Hrs	CADD L-Hrs
3.1	Bid Documents	10	4	4	2
3.2	Pre-Bid Meeting	4	4		
3.3	Bid Administration	6	2	4	
3.4	Bid Opening	2	2		
1	TOTAL - BIDDING (HOURS)	22	12	8	2
	TOTAL - BIDDING (LABOR COST)	\$	2,510.00		

4 CONSTRUCTION ENGINEERING & INSPECTION

		Total L-Hrs	PM L-Hrs	Engineer L-Hrs	CADD L-Hrs
4.1	Pre-Construction Meeting	6	2	4	
4.2	Construction Inspection	144	24	120	
4.3	Filing & Records Verification	24	8	16	
4.4	Wage Compliance	32	8	24	
4.5	Project Closeout	32	16	8	8
4	TOTAL - CE&I (HOURS)	238	58	172	8
	TOTAL - CE&I (LABOR COST)	\$	25,340.00		

EXHIBIT B



Project: City of Nampa Date: Wed 10/5/16	Task		Rolled Up Critical Task		Project Summary		Manual Task		Finish-only	
	Critical Task		Rolled Up Milestone		Group By Summary		Duration-only		Progress	
	Milestone		Rolled Up Progress		Inactive Task		Manual Summary Rollup		Deadline	
	Summary		Split		Inactive Milestone		Manual Summary			
	Rolled Up Task		External Tasks		Inactive Summary		Start-only			

COMPASS LAND SURVEYING, P.L.L.C.

3818 E. Newby Street, Suite 103
Nampa, Idaho 83687

Telephone: (208) 442-0115
Fax: (208) 327-2106
Email: rgray.cls@gmail.com

September 21, 2016

Re: Iowa-Stanford, Nampa, Id.

Compass Land Surveying is pleased to provide this proposal for topography design land surveying for the above mentioned project. We are submitting the following proposed fees and scope of work to be performed:

- 1) Establish Control from the City of Nampa to site
- 2) Tie centerline/section line monuments for determining site control
- 3) Set 2 project bench marks along side streets
- 4) Locate utilities
- 5) Cross sections at 50 feet along Iowa from S. Stanford St. to S. Ada St.
- 6) Topography south side of Iowa to north face of houses and garages
- 7) Topography limits on north side to back of walk
- 8) Topography to school parking lot 100 feet east and west of pedestrian ramp
- 9) Provide client pdf files of surrounding subdivisions or survey maps
- 10) Connect line work for tin
- 11) Provide AutoCAD drawing of 3d and 2d line work
- 12) Provide text file of points (x,y,z)
- 13) Provide code list

Our estimated cost is \$2600.00

Again, we appreciate the opportunity to submit this proposal to you. Should you have any questions regarding this proposal or if you need any other information not addressed on this proposal, please contact us at your earliest convenience.

Sincerely,
Compass Land Surveying, PLLC

Richard A Gray

Richard A. Gray, P.L.S.

COMPASS LAND SURVEYING, P.L.L.C.

3818 E. Newby Street, Suite 103
Nampa, Idaho 83687

Telephone: (208) 442-0115
Fax: (208) 327-2106
Email: rgray.cls@gmail.com

September 23, 2016

Re: Powerline Blakeslee, Nampa, Id.

Compass Land Surveying is pleased to provide this proposal for topography design land surveying for the above mentioned project. We are submitting the following proposed fees and scope of work to be performed:

- 1) Establish Control from the City of Nampa to site
- 2) Tie centerline/section line monuments for determining site control
- 3) Set 2 project bench marks
- 4) Locate utilities
- 5) Topography 50 foot stations along S. Powerline Rd. approximately 100 feet north and south of Blakeslee and 50 foot stations along Blakeslee 100 feet east and west of S. Powerline Rd.
- 6) Topography limits are from fence to fence
- 7) Detail pedestrian ramps
- 8) Overhead utility lines
- 9) Provide you with pdf files of surrounding subdivisions or survey maps
- 10) Connect line work
- 11) Provide AutoCAD drawing of 3d and 2d line work
- 12) Provide text file of points (x,y,z)
- 13) Provide code list

Our estimated cost is \$1100.00

Again, we appreciate the opportunity to submit this proposal to you. Should you have any questions regarding this proposal or if you need any other information not addressed on this proposal, please contact us at your earliest convenience.

Sincerely,
Compass Land Surveying, PLLC

Richard A Gray

Richard A. Gray, P.L.S.

COMPASS LAND SURVEYING, P.L.L.C.

3818 E. Newby Street, Suite 103
Nampa, Idaho 83687

Telephone: (208) 442-0115
Fax: (208) 327-2106
Email: rgray.cls@gmail.com

September 21, 2016

Re: Mason Ln- Lake Lowell Ave Topography, Nampa, Id.

Compass Land Surveying is pleased to provide this proposal for topography design land surveying for the above mentioned project. We are submitting the following proposed fees and scope of work to be performed:

- 1) Establish Control from the City of Nampa to site
- 2) Tie centerline/section line monuments for determining site control
- 3) Set 2 project bench mark
- 4) Locate utilities
- 5) Topography Mason at 50 foot cross sections 100 feet north of Lake Lowell from back of walk to back of walk
- 6) Topography Lake Lowell at 50 foot cross sections 100 feet east and west of Mason Ln. from back of walk to back of walk
- 7) Detail profile of existing north south pedestrian walkway
- 8) Detail ramps
- 9) Topography 30 feet behind existing walk at northeast corner of intersection
- 10) Detailed topo of existing landscape and driveway for possible design of sidewalk extension south side of Lake Lowell
- 11) Provide you with pdf files of surrounding subdivisions or survey maps
- 12) Connect line work
- 13) Provide AutoCAD drawing of 3d and 2d line work
- 14) Provide text file of points (x,y,z)
- 15) Provide code list

Our estimated cost is \$800.00

Again, we appreciate the opportunity to submit this proposal to you. Should you have any questions regarding this proposal or if you need any other information not addressed on this proposal, please contact us at your earliest convenience.

Sincerely,
Compass Land Surveying, PLLC

Richard A Gray
Richard A. Gray, P.L.S.

EXHIBIT E - FEDERAL REQUIREMENTS**South Nampa Multimodal Connectivity, Key No. 19590****Task Order No.** _____**Project No.** 02-1533**Consultant: Paragon Consulting, Inc.**

The clauses included herein are for A&E contracts only and should not be considered sufficient for construction contracts.

1. General Provisions

- 1.1. All work performed under this Agreement or pursuant to any Work Order shall meet the requirements of federal and state law including but not limited to the following:

2. No Obligation by the Federal Government

- 2.1. The VALLEY REGIONAL TRANSIT and CONSULTANT acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to the VALLEY REGIONAL TRANSIT, CONSULTANT, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.
- 2.2. The CONSULTANT agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clause shall not be modified, except to identify the sub-consultant who will be subject to its provisions.

3. Program Fraud and False or Fraudulent Statements or Related Acts

- 3.1. The CONSULTANT acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § § 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the underlying contract, the CONSULTANT certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the CONSULTANT further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the CONSULTANT to the extent the Federal Government deems appropriate.
- 3.2. The CONSULTANT also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. § 5307, the Government reserves the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(1) on the CONSULTANT, to the extent the Federal Government deems appropriate.
- 3.3. The CONSULTANT agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the sub-consultant who will be subject to the provisions.

4. Access to Records

- 4.1. The CONSULTANT agrees to provide the VALLEY REGIONAL TRANSIT, the FTA Administrator, the Comptroller General of the United States or any of their authorized representatives access to any books, documents, papers and records of the CONSULTANT which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts and transcriptions. CONSULTANT also agrees, pursuant to 49 C. F. R. 633.17 to provide the FTA Administrator or his authorized representatives

including any PMO consultant access to CONSULTANT's records and construction sites pertaining to a major capital project, defined at 49 U.S.C. 5302(a)1, which is receiving federal financial assistance through the programs described at 49 U.S.C. 5307, 5309 or 5311.

- 4.2. The CONSULTANT agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.
- 4.3. The CONSULTANT agrees to maintain all books, records, accounts and reports required under this contract for a period of not less than three years after the date of termination or expiration of this contract, except in the event of litigation or settlement of claims arising from the performance of this contract, in which case CONSULTANT agrees to maintain same until the VALLEY REGIONAL TRANSIT, the FTA Administrator, the Comptroller General, or any of their duly authorized representatives, have disposed of all such litigation, appeals, claims or exceptions related thereto. Reference 49 CFR 18.39(i)(11).

5. Federal Changes

- 5.1. CONSULTANT shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Agreement between VALLEY REGIONAL TRANSIT and FTA, as they may be amended or promulgated from time to time during the term of this contract. CONSULTANT's failure to so comply shall constitute a material breach of this contract.

6. Termination

- 6.1. **Termination for Convenience or Default:** The VALLEY REGIONAL TRANSIT may terminate this contract in whole or in part, for the VALLEY REGIONAL TRANSIT's convenience or because of the failure of the CONSULTANT to fulfill the contract obligations. The VALLEY REGIONAL TRANSIT shall terminate by delivering to the CONSULTANT a Notice of Termination specifying the nature, extent, and effective date of the termination. Upon receipt of the notice, the CONSULTANT shall (1) immediately discontinue all services affected (unless the notice directs otherwise), and (2) deliver to the Contracting Officer all data, drawings, specifications, reports, estimates, summaries, and other information and materials accumulated in performing this contract, whether completed or in process.

If the termination is for the convenience of the VALLEY REGIONAL TRANSIT, the Contracting Officer shall make an equitable adjustment in the contract price but shall allow no anticipated profit on unperformed services.

If the termination is for failure of the CONSULTANT to fulfill the contract obligations, the VALLEY REGIONAL TRANSIT may complete the work by contract or otherwise and the CONSULTANT shall be liable for any additional cost incurred by the VALLEY REGIONAL TRANSIT.

If, after termination for failure to fulfill contract obligations, it is determined that the CONSULTANT was not in default, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the VALLEY REGIONAL TRANSIT.

- 6.2. **Opportunity to Cure:** The VALLEY REGIONAL TRANSIT in its sole discretion may, in the case of a termination for breach or default, allow the CONSULTANT ten (10) calendar days in which to cure the defect. In such case, the notice of termination will state the time period in which cure is permitted and other appropriate conditions

If CONSULTANT fails to remedy to VALLEY REGIONAL TRANSIT's satisfaction the breach or default of any of the terms, covenants, or conditions of this Contract within ten (10) calendar days after receipt by CONSULTANT of written notice from VALLEY REGIONAL TRANSIT setting forth the nature of said breach or default, VALLEY REGIONAL TRANSIT shall have the right to terminate the Contract without any further obligation to CONSULTANT. Any such termination for default shall not in any way operate to preclude VALLEY REGIONAL TRANSIT from also pursuing all available remedies against CONSULTANT and its sureties for said breach or default.

- 6.3. **Waiver of Remedies for any Breach:** In the event that VALLEY REGIONAL TRANSIT elects to waive its remedies for any breach by CONSULTANT of any covenant, term or condition of this Contract, such waiver by VALLEY REGIONAL TRANSIT shall not limit VALLEY REGIONAL TRANSIT's remedies for any succeeding breach of that or of any other term, covenant, or condition of this Contract.

7. Civil Rights

- 7.1. **Nondiscrimination:** In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the CONSULTANT agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the CONSULTANT agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.
- 7.2. **Equal Employment Opportunity:** The following equal employment opportunity requirements apply to the underlying contract:
- 7.2.1. Race, Color, Creed, National Origin, Sex - In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the CONSULTANT agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The CONSULTANT agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the CONSULTANT agrees to comply with any implementing requirements FTA may issue.
- 7.2.2. Age - In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and Federal transit law at 49 U.S.C. § 5332, the CONSULTANT agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the CONSULTANT agrees to comply with any implementing requirements FTA may issue.
- 7.2.3. Disabilities - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the CONSULTANT agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the CONSULTANT agrees to comply with any implementing requirements FTA may issue.
- 7.3. The CONSULTANT also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

8. Disadvantaged Business Enterprises

- 8.1. This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. The VALLEY REGIONAL TRANSIT's overall goal for DBE participation is 2%. A separate contract goal has not been established for this procurement.
- 8.2. The CONSULTANT shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The CONSULTANT shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted contract. Failure by the CONSULTANT to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as VALLEY REGIONAL TRANSIT deems appropriate. Each subcontract the CONSULTANT signs with a sub-consultant must include the assurance in this paragraph (see 49 CFR 26.13(b)).
- 8.3. The CONSULTANT is required to pay its sub-consultants performing work related to this contract for satisfactory performance of that work no later than 30 days after the CONSULTANT's receipt of payment for that work from the VALLEY REGIONAL TRANSIT. In addition, the CONSULTANT may not hold

retainage from its sub-consultants.

- 8.4. The CONSULTANT must promptly notify VALLEY REGIONAL TRANSIT, whenever a DBE sub-consultant performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE sub-consultant to perform at least the same amount of work. The CONSULTANT may not terminate any DBE sub-consultant and perform that work through its own forces or those of an affiliate without prior written consent of VALLEY REGIONAL TRANSIT.

9. Suspension and Debarment

- 9.1. This contract is a covered transaction for purposes of 49 CFR Part 29. As such, the CONSULTANT is required to verify that none of the CONSULTANT, its principals, as defined at 49 CFR 29.995, or affiliates, as defined at 49 CFR 29.905, are excluded or disqualified as defined at 49 CFR 29.940 and 29.945.
- 9.2. The CONSULTANT is required to comply with 49 CFR 29, Subpart C and must include the requirement to comply with 49 CFR 29, Subpart C in any lower tier covered transaction it enters into.
- 9.3. By signing and submitting its bid or proposal, the bidder or proposer certifies as follows:
- 9.4. The certification in this clause is a material representation of fact relied upon by VALLEY REGIONAL TRANSIT. If it is later determined that the bidder or proposer knowingly rendered an erroneous certification, in addition to remedies available to VALLEY REGIONAL TRANSIT, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment. The bidder or proposer agrees to comply with the requirements of 49 CFR 29, Subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

10. Energy Conservation

- 10.1. The CONSULTANT agrees to comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

11. A.D.A. Access

- 11.1. All design work completed by the CONSULTANT shall be done to the following federal requirements: Federal Protections for Individuals with Disabilities. The Americans with Disabilities Act of 1990, as amended (ADA), 42 U.S.C. Sections 12101 et seq., prohibits discrimination against qualified individuals with disabilities in programs, activities, and services, and imposes specific requirements on public and private public and private entities. Third party CONSULTANTS must comply with their responsibilities under Titles I, II, III, IV, and V of the ADA in employment, public services, public accommodations, telecommunications, and other provisions, many of which are subject to regulations issued by other Federal agencies.

12. Incorporation of Federal Transit Administration (FTA) Terms

- 12.1. The preceding provisions include, in part, certain Standard Terms and Conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All contractual provisions required by DOT, as set forth in FTA Circular 4220.1F are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The CONSULTANT shall not perform any act, fail to perform any act, or refuse to comply with any VALLEY REGIONAL TRANSIT requests which would cause VALLEY REGIONAL TRANSIT to be in violation of the FTA terms and conditions.

Consultant also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA.

Date: 10/4/16

(Signature)



PROFESSIONAL SERVICES AGREEMENT FY 2017 STORM DRAIN REPAIRS PHASE 1

- As part of the FY17 Public Works Asset Management Program, Engineering, in partnership with Environmental Compliance, identified critical storm water repair projects needed to remedy known flooding issues (See Exhibit A).
- The selection process was based on several factors including historical flooding data from a 2013 storm event, safety concerns and proactive maintenance strategies.
- In an effort to reduce costs, four storm drain repair locations have been combined to create a single project:
 - *23rd Avenue South & 2nd St. South Intersection:* Install new piping and catch basins.
 - *South Elder Street & East Dewey Avenue:* Remove existing siphons and install valley gutter, repair roadway to tie into existing grades.
 - *Wagon Wheel Road & Estates Drive:* Investigate existing drainage system possibly install or enlarge seepage beds.
 - *South 26th Street & East Iowa Avenue:* Install seepage bed near the intersection of E Iowa Avenue and S 26th Street and install riprap along the northern side E Iowa Avenue.
- The proposed schedule includes design and construction within FY17.
- SPF Water Engineering, LLC has been selected by interview to design the project and assist the City with the bid process.
- The FY 2017 Storm Drain Repairs Phase 1 project has an approved FY17 Streets Division budget of \$256,000.
- Estimated project costs are \$251,200. Design services provided by SPF Water Engineering are \$43,100.
- SPF Water Engineering, LLC has provided an initial Scope of Work and Labor Estimate to provide design services for \$43,100 (Exhibit B).
- Engineering has reviewed the Scope of Work and Labor Estimate and recommends approval.

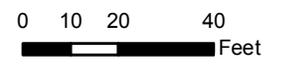
REQUEST: Authorize Public Works Director and Mayor to sign Task Order and Contract for professional services on the FY 2017 Storm Drain Repairs Phase 1 project in the amount of \$43,100 (T&M N.T.E.).

FY17 Project Location

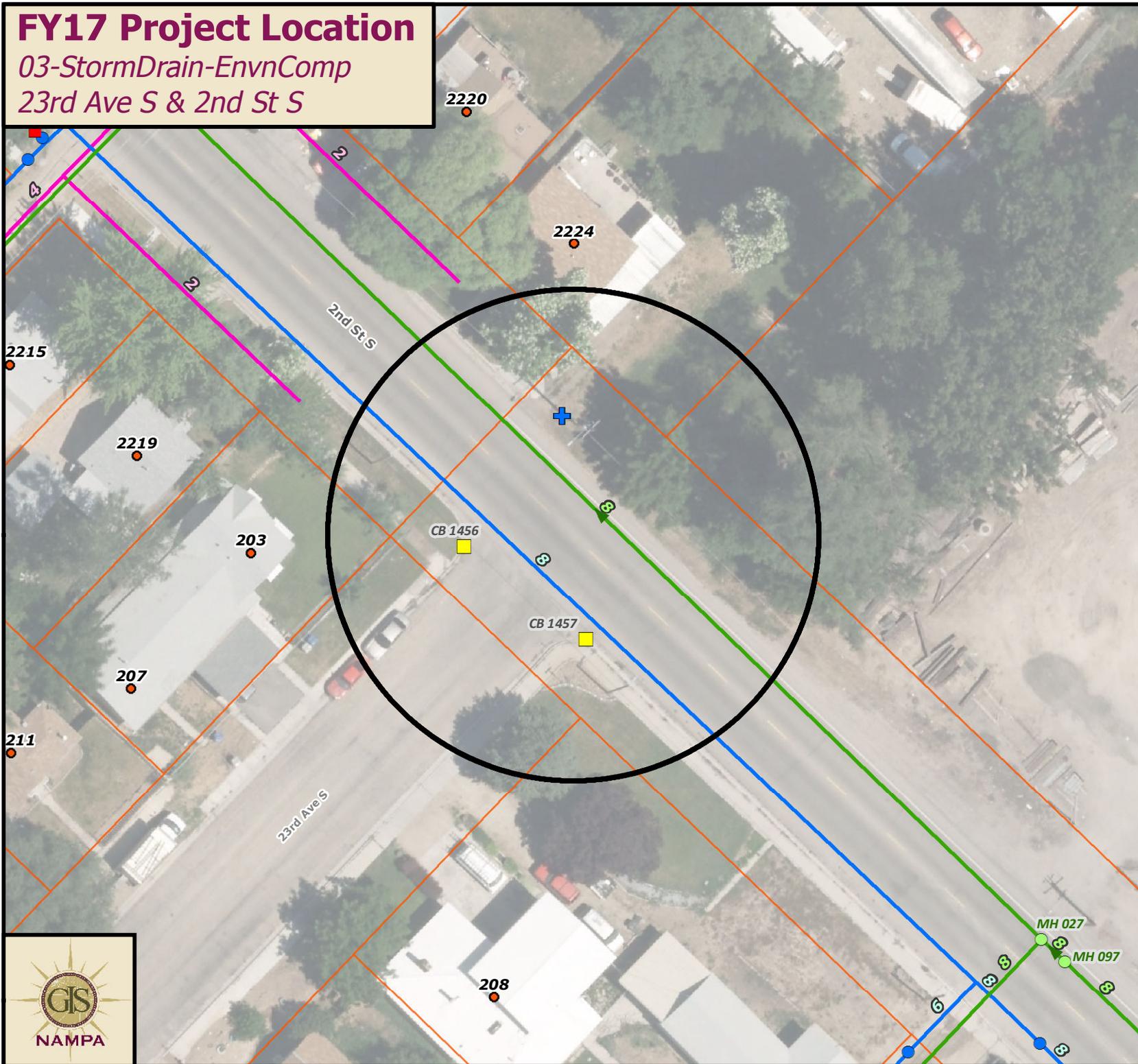
03-StormDrain-EnvnComp
23rd Ave S & 2nd St S



7/27/2016



- Address Points
- ▭ County Parcels
- ▭ Project Location
- WW, Standard MH
- ➔ Gravity Sewer
- SD Catch Basin
- Hydrant
- Domestic Valve
- Water Meter
- Domestic Main
- Fire Line
- Irrigation Main
- ⊕ Pole, Street Light (IPCO)



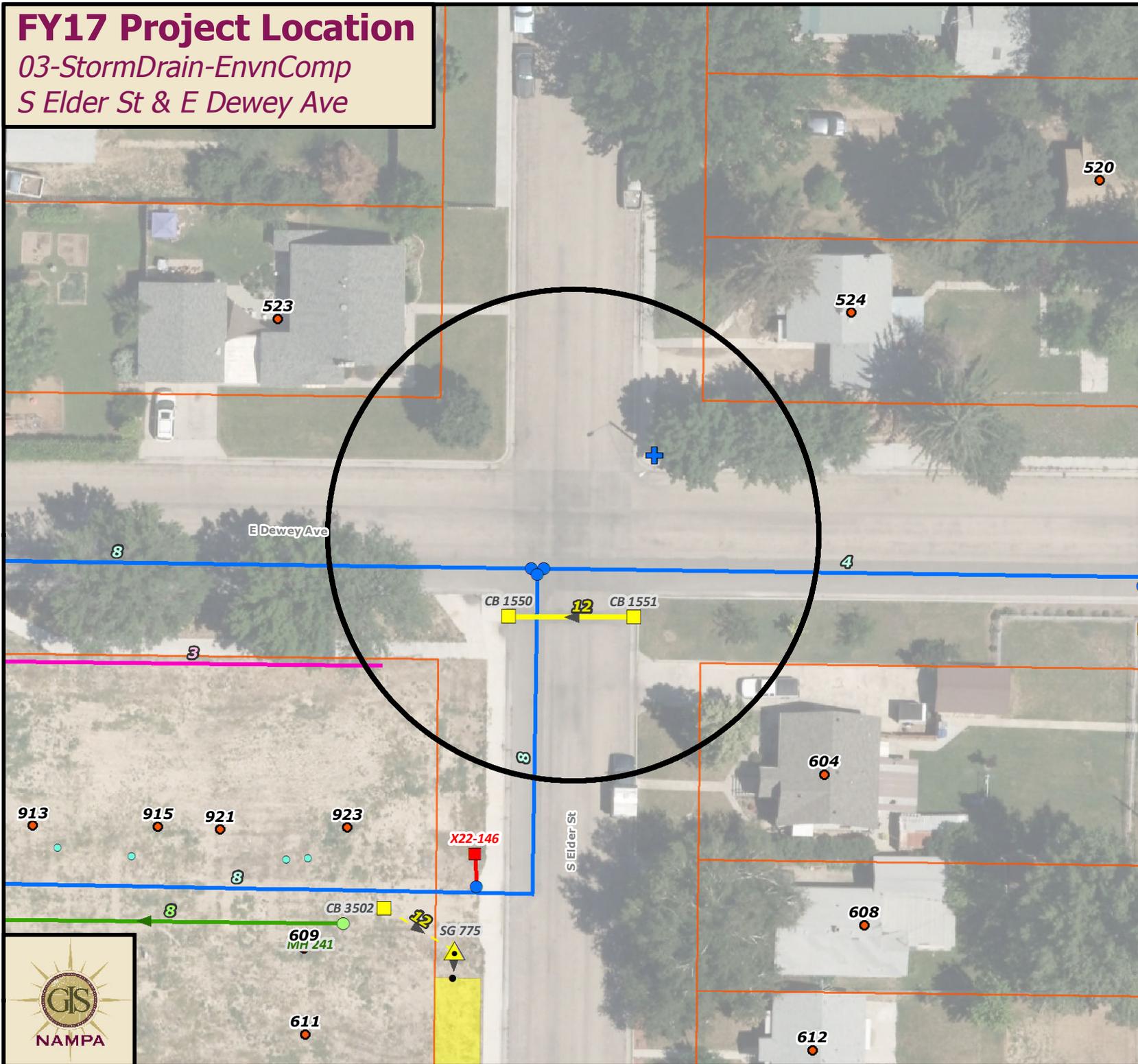
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Exhibit A - 1

FY17 Project Location

03-StormDrain-EnvnComp
S Elder St & E Dewey Ave

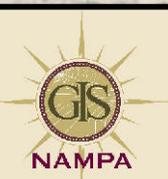


7/27/2016



-  Address Points
-  County Parcels
-  Project Location
-  WW, Standard MH
-  Gravity Sewer
-  SD Sand & Grease Trap
-  SD Catch Basin
-  SD Node
-  Stormdrain
-  Stormdrain (InActive)
-  SD Pond
-  Hydrant
-  Domestic Valve
-  Water Meter
-  Domestic Main
-  Fire Line
-  Irrigation Main
-  Pole, Street Light (IPCO)

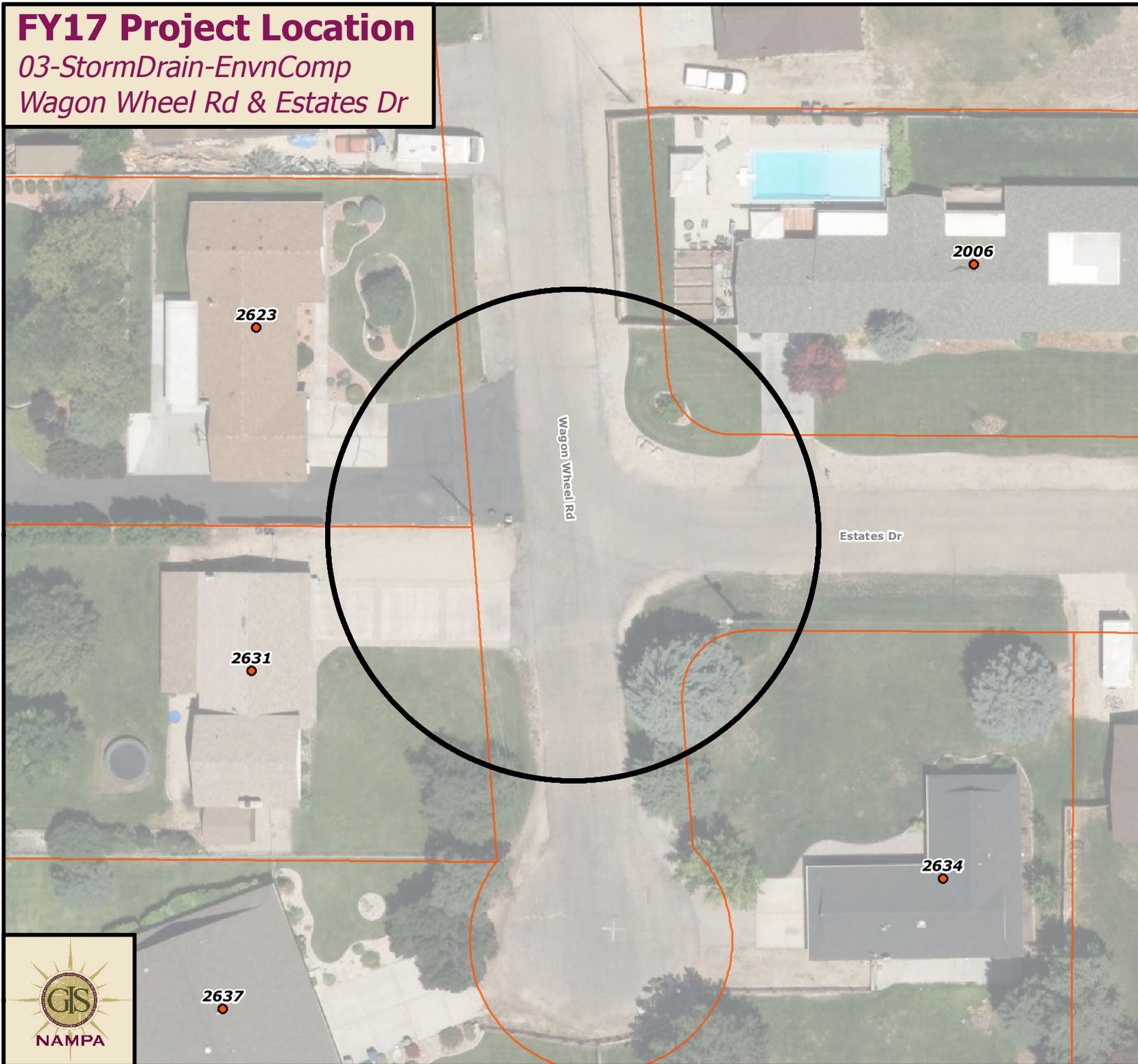
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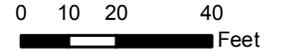
FY17 Project Location

03-StormDrain-EnvnComp

Wagon Wheel Rd & Estates Dr



7/27/2016



-  Address Points
-  County Parcels
-  Project Location

File: R:\Maps\Internal_CPR_etc\Projects_Map\2017 Construction Projects\FY17_P\ProjectLocations_Master.mxd



FY17 Project Location

03-StormDrain-EnvnComp
S 26th St & E Iowa Ave

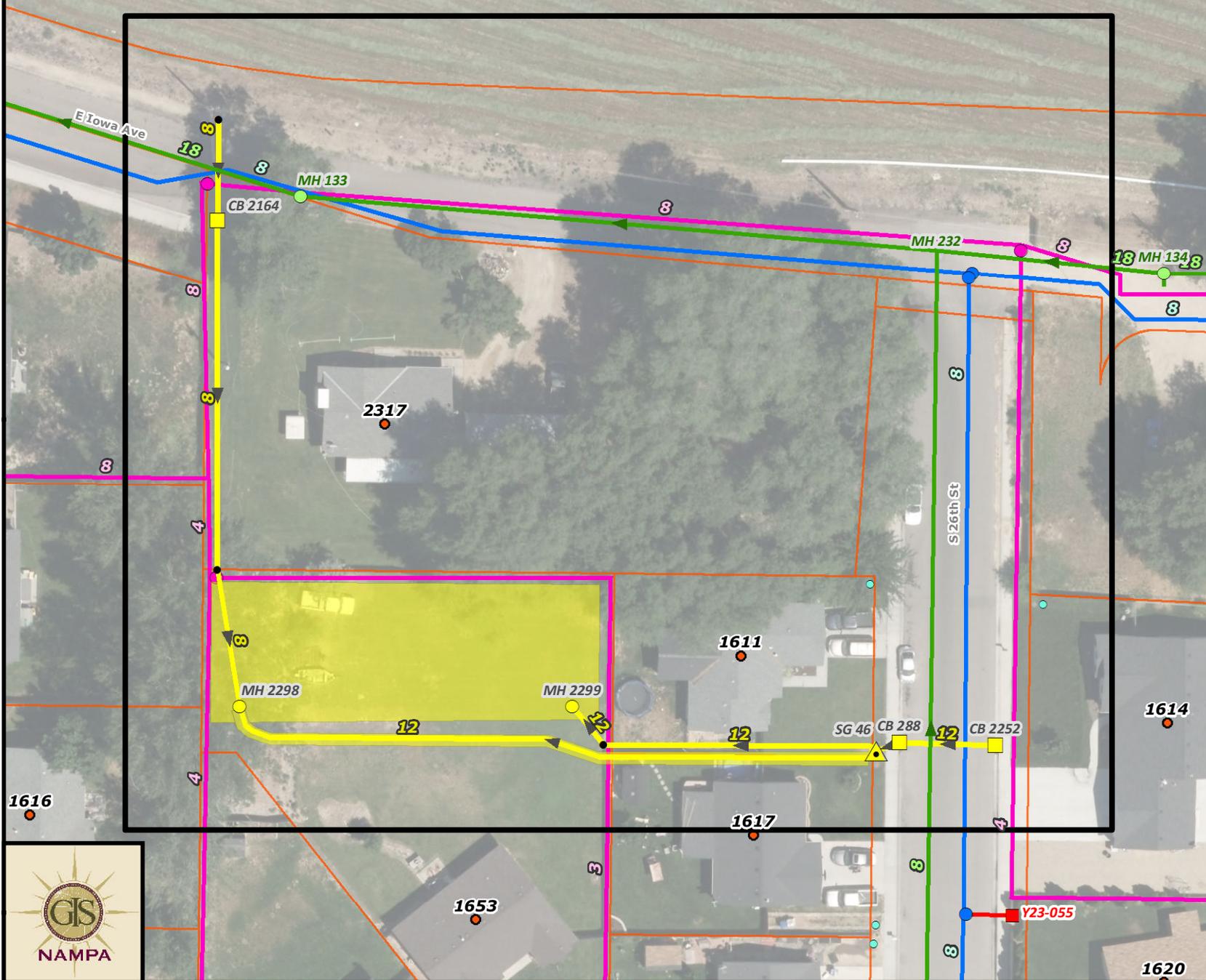


7/27/2016



- Address Points
- County Parcels
- ▭ Project Location
- WW, Standard MH
- Gravity Sewer
- ▲ SD Sand & Grease Trap
- SD Catch Basin
- SD Manhole
- SD Node
- Stormdrain
- SD Pond
- Hydrant
- Domestic Valve
- Water Meter
- Domestic Main
- Fire Line
- Irrigation Valve
- Irrigation Main

File: R:\Maps\Internal_CPR_etc\Projects_Map2017 Construction Projects\FY17_P\ProjectLocations_Master.mxd



SCOPE OF WORK FY 2017 Storm Drain Repairs Phase 1

Prepared for

**City of Nampa
411 Third Street South,
Nampa, Idaho 83651**



Date: October 10, 2016

Task Order Number:

City Project Number:

Company Address

SPF Water Engineering, LLC
300 East Mallard, Suite 350
Boise, Idaho 83706
(208) 383-4140

Project Manager/Contact information:

Justin Leraris, PE
208.489.2145
jleraris@spfwater.com

Contract Amount: \$43,100

Duration: 10 months



October 10, 2016

Clemente Salinas
Project Manager
City of Nampa
411 3rd Street South
Nampa, ID 83651
Sent via email to salinasc@cityofnampa.us

Subject: Scope of Services for FY 2017 Storm Drain Repairs Phase 1

Dear Clemente:

SPF Water Engineering (SPF) is pleased to provide the following scope of work and fee estimate for engineering services related to the evaluation and rehabilitation of four (4) existing storm drain sites. The intent is to:

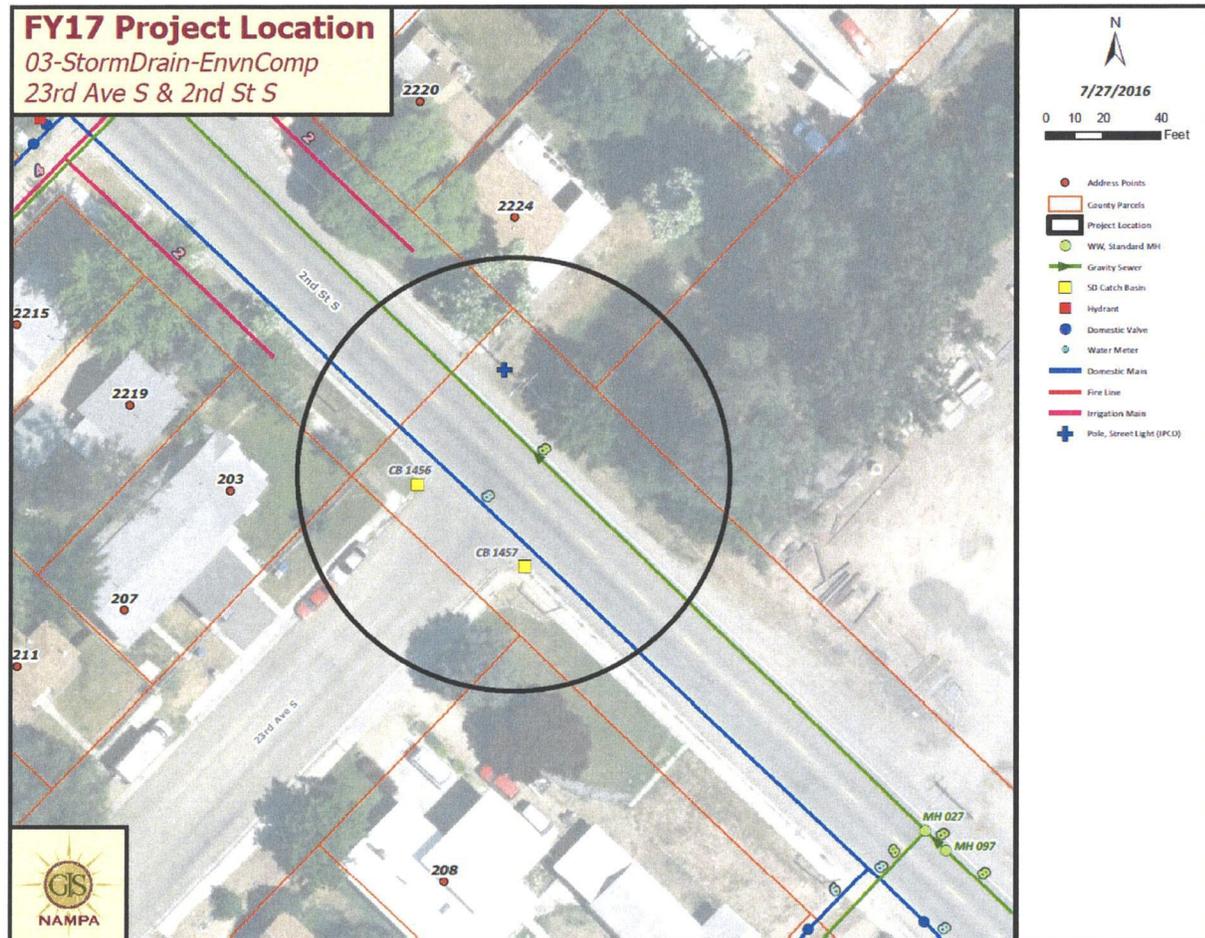
- Evaluate each site by providing research of existing plans and other related documents, topographic surveys, visual inspection of storm drain facilities and site features, and geotechnical investigations;
- Propose preliminary design solutions with associated construction costs for discussion with the City;
- Provide final design plans and specifications for bidding;
- Provide record drawings and necessary construction administration

BACKGROUND

For the Storm Drain Repairs Phase 1 project, the City of Nampa (City) has identified four (4) sites where flooding and storm water related issues have been reported in recent years. The City has requested engineering services to evaluate and rehabilitate the storm water facilities (or provide new facilities) at each of these sites to reduce the risk of future damages and occurrences of flooding. The sites are identified by the street intersection proximate to the reported storm water issues and are as follows:

- **Site 1:** 23rd Ave. S. & 2nd St. S.
- **Site 2:** S Elder St. & Dewey Ave.
- **Site 3:** Wagon Wheel Rd. & Estates Dr.
- **Site 4:** S 26th St. & E Iowa Ave.

Site 1: 23rd Ave. S & 2nd St. S



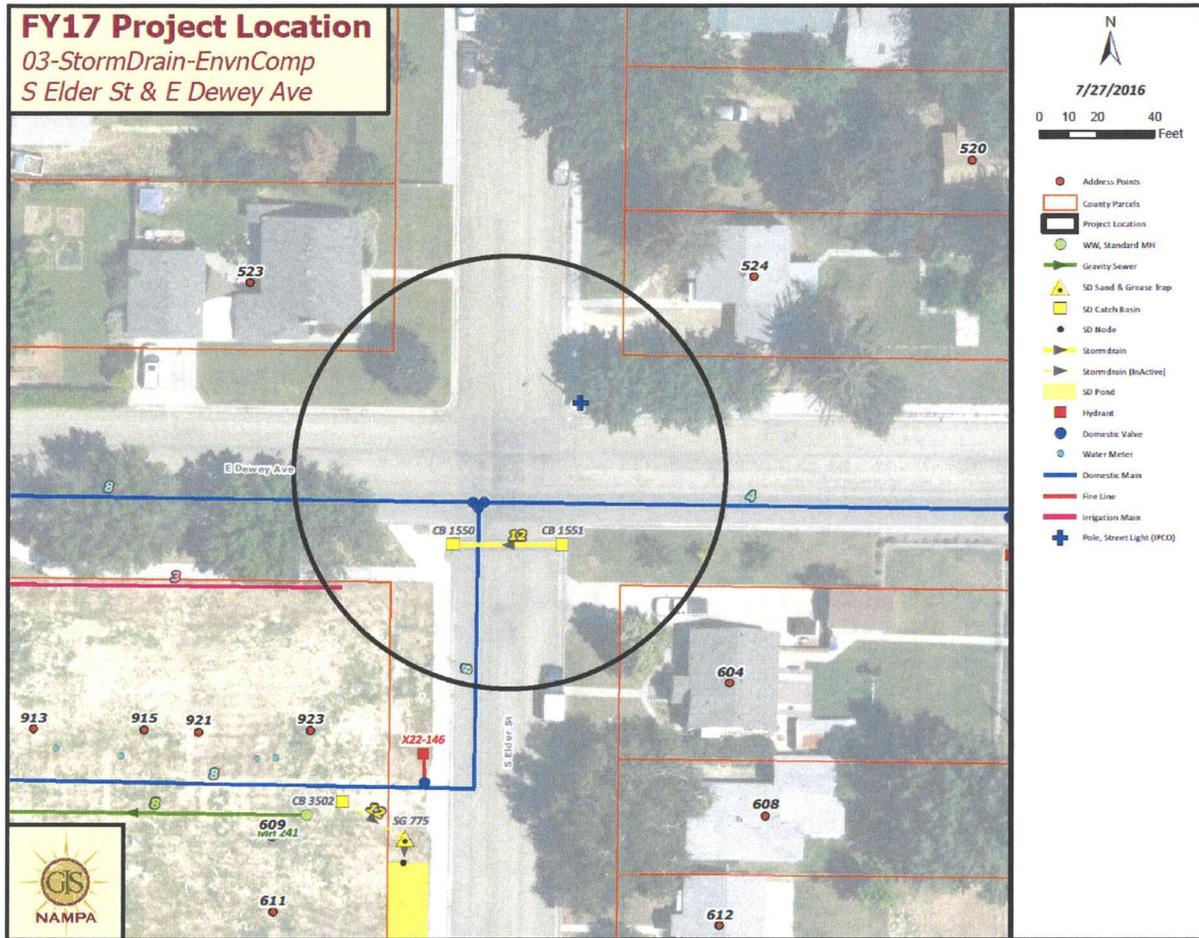
Issues Reported or Observed:

1. The City recently repaired a sinkhole, which developed near CB 1457. The sinkhole was believed to be the result of a siphon pipe collapse between CB 1456 and CB 1457.
2. Flooding has been reported up gradient of CB's 1456 and 1457

Existing Storm Water Facilities:

CB 1456 connects to CB 1457 via a small (6 or 8-inch diameter) pipe with minimal cover. Both catch basins are heavily silted-in and cleaning is required to identify other inlet and outlet pipes. CB 1457 is believed to connect to the drainage ditch north of 2nd St. S via a culvert. Both a grated cover manhole outlet and a separate 15-inch reinforced concrete pipe (RCP) outlet were identified north of 2nd St. S at the upstream end of the drainage ditch. It is not known which of these outlets are connected to CB 1457. The drainage ditch is shallow and wide in parts and flows generally to the north. The ultimate discharge location is unknown.

Site 2: S Elder St. & Dewey Ave.

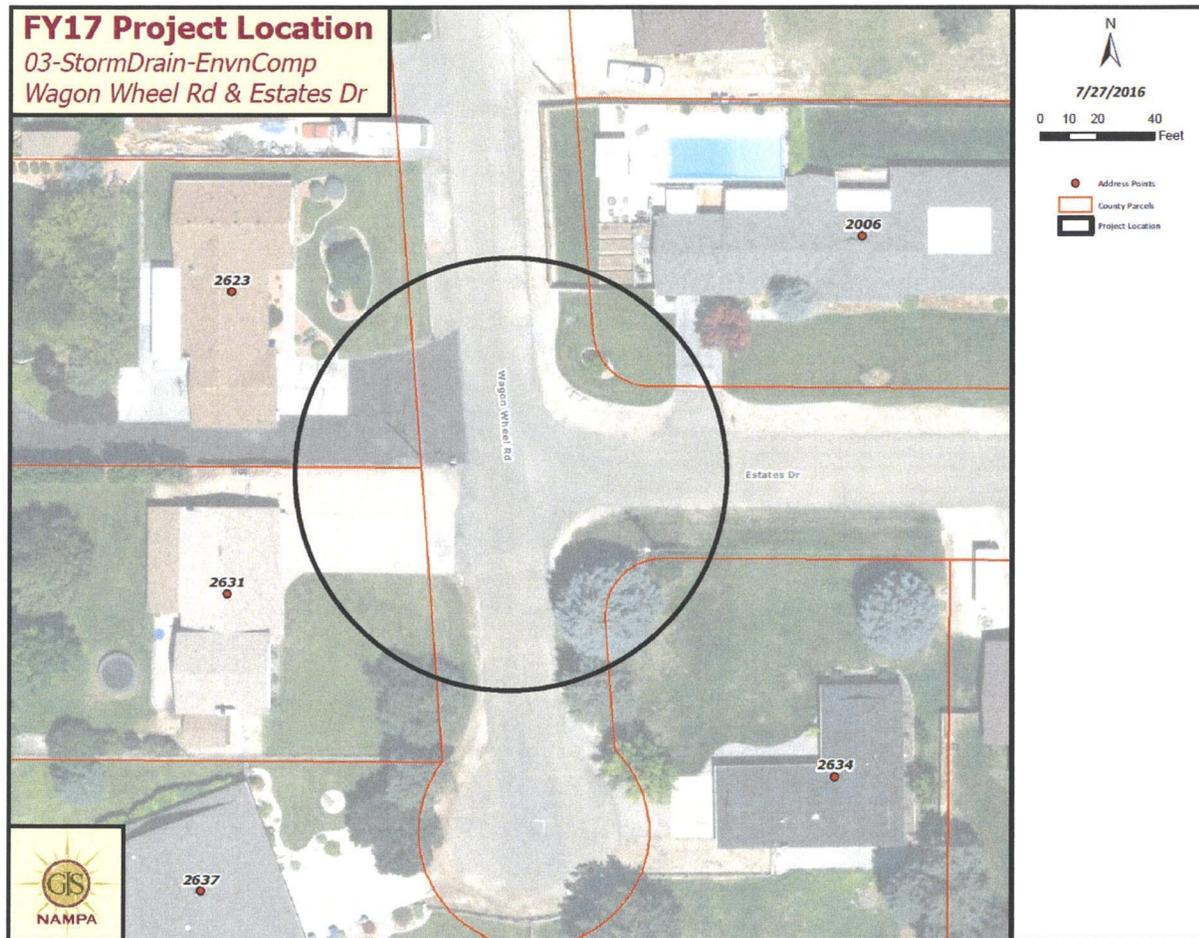


Issues Reported or Observed:

1. Significant flood and snow melt events have been reported and documented at the residences along the east side of S. Elder St. between E Dewey Ave. and E Clark Ave. to the south. The residents have expressed that minor flooding is common and does not require a major storm event.
2. Siphons are commonly plugged in the area and standing water was observed in the street gutters due to inadequate slopes. Street crowns are relatively high from multiple road overlays and, coupled with clogged or undersized siphons, could cause ponding in the adjacent properties.

Existing Storm Water Facilities:

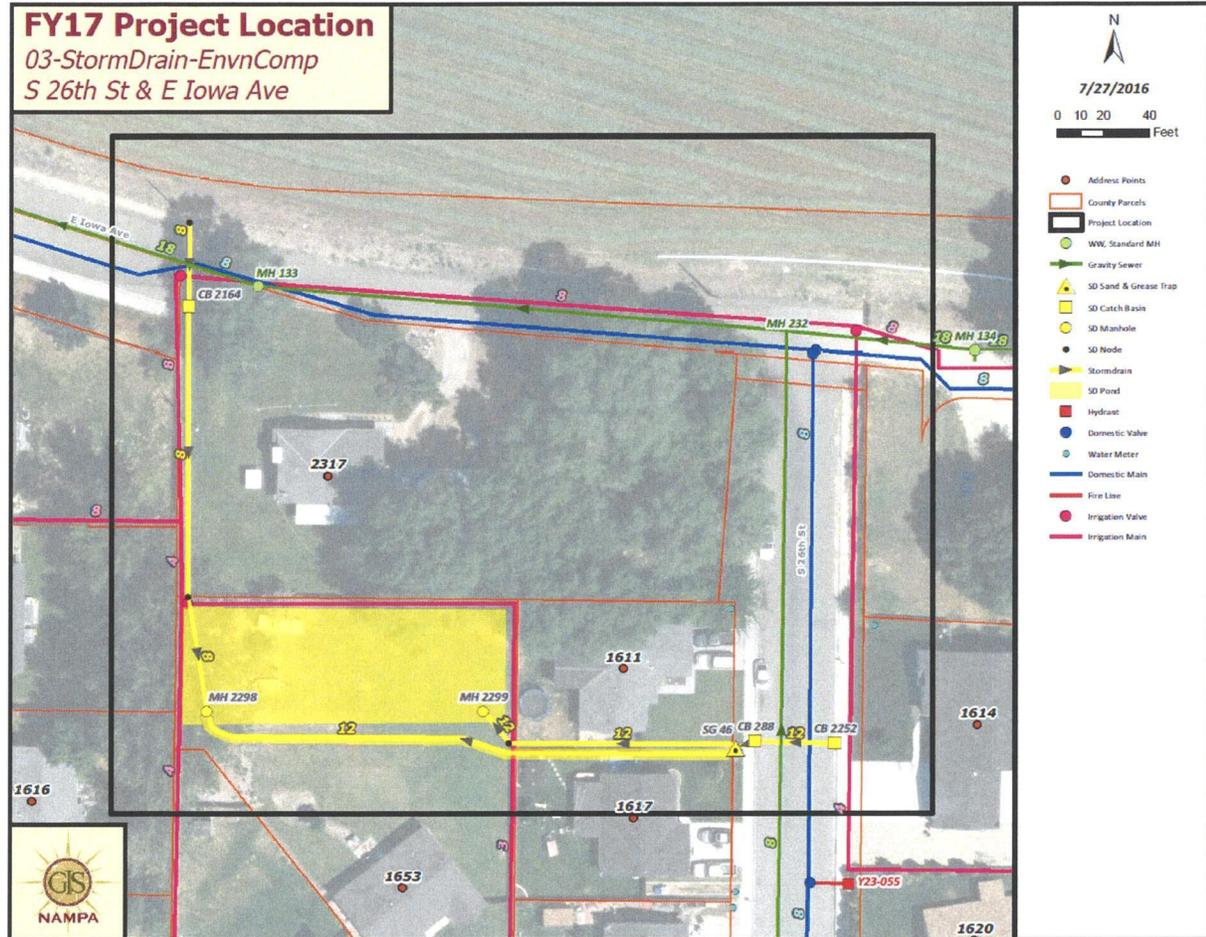
The only observed City storm water facilities in the area are catch basins connected by siphon culverts. The size of the drainage basin is unknown at this time as is the ultimate outfall. Two large catch basins and a seepage bed were observed at the intersection of Fern St. and E Sheridan Ave. and may be the intended outfall for storm water runoff for this site. A topographic survey and document research are needed to determine the drainage base size and intended function of storm water facilities.

Site 3: Wagon Wheel Rd. & Estates Dr.*Issues Reported or Observed:*

1. Flooding was reported in the driveway and garage of the 2612 Wagon Wheel Rd. (north of 2006 residence shown).
2. This neighborhood was a county subdivision, which was annexed in to the City. Originally, storm water was likely conveyed by roadside borrow ditches which were later replaced with small depressions and infiltration pits. The design and construction of these facilities were not well documented and may be deficient.

Existing Storm Water Facilities:

Small area inlets and a storm drain pipe were observed along the west side of Wagon Wheel Rd which convey storm water north to a retention pond. No deficiencies were reported for these facilities and therefore are not included in this scope. Two infiltration pits were observed in shallow depressions east of Wagon Wheel Rd, one each to the north and south of Estates Dr. These pits consist of a concrete manhole barrel section and a custom steel grate cover. The bottom is open and filled with sand. These pits are assumed to discharge storm water directly to the ground via filter sand and underlying native sands and gravels.

Site 4: S. 26th St. & E. Iowa Ave.*Issues Reported or Observed:*

1. Flooding was reported in the front lawn of the 2317 E. Iowa Ave. residence.
2. A road shoulder washout was reported on the north side of E. Iowa Ave. at the S. 26th St. intersection.
3. Standing water was observed at the intersection of E. Iowa Ave. and S 26th St. There are no facilities to eliminate storm water north of CB 288 and CB 2252 or along E. Iowa Ave. to the east of CB 2164.
4. There is no physical maintenance access to the existing storm water pond.
5. CB 288, CB 2252, SG 46 and the connected outlet pipe may be undersized for the basin area and contributing storm water flows.

Existing Storm Water Facilities:

As shown along S 26th St., there are two standard catch basins, a sand & grease trap, and storm drain pipes connecting to manholes within the storm water pond. These two catch basins were the only two identified within an approximate 10-acre residential drainage basin. The condition and size of the stormwater pond is currently unknown and will require

evaluation. No issues were specifically identified for CB 2164 and evaluation and repair of this structure is therefore excluded from this scope of work.

SCOPE OF WORK

The scope of work below has been broken down into four parts. Part 1 includes overall project management and project coordination; Part 2 includes preliminary site investigations, preliminary analyses and designs, preliminary construction cost estimates, final design plans, specifications, and final construction cost estimates. Part 3 includes assistance during bidding; and Part 4 includes construction engineering and administrative support for the construction of the FY 2017 Storm Water Repairs Phase 1 project.

It should be noted that the intent of this scope of work is to consolidate the design and details of all four repair sites into one set of plans with the intent of constructing these projects under one contract.

Part 1 – Project Management and Administration

SPF will provide project management and administration including:

- Initial project set-up and coordination
- Kick Off meeting - SPF will conduct meeting with City staff to discuss project approach, schedule, milestones, available information, and constraints.
- Utility Research Meeting – SPF will conduct meeting with appropriate City utility divisions or Public Utility Companies to gather record drawings, field knowledge and any historical data available.
- Progress Meetings – SPF will schedule and conduct progress meetings with the City at project milestones. Two progress meetings are planned at review of preliminary and final design.
- Agendas and meeting minutes will be prepared and transmitted to the CITY for all meetings.
- SPF will attend one City Council meeting if necessary to award contract. It is assumed that the design plans will be sufficient for exhibits at the Council meeting.
- Budget tracking – monthly progress reports with invoices detailing expenditures per task to date.

Part 2 – Design Services

Task 1 – Topographic Surveys: SPF will subcontract an Idaho licensed professional land surveyor to collect topographic data at each site. This will be necessary to identify the location of existing features, calculate existing gutter slopes, determine drainage basin areas, and create base mapping for design drawings.

Exclusions: At this time, it is not known if boundary work or the preparation of easement descriptions will be required. These may be added to the scope at the City's request.

Task 2 – Pipeline Cleaning & Inspection: SPF will subcontract a local pipeline cleaning and inspection service company to remove debris from existing catch basins and pipelines as needed. CCTV inspection is anticipated to determine existing pipe condition, unknown connections, and blockages or collapses. At this time only cleaning and inspection at site 1 is anticipated and is included in this scope of work. Additional cleaning and inspection will be directed as necessary with City approval.

Task 3 – Geotechnical Evaluations: SPF will subcontract a local geotechnical engineering firm to advance test hole borings in the vicinity of planned infiltration facilities. Test holes and sampling will be necessary to determine the drainage characteristics of the sites such as: depth to groundwater, infiltration rates, location of cemented layers, etc. Currently, test bores are only planned to be required at Site 3 and Site 4 for the design of new or rehabilitated infiltration facilities. Three (3) bores are planned for Site 3, two for infiltration testing, and one to determine soil profile and depth to groundwater. Two bores are planned for Site 4, one each for infiltration testing and soil profile/groundwater. Site 1 is not currently expected to require a new infiltration facility and should not require geotechnical evaluation. Site 2 may require a new infiltration facility, but the location is unknown at this time. Also, a seepage bed was recently constructed on the west side of Elder St. and a geotechnical evaluation may exist for reference.

Task 4 – Preliminary Design: SPF will gather and review available documents of the sites' stormwater facilities to determine the original design intent for comparison to actual conditions. The topographic survey (Task 1), pipeline cleaning/inspection (Task 2), and geotechnical evaluation (Task 3) will aid in determining actual conditions.

Using the topographic survey data, we will determine drainage basin areas at each site. We will overlay aerial imagery to estimate pervious and impervious surface areas and determine runoff coefficients, C, for the drainage basins. We will use The Rational Method to determine peak runoff flow rates and will determine peak runoff volumes in accordance with the City of Nampa Stormwater Policy Manual.

SPF will prepare preliminary storm water improvement plans, a brief stormwater analysis report, and a preliminary construction cost estimate for each site for review by the City. SPF will meet with the City to review and discuss the preliminary design plans and their conformance to the project budget.

Task 5 – Final Design: SPF will prepare final construction drawings and specifications for bidding. We will finalize the storm water analysis reports and cost estimates for the City's use in obtaining approval to bid. The final construction documents will incorporate the City's comments and input from the preliminary design review.

Exclusions: Operation and Maintenance (O & M) manuals have been excluded from this project scope. SPF is unaware of an existing plan for the continued operation and maintenance of the City's storm water facilities. O & M is a critical component to the functionality of storm water systems and a comprehensive plan should be created that incorporates all of the City's storm water facilities.

Part 3 – Bid Administration and Support

SPF will assist the City during the bidding process by:

- (1) Coordinating and conducting the pre-bid conference for interested bidders at the City of Nampa to answer questions or provide clarifications to the construction drawings and specifications,
- (2) Prepare addenda (assumed only 1 will be needed) with clarification and/or additional project information to all plan holders, and
- (3) Reproduce (15) sets of the construction drawings and specifications.

We assume the City will place the ad for bid in the local paper, make available the bidding documents, and maintain a current plan holders list. SPF will review the formal bids submitted by the contractors and make a recommendation for award of the project.

Part 4 – Construction Engineering and Administration

SPF will prepare an agenda and conduct a Pre-Construction Meeting. We will assist the City with administration of the construction contract including general administration procedures such as review of material submittals, responding to contractor RFIs and questions, review recommended pay requests, and have on-going communication with the contractor and the City of Nampa.

We will require the contractor to notify SPF for observation of new seepage bed excavations prior to backfill. Four site visits are anticipated to be required during construction for proper implementation of the design at each site. SPF recommends that the contractor perform in-situ infiltration testing at the bottom of seepage bed excavations under the supervision of the City or City's construction inspection representative to confirm they meet or exceed design infiltration rates.

Record Drawings

SPF will incorporate contractor redlines and inspection observations into the construction drawings to create a set of record drawings. The record drawings will include all field modifications and additions and are intended to represent "as constructed" conditions. One hard copy set and one electronic set of the record drawings will be provided to the City.

SCHEDULE

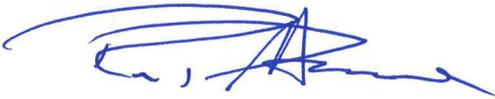
SPF is ready to begin work on this project immediately following City Council consent and notice to proceed. SPF plans to complete preliminary evaluations and designs by the end of January 2017. Final plans and specifications will be delivered by March 31, 2017. The bid date will be on or before June 1, 2017 as identified in the project charter. The planned construction completion date is September 8, 2017. Record drawings will be completed within three weeks of the end of construction.

COST ESTIMATE

SPF Water Engineering proposes to perform this work on a time and materials basis in accordance with SPF's miscellaneous service term agreement. The estimated engineering fee associated with Part 1, Project Management and Administration is \$3,300. The estimated fee for Part 2, Design Services is \$30,900. The estimated fee for Part 3, Bid Administration and Support is \$2,500. The estimated fee for Part 4, Construction Engineering and Administration, is \$6,400. The total estimated engineering fees are \$43,100 based on time and materials not to exceed.

Please contact us if you have any questions on the above scope of work.

Sincerely,



Robert Hardgrove, P.E.
President



Justin Leraris, P.E.
Project Manager

City of Nampa

Storm Drain Repairs Phase 1 (4 Sites)

Estimated Hours

2017 Stormwater

Prepare by: J Leraris

Date: October 4, 2016

	Project				
	Manager/	Assoc.	Admin.	Other	
	Principle	Engineer	Engineer	Support	Direct
					Cost

Description

Part 1. Project Management and Administration

Initial Project set-up and project coordination up to Pre-bid		6		4		
Kick-Off meeting (includes coordination, agenda prep, and meeting min)		4				
Utility Meeting (includes coordination, agenda prep, and meeting min)		4				
Progress Meetings (preliminary and final design review)		8				
City Council Meeting		3				
Total Hours>>	0	25	0	4	0	Part 1
Est. Cost>>	0	\$3,125	\$0	\$220	\$0	\$3,300 Subtotal

Part 2. Design Services

TASK 1 - Topographic Surveys

<i>Subconsultant - JJ Howard (Point Data Only)</i>		2				\$4,600
Linework Drafting and EG Surface Creation		8	0			
Total Hours>>	0	10	0	0		Task 1
Est. Cost>>	0	\$1,250	\$0	\$0	\$4,600	\$5,900 Subtotal

TASK 2 - Pipeline Cleaning & Inspection

<i>Subconsultant - Pipeline Inspection Services</i>		2				\$1,500
Total Hours>>	0	2	0	0		Task 2
Est. Cost>>	0	\$250	\$0	\$0	\$1,500	\$1,800 Subtotal

TASK 3 - Geotechnical Evaluations

<i>Subconsultant - Materials, Testing & Inspection</i>						\$4,800
<i>SPF field support and review</i>		4				
Total Hours>>	0	4	0	0		Task 3
Est. Cost>>	0	\$500	\$0	\$0	\$4,800	\$5,300 Subtotal

TASK 4 - Preliminary Design

Gather and Review relevant documents of the storm water systems		8		1		
Determine Existing Drainage Basin Areas at each site		2				
Determine Existing Peak Flow Rates and Runoff Volumes		4				
Preliminary Concept Plans per Nampa Stormwater Policy		30				
Preliminary Stormwater Analysis Report		10				
Preliminary Cost Estimates		1	10			
QA/QC Review		2				
Total Hours>>	2	55	10	1	0	Task 4
Est. Cost>>	\$300	\$6,875	\$910	\$55	\$0	\$8,100 Subtotal

TASK 5 - Final Design

Final Design Plans & Reports		40	10			
Specifications		24				
Final Cost Estimates			6			
QA/QC Review		2				
Total Hours>>	2	64	16	0	0	Task 5
Est. Cost>>	\$300	\$8,000	\$1,456	\$0	\$0	\$9,800 Subtotal

Part 2
\$30,900 Subtotal

Exhibit B Page 12 of 13

Storm Drain Repairs Phase 1 (4 Sites)
 2017 Stormwater
 Prepare by: J Leraris
 Date: October 4, 2016

Estimated Hours

Prepare by: J Leraris
 Date: October 4, 2016

Project	Estimated Hours			
	Manager/ Principle	Assoc. Engineer	Admin. Engineer Support	Other Direct Cost

Description

Part 3 Bid Administration and Support

Prepare up to (6) copies of plans & specifications	1		4	\$200	
Prepare agenda and conduct Pre-Bid Meeting	5				
Prepare one addendum	1	6			
Evaluate Bids and Recommend Award	1	2			
Total Hours>>	2	14	0	4	Part 3
Est. Cost>>	\$300	\$1,750	\$0	\$220	\$200
					\$2,500 Subtotal

Part 4 Construction Engineering and Administration

Construction Phase Services

Prepare agenda and conduct Pre-Construction Mtg	6				
Review Contractor Submittals	4	4			
Respond to RFI's	12				
(4) Site Visits during construction	16				
Project Close-Out and prepare Record Drawings	2	10		\$150	
Total Hours>>	0	40	14	0	150
Est. Cost>>	0	\$5,000	\$1,274	\$0	\$150
					\$6,400 Subtotal

\$43,100 Total Estimated Fee

Task Order Review Checklist



Project: FY 2017 STORM DRAIN REPAIRS PHASE 1

Date: 10/5/2016

SOW should contain the following information:

- | | |
|---|---|
| 1) Name of Project | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 2) Name of Firm | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 3) Contact Name and Number | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 4) Current Date | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 5) Page Numbers | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 6) Outline of task(s) to be provided | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| a) PM, Design, Bid, Construction | |
| 7) Project Schedule | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| a) Milestone Dates and Cost Estimates at PM (Preliminary Design Portion), Design, Bid, Construction | |
| 8) Cost of Service | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| a) (fee for services to be noted "Time and Material Not to Exceed") | |
| 9) Any Key Understandings to be noted | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 10) Cover letter with the correct contact information | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

FUNCTIONAL CLASSIFICATION & ALIGNMENT 39th STREET NORTH OF GARRITY BOULEVARD

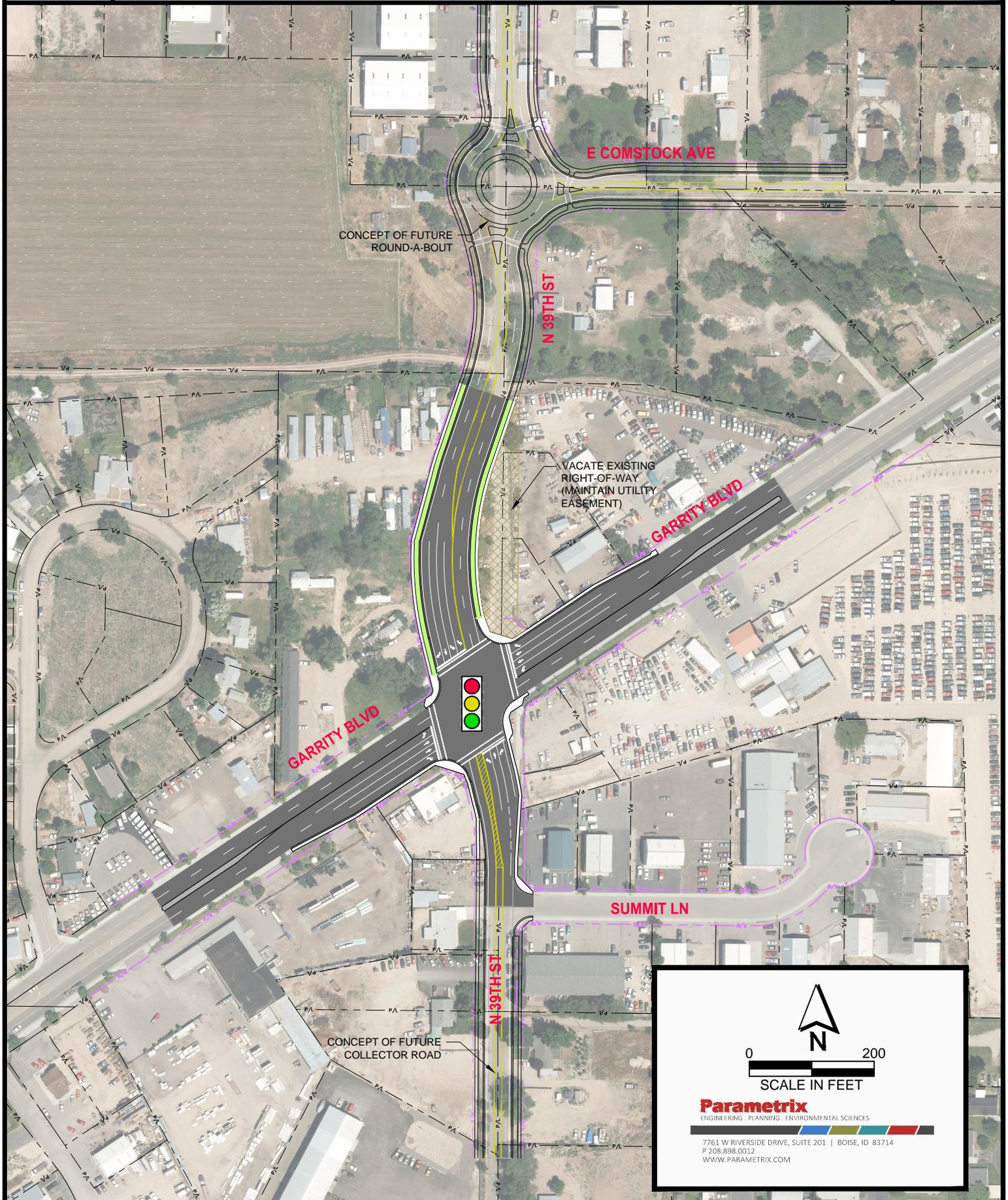
- The City of Nampa has a Development Agreement with Saint Alphonsus containing three actions affecting 39th Street north of Garrity Boulevard.
- The City agrees to install a signal at the intersection of 39th Street and Garrity Boulevard before the new hospital opens in June. Design is underway and construction will be complete in May.
- Saint Alphonsus agrees, at the time a second medical office building is permitted near the hospital, to realign their new north-south street to access Garrity Boulevard via 39th Street.
- The City commits to improve 39th Street between Garrity Boulevard and Comstock Street and to improve the intersection of 39th & Comstock, specifically considering a roundabout. 39th Street, currently designated as a local street.
 - However, at the time of roundabout construction the street will carry enough traffic to warrant designation as an arterial roadway.
- The existing intersection is badly skewed, and will be unsafe when it becomes a heavily-used intersection, even with a signal. The intersection needs to be realigned so 39th Street intersects Garrity Boulevard at a safer angle.
- The signal to be installed at 39th Street and Garrity Boulevard next spring is being designed as a temporary signal, intended to be converted to a permanent installation when the intersection is realigned.
- Parametrix, design contractor for the signal, worked with staff to define a realignment for the intersection reducing skew to an acceptable level. Exhibit A depicts the proposed future alignment.
- City staff met personally with every property owner along 39th Street between Garrity Boulevard and Comstock Street and with all but two owners north to 39th Street's intersection with Flamingo Street to inform them of these potential actions. No one voiced any opposition to the suggestions; several are enthusiastic supporters.
- Development pressure already exists along 39th Street between Garrity Boulevard and Comstock Street, stimulating staff's request for two Council actions: 1) Redesignate 39th Street between Garrity Boulevard and Comstock Street as an arterial, allowing staff to protect adequate right-of-way for its anticipated future use; and 2) Adopt Exhibit A as the intended future alignment of 39th Street from the intersection with Garrity Boulevard to Comstock Street.

REQUEST: Staff requests Mayor and Council:

1. Re-designate 39th Street between Garrity Boulevard and Comstock Street as an arterial;
2. Establish the alignment of 39th Street as shown in Exhibit A as the intended future alignment of 39th Street from the intersection with Garrity Boulevard to Comstock Street.



Exhibit A 39TH / GARRITY ULTIMATE DESIGN OPTION




 0 200
 SCALE IN FEET

Parametrix
 ENGINEERING · PLANNING · ENVIRONMENTAL SCIENCES

7761 W RIVERSIDE DRIVE, SUITE 201 | BOISE, ID 83714
 P 208.898.0012
 WWW.PARAMETRIX.COM

CASTLETON LIFT STATION OWNERSHIP TABLE MEADOWS OUTSIDE CITY SERVICES AGREEMENT

- Background
 - In 2006 the City entered into an agreement with Triple Crown Development for the development of a lift station in association with the Castleton Subdivision (Ruth Lane and Sunnyridge Road, See Exhibit A).
 - As part of this agreement the lift station was developed to City Standards and sized to handle sewer from the surrounding area.
 - Additionally under the agreement the City has the right to take ownership of the lift station at any time.

- The developer of Table Meadows Subdivision (Lewis Lane just east of Liberty Charter School, See Exhibit A) is requesting connection to City water and sewer. Existing water and sewer locations are shown on Exhibit B.

- Discussion
 - Sewer
 - Engineering Staff has evaluated the fees currently collected by the City for sewer and how that relates to cost burden to operate and maintain the lift station. In our evaluation it takes around 1900 users on a lift station to cover the cost of the lift station under our current fees.
 - Staff also evaluated the cost to the current residents of Castleton and future residents of Table Meadows to make up the difference and not add additional burden to the current customer base. The cost arrived at was \$18.10 per customer per billing cycle.
 - Staff discussed this proposed additional fee with the Castleton Home Owner Association and the developer of Table Meadows and both have agreed to assessment of this fee.
 - The developer of Table Meadows has negotiated with the property owner south of Castleton to receive an easement for the new sewer main leading to the proposed development

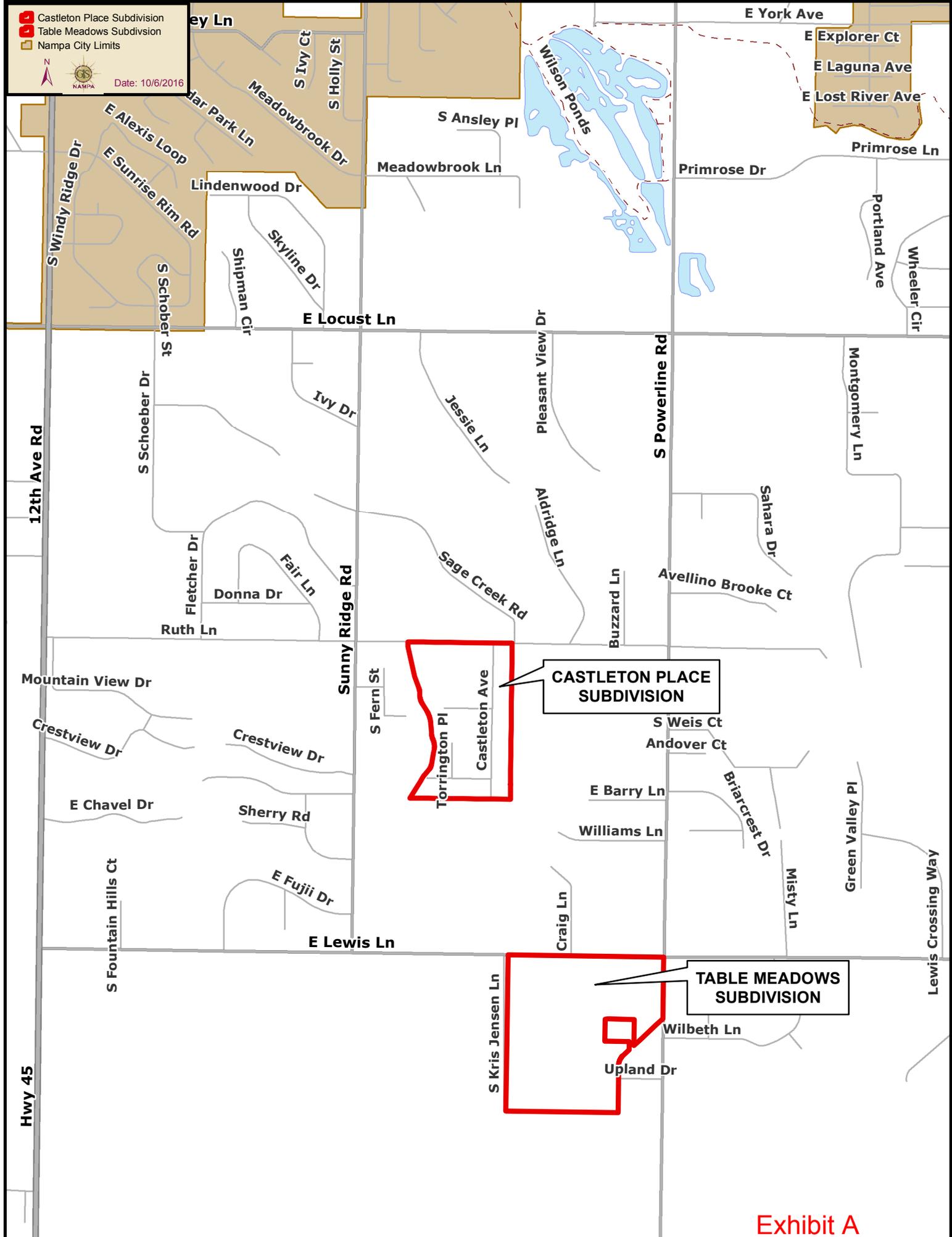
- The Outside City Services agreement proposed for Table Meadows has the following conditions:
 - Property owner consents to be annexed into the City at such time as it becomes contiguous to the City Limits.

- Properties connecting to the City utilities pay all connection and use fees and substitute development impact fees.
- Developer is responsible for construction of all water and sewer mains to and within the site

REQUEST 1: Authorize Staff to take ownership, operation and maintenance of the Castleton Lift Station and assess a special assessment of \$18.10 to properties utilizing the lift station effective January 1, 2017.

REQUEST 2: Authorize Mayor to sign Outside City Services Agreement with Dodd Investments, LLC for water and sewer service.

 Castleton Place Subdivision
 Table Meadows Subdivision
 Nampa City Limits
 N
 NAMP
 Date: 10/6/2016



**CASTLETON PLACE
SUBDIVISION**

**TABLE MEADOWS
SUBDIVISION**

 Castleton Place Subdivision
 Table Meadows Subdivision
 Domestic Main Lines
 LS Lift Station
 Sewer Mains
 County Parcels

 N
 NANPA
 Date: 10/6/2016

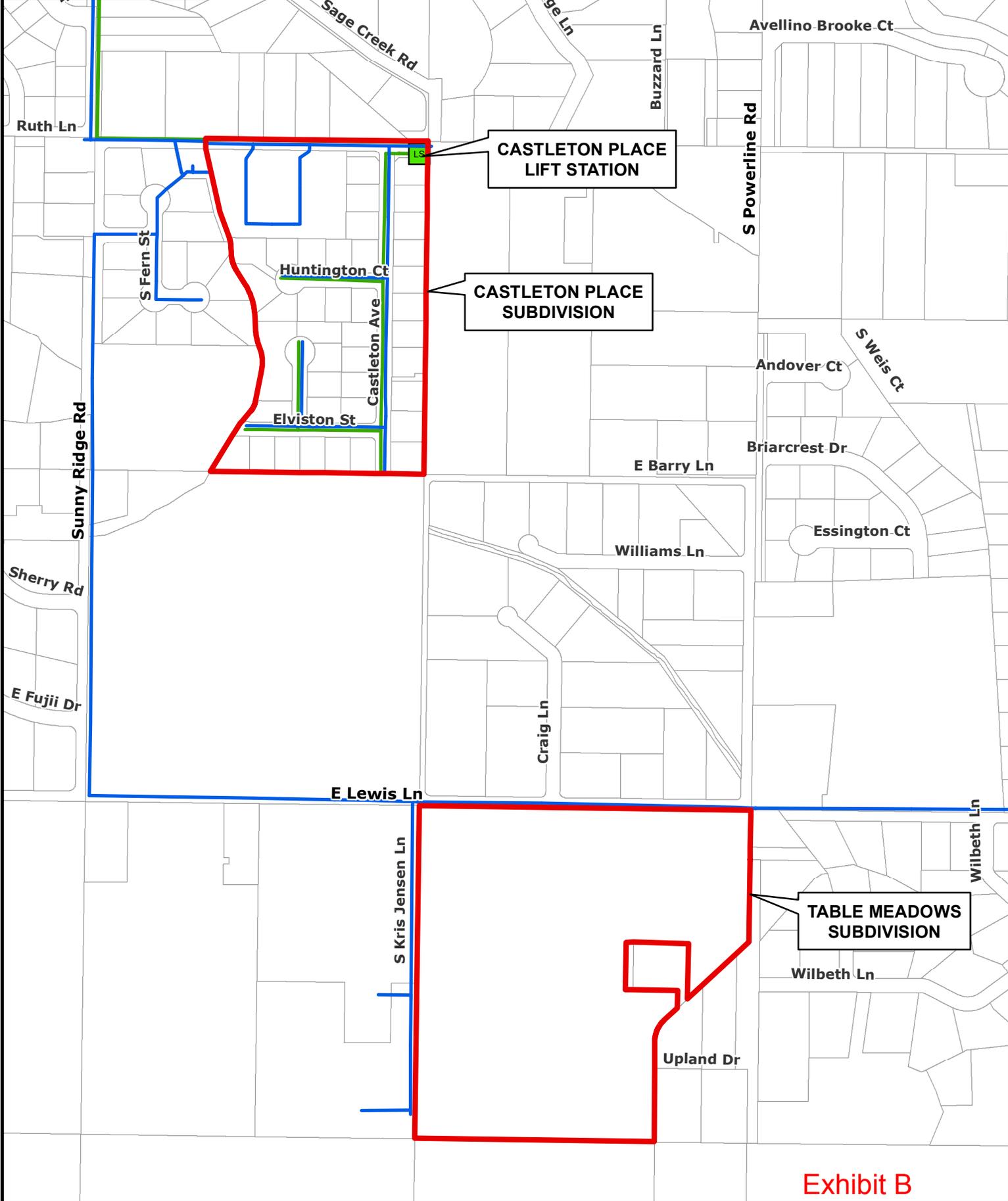


Exhibit B

**RESOLUTION OF INTENT TO CREATE
AND REQUEST FOR PUBLIC HEARING
VOLUNTARY SIDEWALK LOCAL IMPROVEMENT
DISTRICT (LID) 162 IN ZONE “C”**

- LID 162 will provide a voluntary funding mechanism for property owners within the identified boundaries, as shown on Exhibit “A” to construct or reconstruct curb, gutter, sidewalks, pedestrian ramps and drive approaches as an improvement to their property.
- The area identified in Exhibit “A” as Zone “C” contains approximately 5036 parcels.
- Additional parcels outside Zone “C”, but within the City Limits may be included as they become known. The property owner will petition the City to include their property in LID 162 as required by State Statute. A petition form will be provided to all interested parties on request.
- The City will solicit volunteers to participate in the LID and then actively pursue properties with deteriorated sidewalk for a target of 100 total participants in the LID.
- \$350,000.00 is the total estimated cost for the improvements. An estimated \$300,000.00 of this total will be assessed to property owners for the cost of improvements. \$50,000.00 of the funds will be provided by Street Division for pedestrian ramps and alley approaches
- Bidding is scheduled to take place the first part of next year.

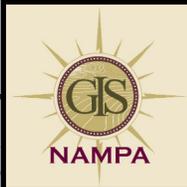
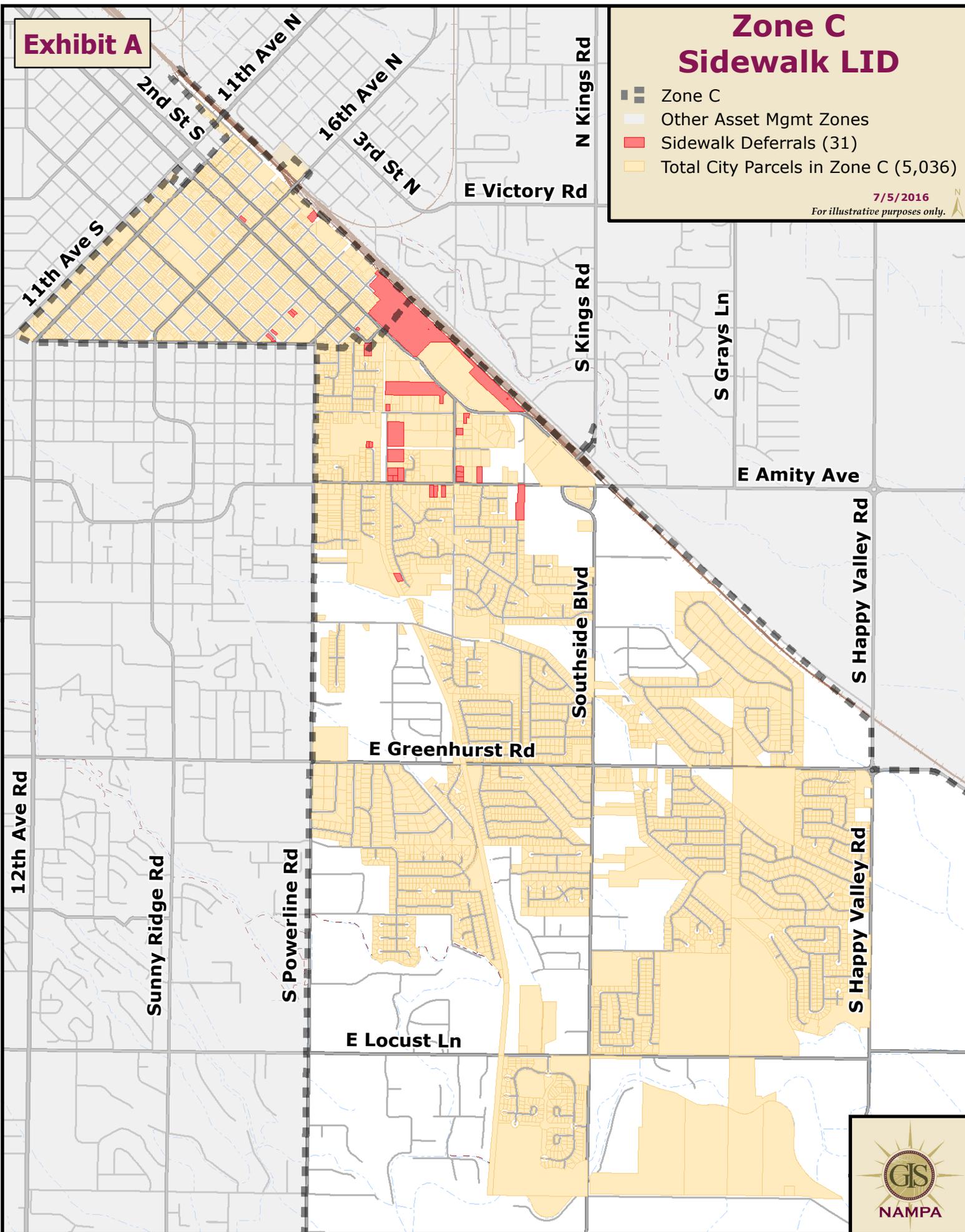
REQUEST: Council approval of Resolution of Intent to Create the LID (Exhibit B) and authorization to hold a Public Hearing on January 3, 2017, for consideration of the City’s intention to create Sidewalk LID 162.

Exhibit A

Zone C Sidewalk LID

- Zone C
- Other Asset Mgmt Zones
- Sidewalk Deferrals (31)
- Total City Parcels in Zone C (5,036)

7/5/2016
For illustrative purposes only.



RESOLUTION NO. _____

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 162 FOR NAMPA, IDAHO, FOR THE PURPOSE OF CONSTRUCTING CONCRETE CURBS, GUTTERS, SIDEWALKS, PEDESTRIAN RAMPS, DRIVE APPROACHES, AND STREET IMPROVEMENTS WITHIN THE CITY OF NAMPA, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 162 FOR NAMPA, IDAHO, FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS TO BE LEVIED AND ASSESSED UPON THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS; DECLARING SAID IMPROVEMENTS TO BE FURTHER AND ADDITIONAL IMPROVEMENTS; STATING THE ESTIMATED TOTAL COST OF SUCH IMPROVEMENTS AND THE KIND OF CHARACTER THEREOF; FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATING OF SUCH DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY CLERK; FIXING A TIME WHEN SUCH PROTESTS SHALL BE HEARD AND CONSIDERED BY THE COUNCIL; AND DIRECTING NOTICE THEREOF TO BE GIVEN.

WHEREAS, the City Council of the City of Nampa, Idaho, deems it to be in the best interests of the City to construct concrete curbs, gutters, sidewalks, drive approaches, and street improvements within the corporate limits of the City; and

WHEREAS, the City Council of the City of Nampa, Idaho, deems it necessary and desirable to create “Local Improvement District No. 162 for Curbs, Gutters, Sidewalks, Pedestrian Ramps, Drive Approaches, and Street Improvements” for the purpose of making said improvements and providing for the payment of the cost and expense thereof; and

WHEREAS, the estimated cost of the improvements is \$350,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO:

Section 1: That the City of Nampa, Idaho, does hereby declare its intention to construct concrete curbs, gutters, sidewalks, pedestrian ramps, drive approaches, and street improvements within the corporate limits of the City of Nampa, Idaho, to be known as “Local Improvement District No. 162 for Curbs, Gutters, Sidewalks, Drive Approaches, and Street Improvements.”

Section 2: That the City intends to construct concrete curbs, gutters, sidewalks, pedestrian ramps, drive approaches, and street improvements at an estimated cost of \$350,000.00 of which an estimated amount of \$300,000.00 shall be assessed to the property owners with the balance, \$50,000.00 being paid by the City of Nampa. Property owners will be assessed the cost of curbs, gutters, drive approaches and sidewalk improvements. The cost and expenses of the improvements will be assessed against the lots and lands specially benefited by such improvements and to be included in the district to be created according to a linear and/or square

foot method in proportion to the benefits derived. Additional assessments for extra improvements, which are optional with each landowner, shall be levied in proportion to the cost of providing said improvements. The city shall pay the expense of relocating existing utilities and construction of improvements within intersections such as pedestrian ramps, catch basins, and reconstructed curb radii.

Section 3: That said improvements are to be constructed at various locations within the boundaries shown on the attached exhibit "A".

Section 4: The City Clerk is hereby directed to give notice of the passage of this Resolution and of the time within which protests to the proposed improvements or the creating of such district may be filed and the date when such protests will be heard and considered by the Council and the estimated total costs thereof and shall therein refer to this Resolution on file in her office for further information in regard thereto. Protests to the proposed improvements or the creating of such district may be filed in the office of the City Clerk in writing on or before the 3rd day of January 2016 at 5:00 P.M. At 7:00 P.M. on said day in the Council Chambers of City Hall, 411 Third Street South, Nampa, Idaho, such protests shall be heard and considered by the City Council. Said notice shall be published in the official newspaper of the City of Nampa and a copy of such notice shall be mailed to each owner of property located within the limits of said proposed improvement district if the owner be known or to his agent, if his agent be known, addressing such person at his post office address, if know, or if his post office address be unknown, to the post office in Nampa, Idaho. The Clerk shall cause the last publication to be made and said notice shall be mailed at least ten (10) days before said 3rd day of January 2016, which is the date set for the expiration of the filing of protests. The Clerk shall file, in her office, proof of publication of said notice and shall make and file therein an affidavit showing the mailing of such notices.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS _____ DAY OF _____, 2016

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS _____ DAY OF _____, 2016

APPROVED:

BY _____
Robert L. Henry, Mayor

ATTEST:

BY _____
Deborah Bishop, City Clerk

**REQUEST AUTHORIZATION TO SUBMIT APPLICATIONS
FOR ADDITIONAL FY17 GRANT FUNDING
LOCAL HIGHWAY SAFETY IMPROVEMENT PROGRAM (LHSIP)
TRANSPORTATION ALTERNATIVES PROGRAM GRANT (TAP)**

- Engineering was recently notified of additional grant funding available for projects aimed at reducing fatal and serious injury accidents on local roadways.
- The Local Highway Safety Improvement Program (LHSIP), which focuses on improving safety at high accident locations, offered an additional \$2.5 million for state-wide applications.
- The Transportation Alternatives Program, which focuses on improving multimodal mobility and safety, has offered an additional \$1.4 million for state-wide applications.
- In the last five years, the City has received approximately \$2.8 million in LHSIP funds and \$1.5 million in TAP funding to improve safety for motorists and pedestrians.
- Engineering is constantly updating its priority project list to take advantage of additional funding sources. Here are some examples of projects that Engineering is evaluating based on crash data, traffic/pedestrian volumes and other factors (See Exhibit A):
 - *Lone Star Road Safe Routes to School*—the project includes shoulder widening, sidewalks and bicycle facilities to provide safe access to students traveling on Lone Star Road between Midland Blvd. and Middleton Rd.
 - *Marketplace Boulevard & Midland Boulevard Intersection*— The project includes minor road widening to add a second turn lane from westbound Marketplace Boulevard to southbound Midland Boulevard. In addition, signal equipment, striping and signage will be updated.
 - *Sherman Elementary Pedestrian Improvements*—the project includes lighting, sidewalks, pedestrian ramps and Rapid Flashing Beacon (RFB) crossing on Powerline Road and Sherman Avenue.
 - *Wilson Pathway Crossings at Sunnyridge Road and Locust Lane*—the project will install Rapid Flashing Beacon (RFB) at two pathway crossings to improve pedestrian safety.
 - *Grimes Creek Pathway Extension*—this is a priority project for the Parks Department and would extend the existing pathway around the south edge of McDonagh Park.
 - *Holly Street Safety & Efficiency Study*—this project will look at alternatives to improving vehicle and pedestrian safety/efficiency on Holly Street adjacent to NNU between Roosevelt Avenue and Colorado Avenue.
- Engineering anticipates applying for approximately \$1.5 million in funding which would require a City match of 7.34% or \$110,000.

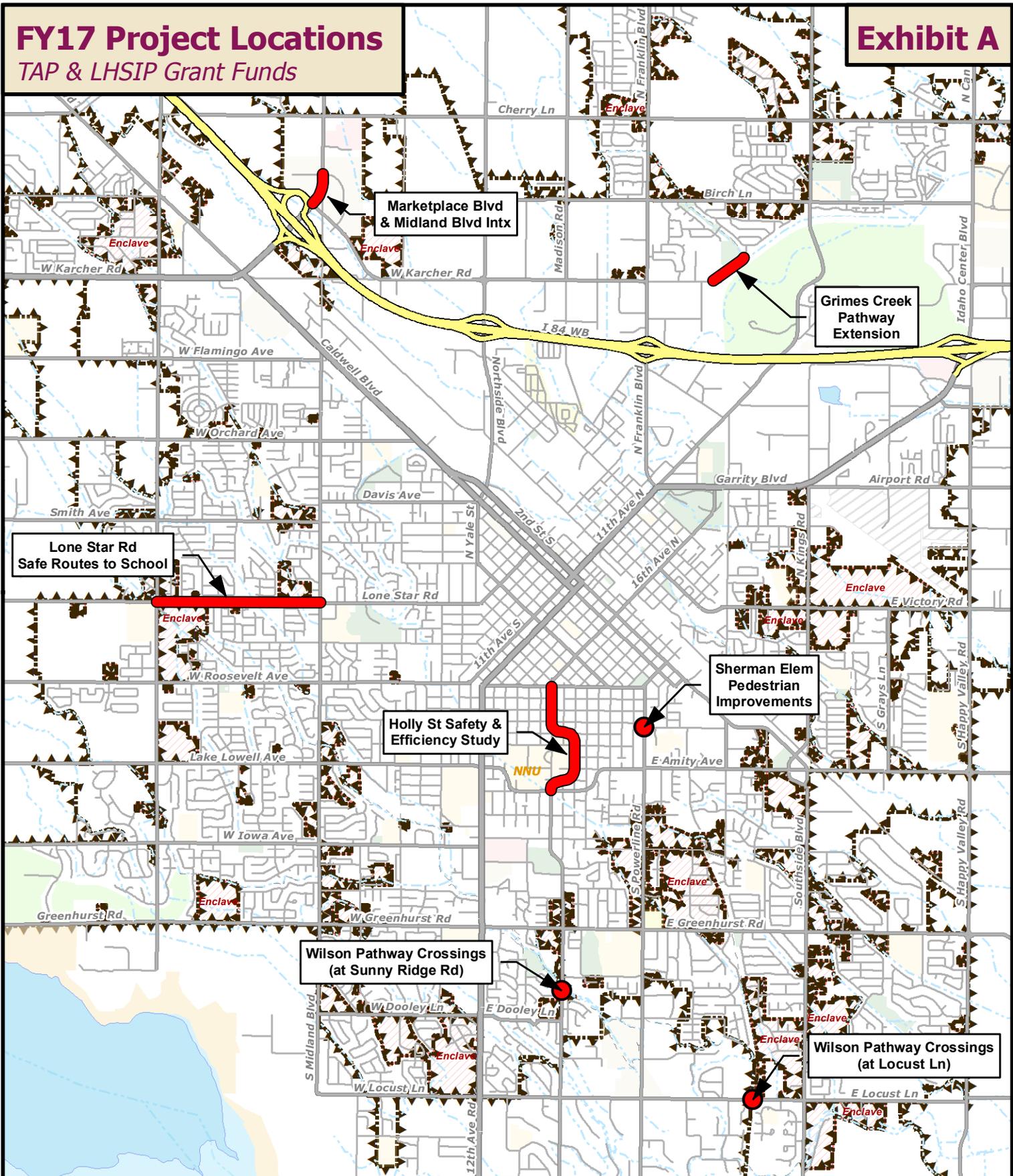
- The match funding is proposed from FY17 Streets fund balance.
- Due to the fast track application cycle, Engineering would like to proceed with continued project evaluation and submittal of the applications by November 4th, 2016.

REQUEST: Authorize staff to select projects and submit for FY17 additional Local Highway Safety Improvement Program (LHSIP) and Transportation Alternatives Program (TAP) grant funding, including City match dollars (7.34%).

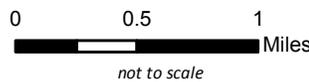
FY17 Project Locations

TAP & LHSIP Grant Funds

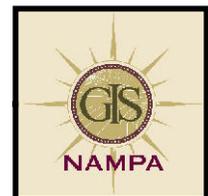
Exhibit A



-  Enclaved Areas
-  City Limits
-  Project Location
-  Project Location



10/10/2016



Disposal of Surplus Property Identified by Water Division

- Water Division has identified the following various unused equipment for disposal
- Water staff requests the following assets be declared as surplus property in order to facilitate disposal:

Item				Serial Number	Estimated Value
Unit No.	Year	Make	Type		
340	2004	Ford	F-250	3FTNF20L94MA01953	\$ 1,800.00
341	2001	International	4900	1HTSHADR41H344078	\$ 20,000.00
342	2000	Ford	F-350	1FDSF34L9YED85629	\$ 2,000.00
354	2001	Case	580 Super M	JJG0280218	\$ 20,000.00
359	2008	Sanders	Multi-Quip	ZF3700Q82	\$ 2,500.00
360	2001	Case	580 Super M	JJG0281562	\$ 20,000.00
363	2007	Chevrolet	C2500	1GDHC29K07E598111	\$ 3,500.00
370	1977	Peabody	6TCCD-2	55493-577	\$ 1,000.00
373	2002	International	7400	1HTWGADR22J043808	\$ 25,000.00
377	2004	Ford	F-150	2FTRX17204CA29724	\$ 2,000.00
381	2002	John Deere	AZ479	100940	\$ 8,500.00
387	2005	Sterling	L7500	2FZHATDJX5AV06177	\$ 25,000.00

- Continuing maintenance and repair of these assets is not within the City's best interest
- Disposal falls within Public Works Department Fleet Services Division guidelines for funding, acquisition, maintenance, replacement and disposal of City fleet vehicles
- Fleet Services proposes to sell the existing assets at public auction, transfer to another department, and sell to another municipality as noted below:
 - Unit #'s 340, 342, 363, 377 to Parks Department
 - Unit # 360 to City of Placerville, Idaho (for the amount of \$20,000.00)
 - All other equipment to be sold at public auction
- Water and Fleet Services Divisions, and disposal team recommend disposal via disposition

REQUEST:

- 1) Declare equipment as surplus property by resolution (see Exhibit 1)
- 2) Dispose of identified surplus property as recommend by Staff

**CITY OF NAMPA
DEPARTMENT PROPERTY DISPOSAL REQUEST**

Permission is hereby requested to dispose of the following personal property declared surplus by the Council. Disposal will be in a manner meeting the best interests of the City and in accordance with Idaho Code and City Resolution No. 25-2015

Disposal Method Code	Use Category	Qty.	Description of Item	Cond. Code	Estimated Value
01	Water Works	1	#340 2004 Ford F-250 3FTNF20L94MA01953	G	\$1800.00
01	Water Works	1	#342 2000 Ford F-350 Super Duty 1FDSF34L9YED85629	G	\$2000.00
01	Water Works	1	#363 2007 Chevrolet C2500HD 1GDHC29K07E598111	G	\$3500.00
01	Water Works	1	#377 2004 Ford F-150 2FTRX17204CA29724	G	\$2000.00
02	Water Works	1	#341 2001 International 4900 1HTSHADR41H344078	G	\$20,000.00
02	Water Works	1	#354 2001 Case 580 'Super M' JJG0280218	G	\$20,000.00
02	Water Works	1	#359 2008 Sanders Saw 'Multi-Quip' ZF3700Q82	G	\$2500.00
02	Water Works	1	#370 1977 Peabody Barnes 6TCCD-2 55493-577	G	\$1000.00
02	Water Works	1	#373 2002 International 7400 1HTWGADR22J043808	G	\$25,000.00
02	Water Works	1	#381 2002 John Deere AZ479 100940	G	\$8500.00
02	Water Works	1	#387 2005 Sterling L7500 2FZHATDJX5AV06177	G	\$25,000.00

Exhibit 1

06	Water Works	1	#360 2001 Case 580 'Super M' JJG0281562	G	\$20,000.00
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Disposal Method Codes:

Condition Codes:

- | | | | |
|----|---|---|------------|
| 01 | Transfer to another agency or department | E | Excellent |
| 02 | Public Sale (Auction or sealed bid) | G | Good |
| 03 | Leased property turned back | F | Fair |
| 04 | Recycle or sell for scrap | R | Repairable |
| 05 | Unusable – ship to local dumpsite | U | Unusable |
| 06 | Other: <u>Sell to City of Placerville, ID</u> | | |

Requesting Department: Public Works Department Water Division		Received By:
Requesting Person Name (Print): Keith Begay, Water Superintendent		Date Received:
Requesting Person Signature:	Date	

RESOLUTION NO. 46-2016

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

WHEREAS, the City Council has authorized and passed Resolution No. 25-2015, implementing City policy to declare personal property surplus and to provide for its disposal through sale, transfer, recycling, discarding, destruction, or exchange; and

WHEREAS, the City Clerk of the City of Nampa has proposed for disposal of certain property that the City no longer has use for; and

WHEREAS the approval for the disposal of the below listed property has been obtained from the City Attorney or his designee, and is in compliance with City policy.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, AS FOLLOWS:

1. That the attached listed property shall be disposed of under the direction and supervision of the City Clerk, and in accordance with City policy.
2. The staff of the City of Nampa is hereby authorized to take all necessary steps to carry out the authorization provided by this Resolution.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 17TH DAY OF OCTOBER, 2016.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 17TH DAY OF OCTOBER, 2016.

Approved:

Mayor Robert L. Henry

ATTEST:

City Clerk

**CITY OF NAMPA
DEPARTMENT PROPERTY DISPOSAL REQUEST**

Permission is hereby requested to dispose of the following personal property declared surplus by the Council. Disposal will be in a manner meeting the best interests of the City and in accordance with Idaho Code and City Resolution No. 25-2015

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06	Water Works	1	#360 2001 Case 580 'Super M' JJG0281562	G	\$20,000.00
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Disposal Method Codes:

Condition Codes:

- | | | | |
|----|--|---|------------|
| 01 | Transfer to another agency or department | E | Excellent |
| 02 | Public Sale (Auction or sealed bid) | G | Good |
| 03 | Leased property turned back | F | Fair |
| 04 | Recycle or sell for scrap | R | Repairable |
| 05 | Unusable – ship to local dumpsite | U | Unusable |
| 06 | Other: <u>Sell to City of Placerville ID.</u> | | |

Requesting Department: Water Works		Received By:
Requesting Person Name (Print): Keith Begay		Date Received:
Requesting Person Signature:	Date	

Water Division
Purchase of Three 2017 Light Duty Pickup Trucks

- For fiscal year 2017, Public Works Water and Fleet Services Divisions identified the need to replace aging meter/systems tech vehicles within the Water Division fleet
- Form 50's requesting acquisition of three new light duty pickup trucks, to replace the aging fleet, was approved by City Council for fiscal year 2017. The total estimated cost for replacement is \$75,000.00
- The new pickup trucks will be purchased via piggyback under the existing State of Idaho contracts for light duty vehicles
- The piggyback process allows any governmental agency to use the bid of another governmental agency to establish the price for procurement, provided that the initial process satisfied the public bidding rules and the supplier is willing to honor the price

REQUEST: Authorize immediate piggyback purchase of three (3) light duty pickup trucks under State of Idaho contracts, not to exceed total estimated purchase price of \$75,000.00, for Water Division.

Approve Task Order for Fiscal Year 2017 Environmental Compliance Division Technical Support

- The Environmental Compliance Division (ECD) was created in October of 2013 and encompasses stormwater, industrial pretreatment, and laboratory programs
- This Division is responsible for everyday activities of the National Pollutant Discharge Eliminated System (NPDES) related programs, and supports City operations for mitigating risk associated with environmental compliance
- During the first couple of years, ECD performed an internal environmental audit, and developed a regulatory framework focusing on existing public works structure. Staff developed a plan to mitigate risk and completed the development of some key components of that plan to date including a communications plan, a regulatory matrix of applicable regulatory requirements, an emergency preparedness response plan to environmental issues and accidents, clear identification of roles and responsibilities, training requirements and plan for staff, and documentation guidance
- New NPDES wastewater and stormwater permits anticipated by the City, along with rapidly changing environmental regulations, will require an informed and consistent approach to mitigate risk
- Brown and Caldwell (BC) technical support services will be necessary to implement the new permit requirements and continue development of the ECD
- Staff has negotiated a scope and fee with BC for fiscal year 2017 ECD technical support. A general proposal summary includes:
 - Program Management
 - Project Management
 - Quality Assurance and Quality Control (QA/QC)
 - Environmental Regulatory Management Program Support
 - Standard Operational Procedures and Procedure Development
 - Stormwater MS4 Support
 - Year 7 Annual Reporting
 - Permit Negotiations
 - Stormwater Management Plan (SWMP) Evaluation
 - General Compliance Support
 - Airport Multi-Sector General Permit (MSGP) Support
 - ECD Support
 - Industrial Permitting Support
 - Lab Support

- Funding for these professional services is included in the ECD 2017 budget
- City Staff and BC have agreed upon a scope of work and fee for these professional services in the amount of \$259,765.00 T&M NTE (see Exhibit A)

REQUEST: Authorize Mayor and Public Works Director to sign Task Order with Brown and Caldwell for Fiscal Year 2017 Environmental Compliance Division Technical Support in the amount of \$259,765.00 T&M NTE

**TASK ORDER NO. 01817008 FOR PROJECT NO. AND/OR
PROJECT NAME FISCAL YEAR 2017 ENVIRONMENTAL COMPLIANCE DIVISION
TECHNICAL SUPPORT FOR MISCELLANEOUS PROFESSIONAL SERVICES TERM
AGREEMENT FOR CITY OF NAMPA**

Consultant Project No. _____

THIS TASK ORDER, entered into this 17th day of October, 2016, between The City of Nampa, Canyon County Idaho, hereinafter referred to as the CITY, and **Brown and Caldwell**, hereinafter referred to as the CONSULTANT, is subject to the provisions of the Miscellaneous Professional Services Term Agreement, dated March 18, 2015, hereinafter referred to as the AGREEMENT.

WITNESSETH:

WHEREAS, the CITY intends to **seek support for Environmental Compliance Division (ECD) operations associated with the overall Program Management, Environmental Regulatory Management Support, Stormwater MS4 Support, industrial permitting and lab support**, hereinafter referred to as the PROJECT. NOW, THEREFORE, the CITY and CONSULTANT in consideration of their mutual covenants herein agree in respect as set forth below.

CLIENT INFORMATION AND RESPONSIBILITIES:

The CITY will provide to CONSULTANT the data and/or services specified in the AGREEMENT.

In addition, the CITY will furnish to CONSULTANT: **N/A**

SERVICES TO BE PERFORMED BY CONSULTANT:

CONSULTANT will **provide engineering services as outlined in Executive Summary Environmental Compliance Division Support 2017 Scope of Services.**

MISCELLANEOUS PROFESSIONAL SERVICES CONTRACT

SCHEDULE OF SERVICES TO BE PERFORMED:

CONSULTANT will perform said services within **348** calendar days related to this TASK ORDER.

BASIS OF FEE AND BILLING SCHEDULE:

The CITY will pay CONSULTANT for its services and reimbursable expenses as follows:

\$259,765.00 T&M NTE

Remarks: **Work to be completed under this contract by September 30, 2017.**

Executive Summary

Environmental Compliance Division Support 2017

Scope of Services

The attached scope of services were developed to support the Environmental Compliance Division (ECD) for the City of Nampa (City) meet permit requirements and support the long term objectives of the Public Works department. ECD includes industrial pretreatment (covered under the Waste Water Treatment Plant (WWTP) National Pollutant Discharge Elimination System (NPDES) Permit), the Laboratory (analyzes samples collected as part of the WWTP and Municipal Separate Storm Sewer System MS4 Permit requirements), and the Stormwater Programs (MS4, Construction General Permit (CGP) and Multi Sector General Permit (MSGP) NPDES permits). This program is also responsible for tracking and responding to events within the City's jurisdiction regarding environmental issues or accidents.

Environmental Regulatory Management Program

In order to reduce risk by fully understanding permit and environmental requirements the ECD is developing an Environmental Regulatory Management Program (ERMP). This program provides the ECD Superintendent with tools and a roadmap for effectively meeting and tracking permit compliance. During this FY 17 this includes the development of key procedures including document controls, operational controls and the development of supporting standard operating procedures.

Stormwater

The City currently manages an NPDES MS4 permit, CGP permits, and an MSGP permit as part of the stormwater program. These different permits have different requirements. The MS4 Permit includes six minimum control measures that need to be addressed throughout the year as defined by the permit. As part of this permit the City is responsible for developing an annual report to submit to the EPA that summarized the compliance activities. As one of these control measures the City has implemented a Sediment and Erosion control program that supports and applies CGP permit requirements to all projects within City limits or conducted by the City. The airport is currently connected to both Waters of the US through Mason Creek and the City MS4. This has required the City to apply for and operate under an MSGP industrial permit for the airport operations.

Pretreatment

In FY16 the City WWTP received a final NPDES Wastewater Permit. As part of this permit the City has developed draft templates for industrial users. The new industrial permits provide a predictable and transparent permitting process that depends on Standard Operating Procedures for developing significant user permit requirements. Since the permits are substantially different in both content and approach the City will include a fact sheet with the permits to provide the industrial users documentation and justification to the changes in the permits.

Lab

As the lab looks to change some of its activities and adjust to the new permits they are also required to update standard operating procedures. The task included in this scope supports the City in preparing for the new changes and assists in both reducing risk and operating more efficiently.

Exhibit A

Environmental Compliance Division Support 2017 Scope of Services

The Environmental Compliance Division (ECD) includes the Wastewater Pretreatment, Laboratory and Stormwater activities associated with the City. This division is tasked with supporting Public Works operations for mitigating risk associated with environmental compliance and permitting. ECD has developed a long term approach for supporting these tasks and has worked with Brown and Caldwell (BC) in providing the necessary details to the program required to meet program objectives. In addition, the City is anticipating receiving a new MS4 permit and Waste Water permit during 2016/17. BC is submitting this scope of work (SOW) to support the ECD with operations associated with the overall program, pretreatment, laboratory, and stormwater activities. The following scope defines the work to be completed under this contract beginning October 1, 2016 and completing on September 30, 2017.

Scope of Work

The scope of services to be performed by Brown and Caldwell under Exhibit A are:

1. Program Management
 - 1.1. Project Management
 - 1.2. Quality Assurance and Quality Control (QA/QC)
2. ERMP Support
 - 2.1. ERMP Support
 - 2.2. Document Controls
 - 2.3. Operational Controls
3. Storm Water MS4 Support
 - 3.1. Year 7 Annual Reporting
 - 3.2. Permit Negotiations
 - 3.3. SWMP Evaluation
 - 3.4. General Compliance Support
 - 3.5. MSGP Support
4. ECD Support
 - 4.1. Industrial Permitting Support
 - 4.2. Lab Support

Schedule

Assumptions

Fees

Task 1 – Program Management

With the development of the ECD during the fall of 2013, the City committed to a division that is responsible for supporting environmental regulatory compliance throughout Public Works. The City has requested that BC provide support with the development, integration, and implementation of this program with the existing lab, pretreatment and stormwater activities. In addition, the City will be receiving a new MS4 permit during 2016/17. As part of this task BC will support coordination within the City to both develop the compliance program and receive the new MS4 permit. The tasks provided below will support the City in the continuation of developing this program.

Task 1.1 – Project Management

The work under this task includes meetings with City staff to discuss the planning and implementation of a programmatic approach to mitigating risks associated with environmental compliance issues and stormwater compliance. This task will also cover project management activities associated with the execution of this scope, including project tracking for MS4 support and ECD support tasks. BC will coordinate directly with the City, as needed, to provide updates on work tasks, schedules, and budgets. Through the use of BC's WorkSmart project management system, the BC program manager will track the status of each individual task and completion estimates to help meet schedule and budget requirements. After each meeting, BC will provide the City with a summary of the discussion and a list of action items with dates, roles, and responsibilities identified during the meetings.

Deliverables

- Biweekly meeting agendas and weekly program summaries
- Monthly invoices

Assumptions

- Biweekly meetings with City staff will be required for the entirety of this schedule
- The deliverables associated with the planning and implementation are included in the other tasks detailed in this scope

Task 1.2 – Quality Assurance and Quality Control

BC will perform quality assurance/quality control (QA/QC) on all deliverables developed by BC prior to submission to the City for review and comment. Each deliverable will receive a content review, senior technical review, and a quality assurance review. If requested by the City, BC will provide documentation that demonstrates the completion of this process.

Task 2 – ERMP Program Support

In 2013 the ECD began the development of an Environmental Regulatory Management Program (ERMP) in order to quantify and manage environmental compliance issues. During the first couple of years of development, the City contracted with BC to support an internal environmental audit process by providing a Gap Analysis of the existing Public Works structure. In FY15, BC worked with the City to develop many of the planning documents including the Legal and Other Requirements Matrix and a Communication Plan. During FY16, BC began the development of the implementation and operation support documentation. In FY17, BC will support the development of the remaining implementation and operation documentation.

BC will work with the ECD staff to develop specific components of the ERMP. The framework is a series of procedures that enable City staff to support environmental compliance and promote continual improvement of the City's program via the Plan-Do-Check-Act methodology. Under this Scope of Services, BC will work with ECD staff to develop two procedures. Below are the procedures for development.

Implementation and Operation

- Control of Documents and Records
- Operational Control

ERMP Procedures Structure

The procedures will be written to support business process, showing a flow of activity describing who does what, in what order and to what requirements. Collectively the procedures make up the ERMP, and must be effectively linked. These procedures will describe how the City Public Works department operates and controls its business to meet the requirements of the environmental compliance program.

Each of the procedures will be developed using a template that is divided into the following 10 sections:

1. Purpose
2. Scope/Applicability
3. Responsibilities
4. Definitions
5. Procedure
6. Related Documents, Records and References
7. Training Requirements
8. Reporting and Recordkeeping Requirements
9. Document Control and Distribution
10. Revision History

Brown and Caldwell will draft these procedures for review by City ECD Staff. The City will have two weeks for review and comment. Once ECD staff has reviewed the draft procedures, Brown and Caldwell will implement needed changes and edits and provide ECD with a complete set of finalized core procedures within one week of receiving comments from the City.

Task 2.1 – ERMP Support

BC will support the ECD Superintendent to identify priority standard operating procedures that support the implementation of the ERMP for development during FY17. These standard operating procedures will be developed to support ECD in conducting day to day activities in a consistent method. Some SOPs will be a documentation of existing practices and some SOPs will be developed to help refine and formalize existing practices or will be developed for new practices as identified by the ECD Superintendent. In addition, this task includes general support and additional small tasks to support ECD in day to day operations. The additional tasks will be scoped and documented in a project change request before be approved under this scope and budget. The budget includes development of up to 10 additional SOPs. The SOPs will be developed in accordance with the control of documents and records and operational control procedures.

Task 2.2 – Control of Documents and Records

BC will combine the management procedures for documents and records into a single procedure, *Control of Documents and Records Procedure*. The purpose of this procedure is to describe methods for managing environmental documents and records. The procedure will include the following documents/ records management methods: how to identify, store and manage data via electronic and hard copy methods; review and approval, protection and retrieval; disposal; numbering; retention; location and access; and format for operational control procedures.

After completing the core procedure, BC will develop a template matrix for documenting identified documents and records to be retained by the division. BC will provide this template to the City with example documents and records. BC will facilitate a brainstorming session with ECD to fill in remaining documents and records.

Task 2.3 – Operational Control

BC will develop an *Operational Control Procedure*. The purpose of this procedure is to determine, document and implement operational controls related to environmental aspects, environmental compliance standards, environmental objectives and targets and regulatory requirements. This procedure will also identify the management of change process for ECD. Management of Change is when operational changes occur that could result in an alteration of existing environmental hazards or risks.

BC will conduct a brainstorming session with the City, that will identify processes and activities in which operational control is required. Operational controls will be established to provide for the proper management of environmental touch-points for the City. As part of the development of operational control, BC will develop no more than six standard operating procedure/ work instructions or forms to support operational control.

Deliverables

- Two ERMP Core Procedures- draft and final.
- Up to six standard operating procedure/ work instructions or forms required for ECD operational control- draft and final

Assumptions

- This scope includes the establishment of the core procedures, not the implementation of the procedures, or the establishment of supporting records, documentation and programs. This scope includes the incorporation of edits from one round of received comments.

Task 3 – Stormwater MS4 Support

The City was issued an NPDES Municipal Separate Storm Sewer System (MS4) permit from EPA Region 10 on August 28, 2009, which became effective on October 15, 2009. The permit expired on October 14, 2014 and was administratively extended indefinitely until a new permit is issued by the EPA. The City has requested that BC provide technical reviews and comment assistance during development and implementation of the MS4 program. The primary goal of this task is to provide the City with support services associated with the permit requirements on an as-needed basis to help the City stay in compliance.

In 2014 the City submitted an application to the EPA for coverage under the new MS4 Phase II permit. A draft MS4GP was issued by the EPA for initial comment and review. During FY16 BC reviewed and commented on this draft document. The FY16 comments were directed to the large overall implications of an MS4GP on the City of Nampa operations. The EPA has already agreed to separate Phase I and Phase II permits and a new draft permit should be issued in late 2016 or early 2017 and may become effective in FY 2017. This task includes support services for the new permitting process and requirements as the permit is issued.

Task 3.1 – Year 7 Annual Reporting

BC will assist the City in compiling, reviewing, and developing the Year 6 annual report. The annual reporting support effort will include a Draft and Final Year 7 Annual Stormwater Monitoring Report, review and comments to the Storm Water Management Plan (SWMP) updates, and a review and comments to the summary of work completed for the Minimum Control Measures (MCMs) defined in the permit. In addition, BC will support the City in updating the checklist style annual report submitted to the EPA in January of 2016.

Deliverables

- Year 7 Annual Stormwater Monitoring Report
- Comments to the City on updates to the existing SWMP
- Comments to the City on summary of work completed for the MCM requirements
- Checklist summary of permit compliance

Assumptions

- This scope assumes one round of comments and revisions on the draft document(s) before final documents are delivered.

Task 3.2 – Permit Negotiations

The NPDES Phase II permit issued to the City expired on October 15, 2014. In 2015 and 2016, the City operated under an administrative extension of the existing permit as directed by the EPA. BC supported the City in developing some recommended changes to the next permit during the summer of 2014. The EPA has issued a different type of draft permit (an MS4GP) to all permittees during the summer of 2016. The City has asked that BC provide comments and recommendations to this permitting approach under the FY16 scope and budget. During FY17 the EPA will receive comments to the general permit approach and will issue a draft permit to all Phase II communities. The City has asked BC to participate in potential negotiations with EPA for this next permit. Under this task BC will review the Draft Permit, provide recommendations, and work with the City to support the strategy developed in FY 16 and develop a response to EPA's draft permit. In addition, BC will provide support in implementation of the strategy through negotiations with the EPA.

Deliverables

- Review and submit comments to the Draft Permit
- Development of a Negotiation Strategy Technical Memorandum

Assumptions

- This scope assumes no more than two phone meetings between EPA regulators, BC and City staff will be required during negotiations.
- No more than two BC staff will be present at these meetings.

Task 3.3 – Stormwater Management Plan Evaluation

The first step of implementing a new permit will be to update the Stormwater Management Plan (SWMP) with the new permit requirements. Since, it is not anticipated that this permit requirement will need to be fully implemented by the end of FY17, BC will conduct a comparative analysis between the new permit SWMP requirements and the existing SWMP. This approach will provide the City with a comprehensive review of the potential changes to the stormwater permit requirements as compared to the existing programs and will serve as a checklist for updating the SWMP for the new permit. With a better understanding of the new permit requirements and when they occur the City will be able to more efficiently update the SWMP and plan for permit implementation.

Deliverables

- Draft SWMP Comparison TM for City review
- Final SWMP Comparison TM for City inclusion in the year 1 annual report

Assumptions

- This scope assumes the City will be receiving the Phase II permit during 2017
- In the event the permit is not issued this task will not be completed

Task 3.4 – General Permit Compliance

In order to continue operation under the administrative extension the City is required to repeat the activities associated with year five of the permit. BC will support the City in meeting the MCM requirements for that year of the permit. BC will work collaboratively with the City to identify needs for general compliance based on year 7 annual reporting results. The support services will include, monitoring data support, reporting and troubleshooting, Construction Sediment Control support, IDDE support, Post Construction Stormwater Management support, and Pollution Prevention and Good Housekeeping support. In addition to minimal support identified for meeting existing permit requirements.

Deliverables

- Draft and Final Monitoring period Stormwater DMR

Assumptions

- This scope assumes no more than 160 hours of support time will be required to meet existing permit requirements mentioned above.

Task 3.5 - Airport Multi Sector General Permit Support

Under this task BC will assist the City with continue to support the City's long-term approach to managing the requirements of the Multi-Sector Generic Permit (MSGP) for the Nampa Municipal Airport. In 2016 BC assisted the City in evaluating the best options for management of the MSGP facility for the long term. The most viable option is to continue coverage under the MSGP but include monitoring requirements as part of the MS4 Permit. BC will support the City in negotiations with the EPA and providing the City with the appropriate level of support to achieve this goal.

Deliverables

- Draft MSGP Strategy Paper
- Final Strategy for MSGP management

Assumptions

- This scope assumes one round of comments and revisions with the City before a final TM is delivered.

Task 4 – ECD Support

The ECD is responsible for supporting environmental regulatory compliance within Public Works and for the activities associated with the wastewater lab and pretreatment. The City has requested that BC provide support with the development, integration, and implementation of this Division. As part of this support BC has supported industrial pretreatment in the development of draft industrial permits in FY16. This task is a continuation of those support activities. Under this scope BC proposes to support ECD in the development of SOPs to support the industrial permit templates completed in FY16. In addition, BC will continue to support ECD by conducting a sampling inventory review.

Task 4.1 – Pretreatment Industrial Permitting

As part of the National Pollutant Discharge Elimination System (NPDES) Permitting process for the Nampa Wastewater Treatment Plant (WWTP), the City developed the pretreatment industrial permit templates to be issued to both significant industrial users (SIU) and categorical users. To support this approach to issuing industrial permits BC will work with ECD staff to develop SOPs and fact sheet template to provide clarity to the existing industrial permitting process. BC will utilize our working history with the WWTP programs to develop these SOPs and fact sheet to meet permit requirements, but will also include other programmatic components that will improve efficiencies.

Deliverables

- Final SIU and Categorical Permits
- Draft SOPs for Industrial Permit Template
- Final SOPs for Industrial Permit Template
- Draft Fact Sheet Template
- Final Fact Sheet Template

Assumptions

This scope assumes one round of comments and one revision on each draft document. BC will develop up to 8 Standard Operating Procedures to support the permit template. The Fact Sheet Template will address universal facts for all permits.

Task 4.2 – Lab Support

BC will conduct a sampling inventory review and gap analysis. The evaluation will include a current summary of the following:

- type, frequency, location and quantity of data collected,
- a summary of the historical data set,
- a summary of permit requirements, and
- plant operations.

These will be evaluated to determine if the current practices are the best approach to meet the City's regulatory and operational needs. The evaluation will recommend minimum collection approaches so the data set fits the need. The review will also include the identification of trends and the variability of those trends.

Deliverables

- Draft Sampling Inventory Review and Gap Analysis
- Final Sampling Inventory Review and Gap Analysis

Assumptions

This scope assumes one round of comments and one revision on each draft document.

Exhibit B

Schedule

The following presents a schedule to complete the tasks described in the SOW.

Task	Schedule
1.1 - Program Management	Meeting summaries, agendas and monthly invoices throughout FY 2017 (notice to proceed thru September 30, 2017)
1.2 - SWMP Development	September 30, 2017
1.3 - QA/QC	Throughout the project
2.1 - ECD Support	Throughout the project
2.2 - Control of Documents and Records	November 15, 2016
2.3 - Operational Controls	May 15, 2017
3.1 - Annual Reporting	Monitoring report - November 15, 2016 Annual report Draft Comments - December 1, 2016 Final Annual Report Comments - December 15, 2016
3.2 - Permit Negotiations	Comments to the City within in 30 days of issued draft permit
3.3 - General Compliance	Ongoing Support throughout the year Monitoring Period DMR - two weeks after receiving monitoring data from the city for each monitoring period.
3.4 - MSGP Support	Ongoing support throughout the year Draft Strategy Paper - March 1, 2017 Final MSGP Strategy - March 31, 2017
4.1 - Pretreatment Industrial Permitting	6 SOPs - December 31, 2016 Fact Sheet Template - November 30, 2016
4.2 - Lab Support	Draft Sampling Inventory Review and Gap Analysis TM - June 15, 2017 Final Sampling Inventory Review and Gap Analysis TM - July 1, 2017

Assumptions

The work identified in the previous sections is an estimate to complete the requested tasks identified by the City of Nampa. At the request of the City the budget for this scope of work accounts for only those deliverables identified in this scope of work. At 50-percent complete the City staff and Brown and Caldwell will reassess the progress of each individual task and adjust the scope accordingly. All deliverables associated with this scope of work are assumed to be delivered electronically only. The City will receive an electronic working copy and a PDF of each deliverable.

Exhibit C

Fees

The fee estimate is based on the assumptions developed from our conversations with City staff and our experience with ECD program support. Other items may arise that result in additional work. Exhibit C provides a detailed cost estimate. Our fee estimate associated with ECD Program Support is \$259,765.

Nampa, City of (ID) – Nampa ECD Support FY17																			
Phase	Phase Description	Douglas, Terah A	Januart, Katherine M	Wilson, Joanna B	Foged, Nathan H	Krishnavya, Meghan B	Wilson, Elizabeth W	Birford, Maine E	Favillo, Brooke	Weigel, Andrew	Milne, Michael M	Wieland, Angela M	Moiso, Mary M	Gregg, Matthew M	Croucher, Lorena R	Beattie, Michael S	Total Labor Hours	Total Labor Effort	Total Effort
		\$134.91	\$75.20	\$64.00	\$193.86	\$214.62	\$128.45	\$102.05	\$83.10	\$94.72	\$259.23	\$145.38	\$72.51	\$161.57	\$88.51	\$170.14			
100	Program Management	304	24	24	32	16	0	0	0	0	0	16	0	16	0	0	432	60,964	60,964
110	Project Management	280	24	24	24	8	0	0	0	0	0	0	0	8	0	0	368	50,485	50,485
120	QA/QC	24	0	0	8	8	0	0	0	0	0	16	0	8	0	0	64	10,479	10,479
200	ERMP Development	110	0	0	0	64	0	364	40	46	0	0	26	24	8	24	706	86,896	86,896
210	ERMP Support	80	0	0	0	40	0	160	40	24	0	0	16	24	0	24	408	52,189	52,189
220	Document Control	16	0	0	0	8	0	60	0	10	0	0	6	0	4	0	104	12,146	12,146
230	Occupational Control	14	0	0	0	16	0	144	0	12	0	0	4	0	4	0	194	22,562	22,562
300	MS4 Support	192	0	0	0	0	0	32	108	212	24	48	36	4	32	0	688	80,225	80,225
310	Annual Reporting	80	0	0	0	0	0	0	60	64	8	24	20	0	12	0	268	30,963	30,963
320	Permit Negotiations	24	0	0	0	0	0	0	0	24	12	12	4	4	0	0	80	11,698	11,698
330	SWMP Evaluation	32	0	0	0	0	0	32	8	32	0	12	8	0	0	0	124	14,079	14,079
340	General Compliance Support	40	0	0	0	0	0	0	40	60	0	0	0	0	20	0	160	16,740	16,740
350	MSGP	16	0	0	0	0	0	0	0	32	4	0	4	0	0	0	56	6,745	6,745
400	ECD Support	32	0	0	0	0	24	32	120	0	0	0	8	16	0	40	272	31,680	31,680
410	Industrial Permitting - SOPs	24	0	0	0	0	24	16	120	0	0	0	8	8	0	0	200	20,491	20,491
420	Lab Support	8	0	0	0	0	0	16	0	0	0	0	0	8	0	40	72	11,189	11,189
GRAND TOTAL		638	24	24	32	80	24	428	268	258	24	64	70	60	40	64	2,098	259,765	259,765

Task Order for Fiscal Year 2017 Wastewater Program Management Services

- In 2010 the Nampa Wastewater Program was established to implement upgrades to the Nampa Wastewater Treatment Plant (WWTP) to meet increasingly stringent water quality limits. Program services have included planning and design for achieving the new limits. The City has previously retained Brown and Caldwell (BC) for Program Management Services.
- Staff has negotiated a scope of work with BC for fiscal year 2017 Program Management Services. The scope of work proposes the following elements:
 - ✓ Project reporting, regular meetings with City staff and the Wastewater Program Management Team
 - ✓ Track schedule and action plan to meet the City's National Pollutant Discharge Elimination System (NPDES) permit requirements
 - ✓ Support upcoming public involvement and education activities including presentations to the Nampa Wastewater Advisory Group, Industrial Working Group, City Council, and other stakeholder groups
 - ✓ Funding, financing, and rate study support including Idaho Department of Environmental Quality State Revolving Fund loan administration and applying for grants to fund work related to the Phase II Upgrades at the City's WWTP
 - ✓ Develop electronic operations and maintenance manual system for the Nampa WWTP that utilizes the City's Microsoft SharePoint site
 - ✓ Completion of plans and reports to meet the requirements of the City's renewed NPDES permit including a mercury minimization plan, copper sampling plan, local limits evaluation, and annual NPDES report
 - ✓ Technical guidance and support during the development of the Indian Creek Temperature Total Maximum Daily Load (TMDL), expected to begin in 2017
 - ✓ Develop opportunities to implement a Class A recycled water program, including discussions with interested users of the water and the submission of a Recycle Water Permit application
- City staff and BC have agreed upon a scope of work for the Nampa Wastewater Program Fiscal Year 2017 Program Management Services for \$381,264.00, (see Exhibit A) to be paid from this fiscal year's Wastewater Division budget
- Staff recommends continued services from BC based on previous years' successful performance as Wastewater Program Manager and intimate knowledge of City operations

REQUEST: Authorize Mayor and Public Works Director to sign Task Order with Brown and Caldwell for Nampa Wastewater Fiscal Year 2017 Program Management Services in the amount of \$381,264.00 T&M NTE

**TASK ORDER NO. 01817010 FOR PROJECT NO. AND/OR
PROJECT NAME FISCAL YEAR 2017 WASTEWATER PROGRAM MANAGEMENT
SERVICES FOR MISCELLANEOUS PROFESSIONAL SERVICES TERM AGREEMENT
FOR CITY OF NAMPA**

Consultant Project No. _____

THIS TASK ORDER, entered into this 17th day of October, 2017, between The City of Nampa, Canyon County Idaho, hereinafter referred to as the CITY, and **BROWN AND CALDWELL**, hereinafter referred to as the CONSULTANT, is subject to the provisions of the Miscellaneous Professional Services Term Agreement, dated March 18, 2015, hereinafter referred to as the AGREEMENT.

WITNESSETH:

WHEREAS, the CITY intends to **coordinate with CONSULTANT to continue overall Wastewater Program Management Services for fiscal year 2017**, hereinafter referred to as the PROJECT. NOW, THEREFORE, the CITY and CONSULTANT in consideration of their mutual covenants herein agree in respect as set forth below.

CLIENT INFORMATION AND RESPONSIBILITIES:

The CITY will provide to CONSULTANT the data and/or services specified in the AGREEMENT.

In addition, the CITY will furnish to CONSULTANT: **N/A**

SERVICES TO BE PERFORMED BY CONSULTANT:

CONSULTANT will **provide engineering services as described in Exhibit A, Nampa Wastewater Program – Program Management FY17 Scope of Services.**

MISCELLANEOUS PROFESSIONAL SERVICES CONTRACT

SCHEDULE OF SERVICES TO BE PERFORMED:

CONSULTANT will perform said services within **348** calendar days related to this TASK ORDER.

BASIS OF FEE AND BILLING SCHEDULE:

The CITY will pay CONSULTANT for its services and reimbursable expenses as follows:

\$381,264.00 T&M NTE

Remarks: **Work to be completed under this contract by September 30, 2017.**

Exhibit A

Nampa Wastewater Program – Program Management FY17 Scope of Services

Program Overview

The City of Nampa (City) will upgrade the Nampa Wastewater Treatment Plant (WWTP) to increase the level of treatment to meet expected lower National Pollutant Discharge Elimination System (NPDES) permit limits for total phosphorus (TP) and temperature. The City has retained Brown and Caldwell (BC) to serve as Program Manager for the Nampa Wastewater Program (Program) to lead the planning and design for the necessary improvements. Three phases for completing the upgrades necessary at the Nampa WWTP have been identified and include the following:

- Phase I – Improvements necessary to meet NPDES permit limit equal to or greater than 0.5 milligrams per liter (mg/L) TP. These improvements will be designed such that the secondary treatment process can be converted to total nitrogen (TN) removal to accommodate long-term treatment options. Phase I will be completed by 2020 to comply with the expected NPDES permit compliance schedule.
- Phase II – Improvement necessary to meet NPDES permit limit equal to or greater than 0.1 mg/L TP. These improvements will accommodate one of the long-term treatment options including tertiary filtration or industrial/irrigation reuse. Phase II will be completed by 2025 to comply with the expected NPDES permit compliance schedule.
- Phase III – Improvements necessary to meet NPDES permit limits for temperature. The nature of these improvements will depend on the selected alternative for Phase II. Phase III will be completed by 2030 to comply with the expected NPDES permit compliance schedule.

BC has served as program manager for the City's Wastewater Program since 2011. Building on the previous successes of the Program, the City has requested that the ongoing program management scopes be developed on a fiscal year basis to coincide with the City's budgeting process. Therefore, this scope of services is for program management for fiscal year (FY) 2017, which is a continuation of the ongoing program management work.

Program Work Breakdown Structure

Each of the phases outlined will include multiple elements of the design process. BC has developed a work breakdown structure comprised of six primary elements to assist the City in clearly defining the work necessary for the Program. The work completed for each of the key stages will be arranged according to this work breakdown structure, and the primary elements are as follows:

- **Element 1 – Program Management.** The work under Element 1 consists of managing the Program and includes consultant coordination, public outreach support, program standards development, financing, rate study, and legal support, and discharge options evaluation.



- **Element 2 – Permitting Activities and Planning Documents.** The work under Element 2 consists of preparing the necessary documents to obtain the permits required for the upgrades to the Nampa WWTP and developing planning documents sufficient to meet the requirements of the Wastewater Rules (IDAPA 58.01.16).
- **Element 3 – Preliminary Design.** Element 3 work consists of completing a preliminary engineering report sufficient to meet the requirements of the Wastewater Rules and providing standardization for all work completed under the Program.
- **Element 4 – Final Design.** Element 4 work consists of completion of bid documents for upgrades to the Nampa WWTP.
- **Element 5 – Services during Construction.** The work included under Element 5 includes engineering services during construction for the various phases of the Program.
- **Element 6 – Start-Up Services.** The goal of the work under Element 6 is to provide start-up assistance for all new facilities.

ELEMENT 1 – PROGRAM MANAGEMENT FOR FY17

Task 100 Project Management

Subtask 500 FY17 Project Management

Objective. To manage, administer, and provide ongoing coordination for efficient utilization of resources for the project. This phase includes managing the technical and financial aspects of the contract and functioning as liaison with the City Public Works and Operations, project team, and other consultants.

Approach. Major activities include the following:

1. Monthly invoices including progress reports; the progress reports will identify budget progress status and major activities of the previous month.
2. BC will document any and all requested changes to the scope of services using a Project Change Request form. The BC project manager (PM) will collaborate with the City to develop an approach for addressing each change. BC will maintain a master list of the proposed changes and provide copies to the City. The City will review all changes for approval and provide BC with written approval prior to modifying the existing scope, schedule, and budget. BC shall not proceed with work without written approval from the City.

Deliverables.

1. Monthly invoices with progress reports October 2016 through September 2017.
2. Project Change Requests and Project Change Request log as requested by the City.

Task 110 Program Management

Subtask 510 Program Team Monthly Meetings

Objective. BC will lead the preparation for and the execution of monthly program meetings. The objective of these meetings is to provide updates to all members of the team and coordinate future work as necessary.

Approach. Major activities include the following:

1. Monthly meetings will occur for each of the four program teams: Permit Compliance, Public Involvement, Technical, and Wastewater Program. This scope assumes four 2-hour meetings per month, October 2016 through September 2017. BC will prepare agenda and meeting materials for all meetings. Two members of BC's team will attend each meeting.
2. At the conclusion of each meeting, BC will review outstanding and new action items with the team. These will be tracked and used as a method of documenting the outcomes of the meeting.



Deliverables.

1. Program Team Monthly Meetings agendas, meeting materials, and summary of action items, which will be presented as final at each meeting without previous review from the City.
2. Action items resulting from each meeting will be summarized and distributed electronically to team members for reference purposes following the conclusion of each meeting.

Subtask 520 Monthly City Meetings

Objective. BC will lead the preparation for and the execution of monthly program meetings with the public works director and deputy public works director. These meetings are focused on updating the City on program financials, program schedule, key milestones, issues that could impact schedule, and overall program status. This work will include a review of ongoing budget tracking and the Program schedule.

Approach. Major activities include the following:

1. Monthly meetings with the City staff October 2016 through end of September 2017. Two BC team members will attend each 2-hour meeting. BC will prepare the monthly Program update, which will serve as the meeting agenda, and any needed meeting materials for each meeting.
2. At the conclusion of each meeting, BC will review outstanding and new action items with the City. These will be tracked and used as a method of documenting the outcomes of the meeting.

Deliverables.

1. Monthly city meetings agendas, meeting materials, and summary of action items, which will be presented as final at each meeting without previous review from the City.

Subtask 530 Program Schedule and Milestones

Objective. BC will develop and maintain a program schedule and action plan that highlights key program milestones and tasks through the effective date of the City's pending NPDES permit, which is currently projected to be through the end of 2031.

Approach. Major activities include the following:

1. Update the Program schedule twice during the course of FY17.
2. Utilize the Program schedule to monitor the progress of the work in relation to established time and budget constraints. Update and coordinate schedule revisions with the City and present schedule as part of the monthly City meetings.

Deliverables.

1. Two updates to the Program schedule. BC will submit a copy of the current schedule to the City with the agenda for each monthly meeting, which will not be reviewed prior to the meeting by the City.

Subtask 540 Program Reporting

Objective. BC will coordinate the work of the various program management team consultants. This work will include a request for and review of scopes of work to complete various tasks, preparation of monthly updates on all task orders associated with the Program, Program risk tracking, and ongoing coordination to ensure work is meeting City expectations.

Approach. Major activities include the following:

1. Track all current task orders associated with the Program from various consultants. Per the protocols established in TM M-06 Nampa Wastewater Program Management Plan (BC, 2013), BC will request that each consultant submit status reports on a monthly basis. BC will include status updates on the task orders as part of the monthly City meeting.



2. Update the existing monthly dashboard for the Program. This dashboard will include updates on all task orders associated with the Program.
3. Develop and maintain a Program risk register that tracks major risks for the Program. This risk register will be populated with Program risks identified by the Wastewater Program Management Team. If necessary, BC will develop a strategy to mitigate identified risks. BC will update the risk register on a monthly basis.
4. Assist the City with the development of the FY18 Wastewater Program budget. This budget will be used as part of the City Public Works Department's budget for FY18.

Deliverables.

1. Monthly updates on the status of task orders associated with the Program. This information will be included in hardcopy format with the agenda for the monthly City meetings and will not be reviewed by the City prior to the meeting.
2. Monthly update on program risk register. This information will be included in hardcopy format with the agenda for the monthly City meetings and will not be reviewed by the City prior to the meeting.
3. FY18 Wastewater Program Budget. The budget will be developed in conjunction with the City budgeting process and will be provided to the City for one round of review and comment.

Task 120 Public Involvement Support

Subtask 500 FY17 Public Involvement Support

Objective. Working with the City and the City's public involvement/education consultant, RBCI, BC will coordinate and support the public involvement and education activities associated with the Program.

Approach. Major activities include the following:

1. Support for the preparation of up to six fact sheets for the Wastewater Program. These fact sheets will be developed by RBCI with technical input provided by Brown and Caldwell.
2. Preparation and participation in up to six 2-hour Nampa Wastewater Advisory Group (NWAG) meetings. This work will include two coordination meetings leading up to each of the meetings. BC will review and provide one set of comments on materials distributed during the NWAG meetings including agendas, presentation materials, and handouts. Two members of BC's team will participate in each meeting.
3. Preparation and participate in up to four 2-hour Industrial Working Group (IWG) meetings. This work will include two coordination meetings leading up to each of the meetings. BC will review and provide one set of comments on materials distributed during the IWG meetings including agendas, presentation materials, and handouts. Two members of BC's team will participate in each meeting.
4. Preparation and participation in up to two 4-hour City Council. This work will include two coordination meetings leading up to each of the meetings. BC will review and provide one set of comments on materials distributed during the special Council meetings including agendas, presentation materials, and handouts. Two members of BC's team will participate in each meeting.
5. Preparation and participation in up to seven 2-hour District meetings. This work will include two coordination meetings for the set of meetings. BC will review and provide one set of comments on materials distributed during the District meetings including agendas, presentation materials, and handouts. Two members of BC's team will participate in each meeting.
6. Preparation of staff reports for the Wastewater Program. It is assumed that up to ten staff reports will be prepared over the course of the year. These will be provided to the City for one round of review and comment prior to finalizing.

Deliverables.

1. Ten staff reports on the Nampa Wastewater Program to document construction progress, funding opportunities, regulatory updates, or other relevant information for the City Council.



2. Six fact sheets on the Wastewater Program, with the primary development of the fact sheets provided by RBCI.
3. One set of review comments on agendas, presentation materials, fact sheets, and handouts for up to six NWAG meetings.
4. One set of review comments on agendas, presentation materials, fact sheets, and handouts for up to four IWG meetings.
5. One set of review comments on agendas, presentation materials, fact sheets, and handouts for up to four special City council meetings.
6. One set of review comments on agendas, presentation materials, fact sheets, and handouts for up to seven District meetings.

Subtask 510 FY17 External Communication Support

Objective. BC will assist the City in communicating directly with external stakeholders, namely significant industrial users and irrigation districts, regarding the Program.

Approach. Major activities include the following:

1. Provide support to the City for communications with external stakeholders as needed. This communication will focus on items related to the Program, such as industrial permit updates or changes, opportunities for reuse of materials, and discharge alternatives. Because the specific nature of this communication is undefined, this scope assumes that BC's program manager and assistant program manager will require 40 hours and 20 hours in FY17, respectively, to support this work.

Deliverables.

1. Develop material to support meeting with external stakeholders as needed.

Task 140 Funding, Financing, and Rate Studies Support

Subtask 500 SRF Loan Administration

Objective. Assist the City in the administration of the State Revolving Fund (SRF) loan obtained to fund a portion of the Phase I Upgrades and the preparation of applications for additional SRF funding.

Approach. Major activities include the following:

1. Assist the City in meeting the requirements of the SRF loan received for the Phase I Upgrades. This will include preparing for and attending up to four 2-hour meetings with the Idaho Department of Environmental Quality (IDEQ) to review the status of the project, preparation of fiscal year updates, and preparation of Green Project Reserve reports.
2. Prepare the application for the City for the IDEQ SRF planning grant. BC will prepare the application for this grant to be submitted to the IDEQ early in 2017. The grant will focus on funding for the Phase II Facility Plan.

Deliverables.

1. SRF Funding application to be submitted in early 2017. The application will be submitted to the City for one round of review and comment prior to being submitted to the IDEQ.
2. Draft and final meeting agenda and materials for up to four meetings with the IDEQ.

Subtask 510 Phase II Funding Support

Objective. Prepare an application for the expected FY17 WaterSMART Feasibility Study or Water and Energy Efficiency Grant funding opportunity administered through the Bureau of Reclamation (BOR).



Approach. Major activities include the following:

1. Prepare for and lead up to two 2-hour meetings with BOR staff to discuss the City's proposed projects and identify key items to be highlighted in the grant application. Two members of BC's staff will attend these meetings.
2. Using the previously submitted grant application, BC will prepare a grant application for the expected FY17 WaterSMART Feasibility Study or Water and Energy Efficiency Grant funding opportunity. This scope of services assumes that the scope and content of this proposal is similar to the previous submittal. Therefore, it is expected that BC will update the previous submittal to incorporate the comments received from BOR and include any additional information collected since the last submittal.

Deliverables.

1. Draft and final meeting agenda and materials for up to two meetings with the BOR. The draft agenda and meeting materials will be provided to the City for one round of review and comment.
2. Draft version of the FY17 WaterSMART Feasibility Study or Water and Energy Efficiency Grant application. The draft grant application will be submitted to the City in electronic form for one round of review and comment.

Subtask 520 Rate Study Support

Objective. Provide technical information and support for the City's rate study consultant to complete the Phase II Rate Study.

Approach. Major activities include the following:

1. Provide information, as needed, to the City's financial consultant to support the development of the Phase II cost of service study. This report is expected to be developed by others. BC will provide technical information including cost estimates, implementation timelines, and other pertinent information to support this development.
2. Assist the City's financial consultant in determining the rate alternatives that best support the execution of the Phase II projects for the Program. This will include discussion on project completion schedules, project delivery methods, and project packaging. It is assumed that these discussions will occur as part of up to five meetings focused on this topic, with two BC staff attending each meeting.

Deliverables.

1. Support materials for the development of the Phase II Cost of Service Study.
2. Agenda and meeting materials for up to five meetings with the City's financial consultant.

Task 165 Program Implementation

Subtask 500 Electronic O&M Manuals

Objective. Develop an electronic operations and maintenance (O&M) manual system for the Nampa WWTP.

Approach. Major activities include the following:

1. One workshop with City staff to develop the framework for the electronic O&M manual site. This workshop will be facilitated by an out-of-town team member and is assumed to last for four hours. During the workshop, the key functionality of the site and preferences for information will be discussed and documented.
2. Development of the SharePoint site for the electronic O&M manuals for the Nampa WWTP. Based on the feedback from City staff, a SharePoint site will be developed to house the Nampa WWTP's O&M Manuals. This site will serve as the repository for O&M information and will include updated information from the



Phase I projects. It is assumed that the licensing for the SharePoint site will be procured by the City and that O&M information will be provided by the City for existing assets to be uploaded to the site. Information on new assets will be developed under the existing Construction Management contract.

Deliverables

1. Draft and final meeting agenda and materials for up to one meetings with City staff.
2. Electronic O&M Manual system utilizing the City's Microsoft SharePoint site.

ELEMENT 2 – PERMITTING ACTIVITIES AND PLANNING DOCUMENTS FOR FY17

Task 220 NPDES Permit Negotiations

Subtask 510 Mercury Minimization Plan

Objective. Finalized the development of a Mercury Minimization Plan that meets the requirements of the renewed NPDES permit.

Approach. Major activities include the following:

1. Finalize the development of a Mercury Minimization Plan, which was started in FY16, to meet the requirements of Section I.F of the Nampa WWTP's renewed NPDES permit. The major items to be included in this plan are listed below. It is assumed that BC will coordinate any required sampling with the City but that the actual sampling costs will be incurred by the City. It is also assumed that influent and effluent flow and loading data will be provided to BC by the City.
 - Identify the potential sources of mercury that contribute to the Nampa WWTP discharge concentration
 - Determine reasonable, cost-effective activities to reduce or eliminate mercury loadings from identified sources
 - Develop educational materials and BMP lists for source control public outreach
 - Develop a plan to track mercury source reduction implementation and source monitoring
 - Provide a plan for monthly monitoring of WWTP effluent and twice per year monitoring of influent
 - Summarize the City's commitments for resources and staffing
2. Document the Mercury Minimization Plan in TM R-07 Nampa WWTP Mercury Minimization Plan, which will be submitted to the EPA for review and approval. The TM will be reviewed by a senior reviewer prior to being submitted to the City.

Deliverables

1. Draft TM R-06 Nampa WWTP Mercury Minimization Plan to be submitted to the City in electronic format for one round of review and comment.
2. Final Draft TM R-06 Nampa WWTP Mercury Minimization Plan to be submitted to the EPA in electronic format for one round of review and comment.
3. Final TM R-06 Nampa WWTP Mercury Minimization Plan to be submitted to the City and the EPA in hard copy and electronic formats as required by TM M-06 Nampa Wastewater Program Management Plan and the renewed Nampa WWTP NPDES permit.

Subtask 530 Local Limits Evaluation

Objective. Prepare a Local Limits Evaluation that meets the pretreatment requirements of the renewed NPDES permit.

Approach. Major activities include the following:

1. Develop a Local Limits Evaluation to meet the requirements of Section II.A.5 of the Nampa WWTP's renewed NPDES permit. The major items to be included in this plan are listed below. It is assumed that BC will coordinate any required sampling with the City but that the actual sampling costs will be incurred by the City. It is also assumed that influent and effluent flow and loading data will be provided to BC by the City.
 - Evaluate the allowable local limits and maximum allowable headworks loadings for the Nampa WWTP for the following constituents: arsenic, 5-day biochemical oxygen demand, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, total ammonia as N, total suspended solids, and zinc.
 - Recommend the allowable local limits, maximum allowable headworks loadings, and supporting calculations for the pollutants of concern.
2. Document the Local Limits Evaluation in TM R-08 Nampa WWTP Local Limits Evaluation, which will be submitted to the EPA for review and approval. The TM will be reviewed by a senior reviewer prior to being submitted to the City.

Deliverables

1. Draft TM R-08 Nampa WWTP Local Limits Evaluation to be submitted to the City in electronic format for one round of review and comment.
2. Final Draft TM R-08 Nampa WWTP Local Limits Evaluation to be submitted to the EPA in electronic format for one round of review and comment.
3. Final TM R-08 Nampa WWTP Local Limits Evaluation to be submitted to the City and the EPA in hard copy and electronic formats as required by TM M-06 Nampa Wastewater Program Management Plan and the renewed Nampa WWTP NPDES permit.

Subtask 440 Copper Sampling Plan

Objective. Finalize a sampling plan targeted at Significant Industrial Users (SIUs) to assess copper sources in the WWTP influent. The sampling plan will support compliance schedule requirements for copper detailed in Section I.C of the City's NPDES permit.

Approach. Major activities include the following:

1. Finalize a Copper Sampling Plan, which was started in FY16, to meet the requirements of Section I.C of the Nampa WWTP's renewed NPDES permit. The major items to be included in this plan are listed below. It is assumed that BC will coordinate any required sampling with the City but that the actual sampling costs will be incurred by the City. It is also assumed that influent and effluent flow and loading data will be provided to BC by the City.
 - Identify and coordinate with local SIUs that potentially contribute to the Nampa WWTP discharge copper concentration
 - Determine reasonable, cost-effective activities to reduce or eliminate copper loadings from identified sources
 - Develop a plan to track copper source reduction implementation and source monitoring
2. Document the Nampa WWTP Copper Sampling Plan TM, which will be submitted to the EPA for review and approval. The TM will be reviewed by a senior reviewer prior to being submitted to the City.

Deliverables.

1. Draft Nampa WWTP Copper Sampling Plan TM to be submitted to the City in electronic format for one round of review and comment.
2. Final Draft Nampa WWTP Copper Sampling Plan TM to be submitted to the EPA in electronic format for one round of review and comment.
3. Final Nampa WWTP Copper Sampling Plan TM to be submitted to the City and the EPA in hard copy and electronic formats as required by TM M-06 Nampa Wastewater Program Management Plan and the renewed Nampa WWTP NPDES permit.

Task 230 DEQ Negotiations

Subtask 420 Reuse Permit Application

Objective. To review the application requirements of the Recycled Water Rule to pursue a recycled water program and submit an initial application for review and comment by the IDEQ.

Approach. Major activities include the following:

1. Prepare a Reuse Permit application for submittal to the IDEQ for the potential use of treated effluent in an irrigation system or industrial reuse application. BC will review the current recycled water program application requirements provided in the Idaho Recycled Water Rule (IDAPA 58.01.17) prior to preparing the application. Following this review, BC will prepare a Reuse Permit application for the City.
2. Coordinate and lead up to three meetings with IDEQ to prepare for and gather feedback on the City's Reuse Permit application. It is anticipated that one meeting will be conducted prior to the permit application submittal and two additional meetings will be necessary to address the IDEQ's comments on the permit application. It is assumed that two BC staff will attend the three approximately 2-hour meetings.

Deliverables.

1. Reuse Permit application for one round of review and comment by City staff. Once the City's comments have been incorporated. BC will submit the Reuse Permit application to the IDEQ.
2. Meeting agenda and materials for up to three meetings with the IDEQ.
3. Meeting minutes and tracking of action items for up to three meetings with the IDEQ.

Subtask 440 Indian Creek Total Maximum Daily Load (TMDL) Support

Objective. Participate in the Indian Creek TMDL process, which is expected to begin 2017, to account for Nampa's interests in the Wastewater and Stormwater Programs.

Approach. Major activities include the following:

1. Participate in up to two meetings with the IDEQ to discuss the approach and schedule for the Indian Creek TMDL. The goal of these meetings is to make sure the TMDL development process considers Nampa's unique discharge situation and options. BC will work towards the inclusion of the unique considerations for Nampa's Wastewater and Stormwater Programs.
2. Participate in up to ten Indian Creek TMDL meetings. BC will coordinate with the City to determine which meetings are to be attended. These meetings will include Lower Boise River Watershed Advisory Group, Indian Creek TMDL TAC, and Indian Creek TMDL Modeling Work Group meetings.
3. Provide comments and input on documents produced through the Indian Creek TMDL development process. BC will use technical experts to develop the comments, which will reflect the City's interests.

Deliverables.

1. Meeting agenda and materials for up to two meetings with the IDEQ
2. Comments and input on information produced in the TMDL process.



Task 240 Local Permitting

Subtask 500 Block Clearance

Objective. To provide the City's construction contractor and City engineer with acknowledgement of a 'no effect' determination from the US Fish and Wildlife Service (USFWS) for Threatened or Endangered Species or Designated Critical Habitat that meets the City's objectives for compliance with the Construction General Permit.

Approach. Major activities include the following:

1. Develop a block clearance in conjunction with the SWPPP development for the Project Group B construction. BC will develop a map of areas within the Nampa city limits that would not require consultation with the USFWS for construction activities requiring a CGP. BC will obtain written approval from the USFWS stating that construction in approved 'non habitat areas' would qualify for Criteria A of the CGP application. The block clearance approach would allow the City to provide the desired documentation from the USFWS for construction activities in the approved 'non habitat areas' without further consultation with the USFWS for all areas within the City's jurisdiction that meet the evaluation criteria.

Deliverables.

1. Electronic PDF copy of the block clearance maps, instructional memo and documentation from the USFWS for concurrence.

Task 250 Strategic Integrated Plan

Subtask 500 Industrial and Irrigation Reuse Opportunities

Objective. Develop a method for future execution of the City's Strategic Integrated Plan. The intent of this plan is to identify sustainable and comprehensive solutions to improve water quality and water supply in the watersheds impacted by the City and provide long-term, cost effective water management for the City.

Approach. Major activities include the following:

1. Develop an understanding of the benefits water reuse opportunities related to industrial water reuse or irrigation reuse. This task will build on the FY16 work defining the City's water assets and will demonstrate the benefits of these approaches. Specifically, this work will assess water quality benefits to Indian Creek as a result of these approaches and identify how these benefits may be used to offset investments in other City water assets, such as stormwater.
2. Conduct up to three meetings with the EPA and/or the IDEQ to discuss the benefits water reuse opportunities and understand how the implementation of this approach would benefit other City regulatory requirements (e.g. stormwater).
3. Conduct up to six meetings with industries and/or irrigation districts to develop potential reuse customer needs. BC will be responsible for preparing technical materials and agenda for the meetings. It is also assumed that one internal preparation meeting with City staff is needed prior to each of these meetings.
4. Document the results of the analysis and meetings with DEQ/EPA in an Industrial and Irrigation Reuse Opportunities TM. This TM will serve as a summary for this task.

Deliverables.

1. Meeting agenda and materials for up to eight meetings with the EPA, IDEQ, industrial customers, and/or irrigation districts.
2. Draft Industrial and Irrigation Reuse Opportunities TM for to be submitted to the City in electronic format for one round of review and comment
3. Final Industrial and Irrigation Reuse Opportunities TM to be submitted to the EPA and IDEQ in electronic format for one round of review and comment



ELEMENT 3 – PRELIMINARY ENGINEERING FOR FY17

This scope of services does not include any work which would fall under Element 3 – Preliminary Engineering. The scope for this element will be developed at a future date.

ELEMENT 4 – FINAL DESIGN FOR FY17

This scope of services does not include any work which would fall under Element 4 – Final Design. The scope for this element will be developed at a future date.

ELEMENT 5 – SERVICES DURING CONSTRUCTION FOR FY17

This scope of services does not include any work which would fall under Element 5 – Services during Construction. The scope for this element will be completed under the Phase I Construction Management scope of services.

ELEMENT 6 – STARTUP SERVICES FOR FY17

This scope of services does not include any work which would fall under Element 6 – Startup Services. The scope for this element will be developed at a future date.

Exhibit B

Schedule

The following table presents a schedule to complete the tasks described in the Scope of Services.

Tasks	Schedule
Task 100 - Project Management	October 2016 through September 2017
Task 110 - Program Management	October 2016 through September 2017
Task 120 - Public Involvement Support	October 2016 through September 2017
Task 140 - Funding, Financing, and Rate Studies Support	October 2016 through September 2017
Task 165 - Program Implementation	October 2016 through January 2017
Task 220 - NPDES Permit Negotiations	October 2016 through September 2017
Task 230 - IDEQ Negotiations	October 2016 through September 2017
Task 240 - Local Permitting	October 2016 through November 2016
Task 250 - Strategic Integrated Plan	October 2016 through March 2017

Exhibit C

Fees

The following table provides a fee estimate for the tasks identified in the Scope of Services. This work will be completed on a time and materials basis under a task order associated with our existing Term Agreement for Miscellaneous Professional Services with a not-to-exceed value of \$381,264. Any work beyond this budgeted amount must be approved in writing by the City. BC will bill according to our previously approved hourly rates associated with the Miscellaneous Professional Services contract.

Nampa, City of (ID) -- Nampa Wastewater Program Management							
Phase	Phase Description	Total Labor Hours	Total Labor Effort	Total ODCs	Total Expense Cost	Total Expense Effort	Total Effort
100	Project Management	260	34,328	0	0	0	34,328
110	Program Management	756	91,252	0	0	0	91,252
120	Public Involvement Support	504	63,633	0	0	0	63,633
140	Financing and Rate Studies	247	32,526	0	0	0	32,526
165	Program Implementation	92	12,903	1,200	1,200	1,200	14,103
220	NPDES Permit Negotiations	372	55,374	0	0	0	55,374
230	DEQ Negotiations	273	43,839	0	0	0	43,839
240	Local Permitting	56	6,156	0	0	0	6,156
250	Strategic Integrated Plan	252	40,053	0	0	0	40,053
GRAND TOTAL		2,812	380,064	1,200	1,200	1,200	381,264

Hours and Dollars are rounded to nearest whole number.



Task Order for Software Support Services for Wastewater Treatment Plant

- Currently Wastewater Division software support services are contracted to CH2M Hill Engineers, Inc. (CH2M)
- CH2M is currently providing the system integration services for the Wastewater Treatment Plant (WWTP) Phase I Upgrades
- Over the last 12 months, WWTP operations have benefited from the continuity of having one consultant performing both software support and Phase I Upgrades system integration services
- City Staff and CH2M have agreed upon scope of work and fee to provide software support services in the amount of \$60,000.00. Funding will be provided by Wastewater Division's fiscal year 2017 budget (see Exhibit A)

REQUEST: Authorize Mayor and Public Works Director to sign Task Order with CH2M Hill Engineers, Inc., in the amount of \$60,000.00 T&M NTE, for software support services for the Wastewater Treatment Plant.

**TASK ORDER NO. 01817009 FOR PROJECT NO. AND/OR
PROJECT NAME 2017 SOFTWARE SUPPORT SERVICES FOR WASTEWATER
TREATMENT PLANT FOR MISCELLANEOUS PROFESSIONAL SERVICES TERM
AGREEMENT FOR CITY OF NAMPA**

Consultant Project No. _____

THIS TASK ORDER, entered into this 17th day of October, 2016, between The City of Nampa, Canyon County Idaho, hereinafter referred to as the CITY, and **CH2M HILL Engineers, Inc.**, hereinafter referred to as the CONSULTANT, is subject to the provisions of the Miscellaneous Professional Services Term Agreement, dated March 18, 2015, hereinafter referred to as the AGREEMENT.

WITNESSETH:

WHEREAS, the CITY intends to **seek assistance with routine maintenance support of the Nampa Wastewater Treatment Plant (WWTP) Supervisory Control and Data Acquisition system (SCADA), including the Human Machine Interface (HMI), network communications, and programmable logic controllers (PLCs) at its wastewater treatment facility**, hereinafter referred to as the PROJECT. NOW, THEREFORE, the CITY and CONSULTANT in consideration of their mutual covenants herein agree in respect as set forth below.

CLIENT INFORMATION AND RESPONSIBILITIES:

The CITY will provide to CONSULTANT the data and/or services specified in the AGREEMENT.

In addition, the CITY will furnish to CONSULTANT: **N/A**

SERVICES TO BE PERFORMED BY CONSULTANT:

CONSULTANT will **provide engineering services as outlined in Software Support Services Scope of Work dated September 30, 2016.**

MISCELLANEOUS PROFESSIONAL SERVICES CONTRACT

SCHEDULE OF SERVICES TO BE PERFORMED:

CONSULTANT will perform said services within **348** calendar days related to this TASK ORDER.

BASIS OF FEE AND BILLING SCHEDULE:

The CITY will pay CONSULTANT for its services and reimbursable expenses as follows:

\$60,000.00 T&M NTE

Remarks:



CH2M Boise
322 East Front Street
Suite 200
208.345.5310
www.ch2m.com

Task Order No. 01817009
\$60,000.00 T&M NTE
10.17.16

Nate Runyan
Deputy Public Works Director
340 W. Railroad St.
Nampa, ID 83687

September 30, 2016

Subject: Software Support Services – Scope of Work

Dear Mr. Runyan,

Attachment A includes the scope of work for the Task Order identified as Software Support Services. The level of effort is estimated based on a 12-month period ending September 30, 2017.

The scope is subject to the provisions of the Miscellaneous Professional Services Term Agreement Terms and Conditions, dated March 18, 2015 except as modified by this scope. This Task Order includes a fee of not-to-exceed \$60,000.00 on a time-and-materials basis.

The point of contact for this task is the Project Manager, Neil Jenkins at 208-383-6258.

Regards,
CH2M HILL Engineers, Inc.

A handwritten signature in blue ink, appearing to read "Mark Bowen".

Mark Bowen, P.E.
Area Manager
Vice President

A handwritten signature in blue ink, appearing to read "Neil Jenkins".

Neil Jenkins, P.E.
Project Manager

Attachment A - SOFTWARE SUPPORT

Article 1—Scope of Services

Per the Miscellaneous Professional Services Term Agreement Terms and Conditions, dated March 18, 2015, CH2M HILL Engineers Inc. (CH2M) will assist the City of Nampa, Idaho (NAMPA) with routine maintenance support of the Nampa Wastewater Treatment Plant (WWTP) Supervisory Control and Data Acquisition system (SCADA) including the Human Machine Interface (HMI), network communications, and programmable logic controllers (PLCs).

Element 1 - Program Management

Task 100-Project Management

Subtask -352 Project Management (100.352)

Project Health and Safety Plan

CH2M will refresh the health and safety plan created for the FY 2016 routine maintenance task order that will apply to its employees working on this FY 2017 project. The plan will address safety in the office and during site visits, and include requirements by NAMPA.

Quality Management Plan

CH2M will refresh the quality plan used to monitor internal quality control procedures, as well as external deliverable comments.

Program Reporting

CH2M will keep NAMPA advised of the progress of the software services. This includes submitting monthly progress reports to NAMPA and Program Manager in addition to holding periodic meetings and consultations with NAMPA.

Element 5 - Construction Services

Element 510-Phase I systems Integration Support Subtask

115-0n-Call Support (510.115)

A. *Routine Maintenance Support (510.115.A)*

Although currently undefined, routine maintenance will be provided to improve operation and identify potential software risks. The actual maintenance program will be developed in coordination with the Plant Superintendent.

It is assumed that an average of 6 hours per week will be provided in the form of Routine Maintenance Support. All effort will be completed during normal business hours; no work is assumed to be completed after hours or on weekends.

B. Planned Improvements

Integration of planned improvements is not included in this task order. Any effort related to work outside routine maintenance will be through separate task orders.

Article 2-Compensation

Compensation by NAMPA to CH2M will be as follows:

A. Regular Multiplier Basis

Compensation for services provided by CH2M will be based on using CH2M's direct salary multiplied by a factor of 3.22, plus Chargeable Direct Expenses.

B. Chargeable Direct Expenses

Chargeable Direct Expenses not included in the labor multiplier include international travel, supplied equipment or materials, installed software, construction costs, testing services, inspection services, and subcontractors. Chargeable Direct Expenses will be billed at the direct cost. Direct expenses that will not be billed include travel that is completed within the United States, office supplies, personal computing and telecommunications, and routine safety equipment.

C. Budget

The agreement includes a budget of \$60,000. CH2M will complete tasks as requested by NAMPA up to the budgetary amount. CH2M will prepare monthly invoices to keep NAMPA informed of the funds used to finish the completed tasks. If the level of effort required by NAMPA exceeds the budget, effort will be adjusted or the budget will be amended in writing.

Article 3 - Schedule

Maintenance support will be provided up to the budget included in this agreement. The budget is developed based on an estimated 12-months of support, October 1, 2016 through September 30, 2017. Additional funding to provide longer period of support will be provided via a negotiated amendment.

Article 4-Invoicing

Invoices for software support will be provided to NAMPA monthly for payment. A copy of the executed Work Authorization form will be provided with the associated invoicing. A list of all staff time, including administrative and accounting staff, incurred for work performed in conjunction with the requested services will be included in the invoice. Additionally, a brief paragraph on activities completed will be provided.

NAMPA agrees to pay CH2M for actual invoiced amount for each professional services request. Furthermore, NAMPA recognizes that actual invoiced amount may vary from approximate budgetary amount identified as part the assignment Work Authorization.

AGREEMENT TO PAY PAST DUE SEWER CHARGES

This Agreement is entered as of the _____ day of October 2016, by and between The City of Nampa, an Idaho municipal corporation, (hereinafter referred to as “City”) and Evergreen Mobile Home Park, LLC, an Idaho limited liability company, (hereinafter referred to as “Evergreen”).

WHEREAS, Evergreen owns and operates a mobile home park within the corporate limits of City with 138 residential units that are connected to City’s sewage collection and treatment system; and

WHEREAS, it was discovered in July of 2016 that Evergreen’s mobile home park was being under billed for sewer service because its account was erroneously set up for the sewer fee rate applicable to one (1) residential unit instead of 138 residential units; and

WHEREAS, in addition to correcting the sewer fees prospectively, City, pursuant to its adopted billing policy, adjusted Evergreen’s account balance by adding a past due billing charge of \$52,246.32 representing the amount Evergreen was under billed for the two years preceding discovery of the billing error; and

WHEREAS, Evergreen disputed the past due charges (but not the prospective charges), appealing said past due charges to the Nampa Board of Appraisers pursuant to City Code; and

WHEREAS, City is concerned that the under billed sewer charges may result in an adverse impact on affordable housing and/or the availability of fair housing if not reasonably compromised; and

WHEREAS, the City and Evergreen have reached a mutually acceptable compromise for the payment of the under billed sewer charges.

NOW, THEREFORE, in consideration of the covenants, representations and warranties herein contained and the Recitals set forth above, which are a material part of this Agreement, and for other good and valuable consideration, the parties agree as follows:

1. Evergreen shall pay \$34,830.88 to City as and for under billed sewer charges on its account (Account 060750-000/ 2819 Caldwell Blvd.) in addition to all ongoing and current charges that are consistent with generally applicable City sewer fees. Said \$34,830.88 shall be paid in twelve (12) equal installments of \$2902.57 on Evergreen’s next twelve (12) bi-monthly sewer billing statements--a period of approximately two (2) years. No penalty or interest shall accrue on the repayment of under billed charges provided that they are timely paid pursuant to this agreement.
2. The parties, for themselves and their respective successors, administrators, legal representatives, assigns, agents, officers, and employees hereby release, acquit and forever discharge each other, and the other parties respective successors, administrators, legal

representatives, assigns, agents, officers, and employees from any and all actions, causes of action, judgments, damages, liability, costs, attorneys fees, expenses or compensation of any kind whatsoever, which are associated in any way with the under billing of Evergreen's Account 060750-000/ 2819 Caldwell Blvd.

3. Except as may be specifically set forth in this agreement, the parties shall continue and perform all of the rights and responsibilities between the parties that are the subject of City's sewer service as defined by applicable law and policy.
4. This agreement shall be governed by and construed in accordance with the laws of the State of Idaho applicable to contracts made and to be wholly performed within such state.
5. In the event suit is brought to enforce the terms of this agreement, the prevailing party shall be entitled to an award of reasonable attorney's fees and costs of suit, whether incurred at trial or on appeal.
6. This agreement, together with any exhibits, is the final expression of all the parties' agreements regarding the subject matter hereof and supersedes all prior or contemporaneous negotiations, understandings and agreements between the parties, whether oral or written. Any prior promises, representations, waivers, and courses of conduct are not relied upon and are of no further effect. This agreement may not be altered or amended in any manner except by a writing signed by both parties.
7. This agreement shall bind all of the parties hereto and their respective heirs, personal representatives, successors and assigns.

[End of text. Signatures follow.]

IN WITNESS WHEREOF, the parties hereto have executed this agreement by affixing their signatures to it below:

CITY OF NAMPA, an Idaho municipal corporation

By: Robert L. Henry, Mayor

ATTEST:

_____, City Clerk

EVERGREEN MOBILE HOME PARK, LLC, an Idaho limited liability company

By: _____
Its: _____

Replacement Vehicle for Facilities Maintenance Division

- For fiscal year 2017, Facilities Maintenance Division in cooperation with Fleet Services Division has identified the need to replace an aging service van.
- Form 50 requesting acquisition of one (1) new vehicle to replace the aging service van was recommended for funding by the Finance Dept. for fiscal year 2017. City Council has approved the acquisition of a new service van in the final FY2017 budget, to be equipped with the necessary body up-fitting to perform field repairs and maintenance on city assets as needed.
- Moving towards Total Fleet Management, establishing guidelines for funding, acquisition, maintenance, replacement and disposal of City fleet vehicles, Fleet Service's has identified the following vehicle(s) for disposal:

Unit No.	Description	Estimated Value
809	1989 Dodge B250 Van	\$ 500.00
Total		\$ 500.00

- Disposal of vehicle(s) identified in the above chart is recommended by Staff.
- Fleet Services Division proposes to sell the existing vehicle at public auction.
- The new vehicle is proposed to be purchased off of the State of Idaho existing light duty vehicle contract.
- The new vehicle up-fitting will be performed by Fleet Services Division and/or local specialized vendor as yet to be determined.

REQUEST:

1) Authorize the immediate purchase of one (1) new service vehicle to be up-fitted and used for facilities maintenance. Vehicle is to be purchased off of existing light duty vehicle contract as established by the State of Idaho, not to exceed the total **estimated** purchase price of \$25,000.00, and;

2) Authorize the disposal of existing facilities service van unit #809, 1989 Dodge B250 Tradesman Van.



MEMORANDUM

TO: Mayor Henry & City Council
FROM: Darrin Johnson, Parks and Recreation Director
RE: Golf Cart Purchase
DATE: October 17, 2016

I request the City Council authorize the purchase of 15 golf carts for the Nampa Golf Courses. Golf Carts are an approved budgeted item in the FY 2017 Budget. The purchase agreement includes the trade in value of 15 carts. When the trade value is considered, the total cost to the Golf Division is \$52,155. An attached bid proposal is included.

The procurement method is a piggyback purchase from a purchase the City of Nampa Golf Courses made in October 2015.



PROPOSAL

Ridgecrest Golf Club
183730 Ridgecrest Dr.
Nampa, ID 83687
Attn: Scott Nichols

August 12, 2016

Scott,

Thank you for the opportunity to provide you with the following proposal for your new 2017 golf cart fleet. This proposal outlines the following for you:

(15) Golf Cars:

- 2017 EZGO TXT electric golf car - ivory white color, charger, sweater basket, canopy, full one piece windshield, and hub caps. Price per vehicle: **\$4,047.00 Total for 15 Cars: \$60,705.00**

Trade-in value for 15 used electric golf cars (13 -2006 Club Car electric & 2- 2006 EZGO TXT electric) with chargers:

- (2) 2006 EZGO TXT - \$700 ea.
- (13) 2006 Club Car - \$550.00 ea.
- Total Trade in - \$8,550.00

By signing and returning this proposal Ridgecrest Golf Club places the vehicles listed on this proposal on order with RMT Equipment and accepts responsibility for any and all costs associated with cancellation charges that may be incurred.

Signing Officer -Title

Date

BID AWARD
OFFICE TENANT IMPROVEMENT FOR
HUMAN RESOURCES

- In preparation for the addition of new HR staff, Facilities Development was asked to provide space planning to efficiently accommodate the additional staff. A plan was developed and presented to the HR Department Director and Mayor and then we received approval to move forward with design and bidding process. Facilities Development has completed the bidding process for the Office Tenant Improvement for City of Nampa Human Resources project. The plan chosen will maximize the use of current space, help with office work flow, improve privacy, and efficiently utilize current infrastructure.
- The project will be funded from the Capital fund and will be accounted for at the FY17 budget amendment.
- Facilities held a bid opening on October 4, 2016 and received (3) bids from:
 - 1) Wright Brothers, The Building Company, Eagle LLC
 - 2) Mussell Construction, Inc.
 - 3) HCD, Inc.

- Mussell Construction, Inc. was determined to be the lowest responsive bidder at \$:

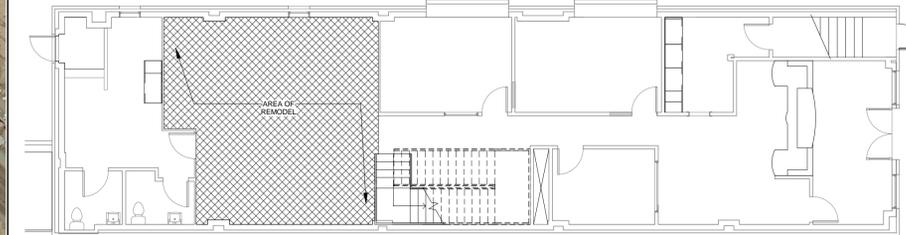
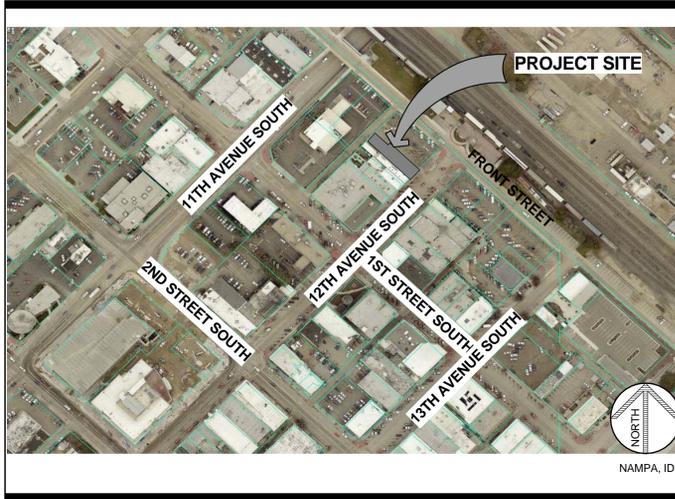
Base Bid \$ 25,625.00

Total Bid \$ 25,625.00

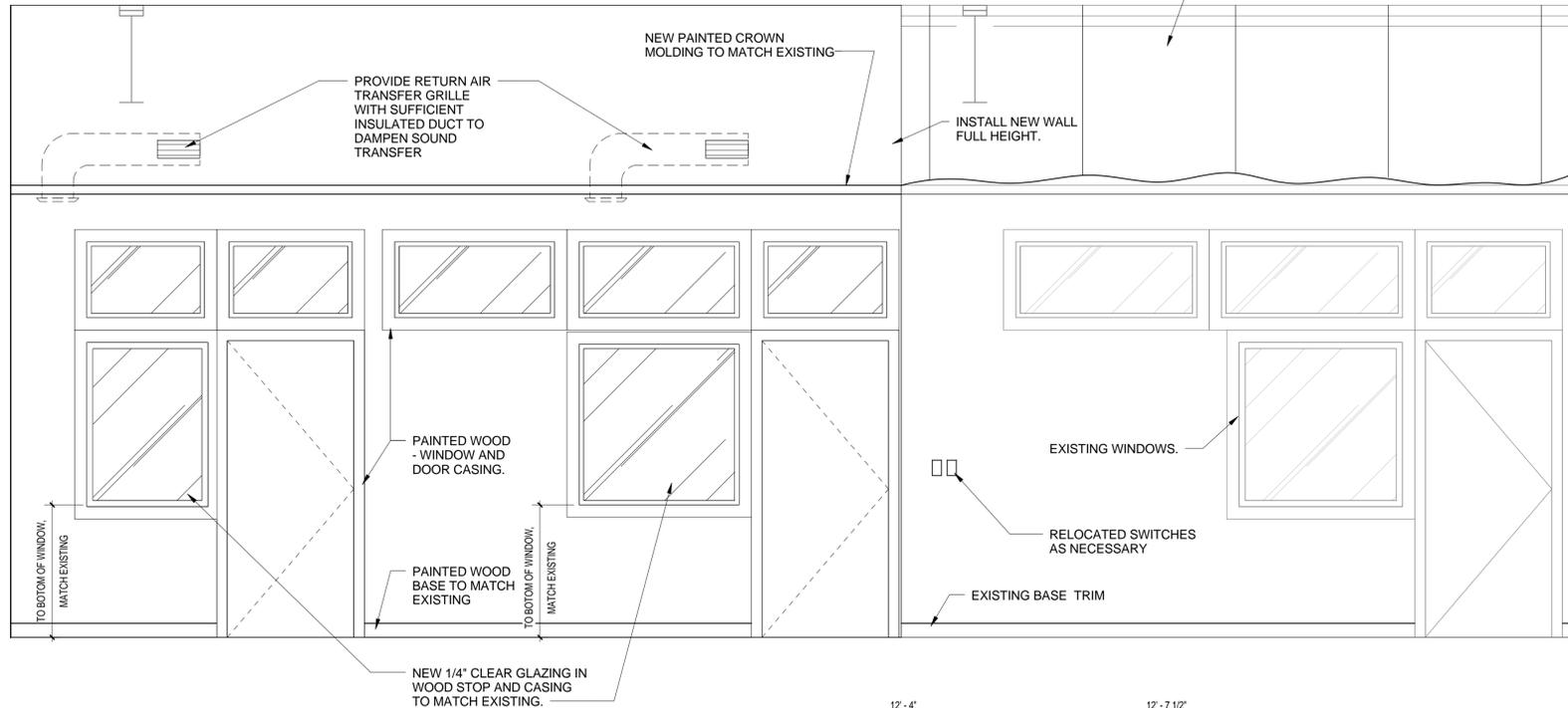
- Contract is anticipated to begin in October/November, 2016.
- Contractor will be required to provide necessary bonds, insurance and other documents before the agreement can be executed and the Notice to Proceed issued.
- Bids received have been reviewed, licenses verified, and recommend award go to Mussell Construction, Inc.

REQUEST: Council acceptance of bid, and authorize Mayor to sign and award contract with Mussell Construction, Inc. for the Human Resources Office Tenant Improvement project at \$25,625.

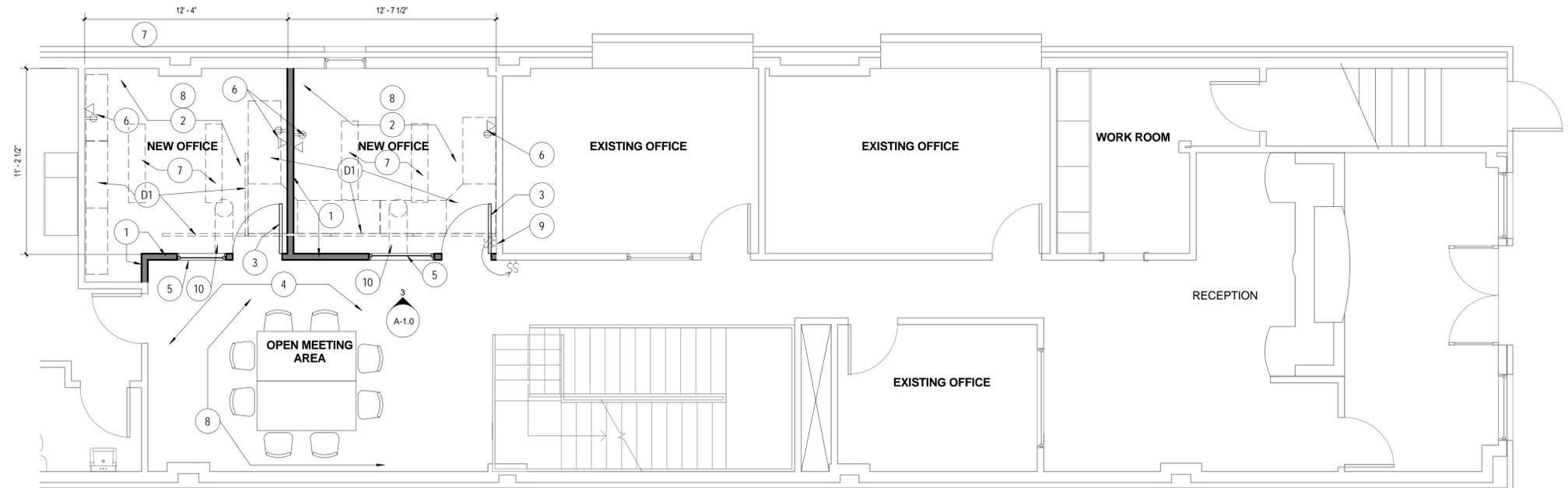
VICINITY MAP



2 FIRST FLOOR KEY PLAN
1" = 10'-0"



3 NEW OFFICE INTERIOR ELEVATION
1/2" = 1'-0"



1 FIRST FLOOR
1/4" = 1'-0"

PROJECT NOTE

THIS DRAWING DESCRIBES A MINOR OFFICE REMODEL WITHIN AN EXISTING OCCUPIED OFFICE FACILITY. WORK SHALL CONSIST OF THE ADDITION OF NEW WALLS TO DEFINE (2) NEW ENCLOSED OFFICES AND ASSOCIATED DOOR, INTERIOR WINDOWS AND FINISHES. SCOPE WILL REQUIRE MODIFICATIONS TO ELECTRICAL POWER, LIGHTING AND HVAC DUCTWORK.

SHEET NOTES

- (D1) ALL EXISTING WORK STATION AND FURNITURE TO BE REMOVED BY CITY.
- 1 NEW 2 x 4 WOOD STUD WALL @ 16" O.C. w/ 5/8 GYP BD, NEW ALL FULL HEIGHT. TYP. TAPE TEXTURE & PAINT TO MATCH EXISTING.
- 2 NEW 5/8" GYP. BD. CEILING, OVER 2 x 8 CEILING JOISTS AT 16" O.C., HEIGHT TO MATCH EXISTING CEILING HEIGHTS - TYP TAPE TEXTURE & PAINT TO MATCH EXISTING.
- 3 3'-0" x 7'-0" SOLID CORE WOOD DOOR & PAINTED WOOD FRAME, FINISH TO MATCH EXISTING. PROVIDE LEVER HANDLE TO MEET ADA, w/ OFFICE LOCKSET.
- 4 OPEN TO STRUCTURE ABOVE.
- 5 NEW INTERIOR WINDOWS TO BE CLEAR TEMPERED GLASS, SIZE & FRAME TYPE TO MATCH EXISTING. RE: 3 / A-1.0
- 6 NEW POWER & DATA - COORDINATE EXACT REQ. & LOCATION'S w/ OWNER.
- 7 MODIFY/ SHORTEN PENDANT STEM ON EXISTING LIGHT AND RE-FEED CIRCUITS INTO NEW CEILING. RE-INSTALL LIGHTS AND ADD (1) ADDITIONAL MATCHING LIGHT FIXTURE IN EACH ROOM.
- 8 PAINT ALL WALLS AND CEILING WITH PRIMER AND (2) COATS FIELD COLOR PAINT TO MATCH EXISTING.
- 9 VERIFY FUNCTION OF EXISTING SWITCHES AND RELOCATE TO APPROPRIATE ROOM AS NECESSARY.
- 10 CONTRACTOR TO EXTEND EXISTING EXISTING DUCTWORK INTO NEW CEILING TO SERVE EACH OFFICE. PROVIDE CEILING MOUNT DIFFUSER BALANCED TO 175 CFM.

CODE INFORMATION

- A. THE BUILDING DESIGN IS DONE WITH REFERENCE TO THE FOLLOWING CODES:
 1. 2012 INTERNATIONAL BUILDING CODE
 2. 2012 INTERNATIONAL ENERGY CONSERVATION CODE
 3. IDAHO STATE PLUMBING CODE (INCLUDING CH. 13 - MEDICAL GAS); BASED ON THE 2009 UNIFORM PLUMBING CODE
 4. 2014 NATIONAL ELECTRICAL CODE
 5. 2012 INTERNATIONAL FIRE CODE
 6. 2012 INTERNATIONAL MECHANICAL CODE AND APPENDIX A
 7. 2012 INTERNATIONAL FUEL GAS CODE AND APPENDICES A, B, C & D
 8. 2009 ICC/ANSI A117.1
- B. ZONING: DH
- C. PARCEL: R1320200000
- D. USE AND OCCUPANCY CLASSIFICATION: B
- E. TYPE OF CONSTRUCTION: V-B (EXISTING)
- F. EXISTING BUILDING AREA: 8,624 S.F. (NO CHANGE)
 - (E) BASEMENT AREA = 2,700 S.F.
 - (E) MAIN LEVEL = 3,224 S.F.
 - (E) UPPER LEVEL = 2,700 S.F.
- G. OCCUPANT LOAD: (NO CHANGE)
 - BASEMENT LEVEL ACCESSORY STORAGE / MECHANICAL: 2700 S.F. / 300 = 9
 - MAIN LEVEL OFFICE SPACE: 1,877 S.F. / 100 = 19
 - MAIN LEVEL ACCESSORY STORAGE / MECHANICAL SPACE: 1,347 S.F. / 300 = 4
 - UPPER LEVEL OFFICE: 2,051 S.F. / 100 = 21
 - UPPER LEVEL ACCESSORY SPACE: 649 / 300 = 2
 - TOTAL OCCUPANT LOAD = 55
- H. EXITING AND EGRESS - WITH FIRE SPRINKLERS (EXISTING)
 - BASEMENT LEVEL: (1) EXITS REQUIRED, 1 PROVIDED (NO CHANGE)
 - MAIN LEVEL: (1) EXITS REQUIRED (2) PROVIDED (NO CHANGE)
 - MAIN LEVEL (STORAGE ROOM): (1) EXIST REQUIRED, (1) PROVIDED (NO CHANGE)
 - UPPER LEVEL: (1) EXITS REQUIRED, (2) PROVIDED
- I. FIRE PROTECTION SYSTEMS: FIRE SPRINKLERED (NO CHANGE)
- K. PLUMBING FIXTURE REQUIREMENTS: (NO CHANGE)

GENERAL NOTES

- 1. ALL CONSTRUCTION, MATERIALS AND FINISHES SHALL BE IN FULL COMPLIANCE WITH APPLICABLE GOVERNING CODES AND REGULATIONS THAT ARE IN EFFECT AT THE TIME OF THE AGREEMENT BETWEEN THE OWNER AND CONTRACTOR.
- 2. NEW INTERIOR WALL TO MATCH EXISTING. CONTRACTORS OPTION TO USE WOOD OR METAL STUDS
- 3. PROVIDE 5/8" GYPSUM BOARD AT ALL NEW INTERIOR WALLS - TAPE AND TEXTURE TO MATCH EXISTING
- 4. ALL DIMENSIONS ARE TO FACE OF FRAMING, UNLESS NOTED OTHERWISE.
- 5. PROVIDE SOLID BLOCKING AS REQUIRED AT WALL MOUNTED ITEMS.
- 6. PROVIDE SOUND BATT INSULATION AT ALL NEW WALLS CEILING SPACE.
- 7. MECHANICAL (HVAC) AND LIGHTS ARE ALL EXISTING TO BE ADJUSTED FOR NEW LAYOUT. NO CHANGES TO THE BUILDING ENVELOPE.
- 8. CONTRACTOR IS RESPONSIBLE FOR DATA CABLING INSTALLATION - COORDINATE REQUIREMENTS WITH CITY OF NAMPA I.T. DEPARTMENT.

REVISIONS:

jgt architecture
1212 12th avenue south - nampa, idaho 83651
phone: (208) 463-9295 - fax: (208) 463-9299
email: jgt@jgtarchitecture.com

9/8/16
JERROD P. WALLGREN
STATE OF IDAHO
LICENSED ARCHITECT
AR-985697

OFFICE T. I.
FOR
CITY OF NAMPA
9 12th AVENUE SOUTH NAMPA, IDAHO

DRAWN BY:	DATE:
DU	9/8/16
CHECKED:	JOB NO.:
JPW	1678

COVER SHEET / DEMO PLAN / FLOOR PLAN

A-1.0
SHEET
1 OF 1

BID FORM

TO: City of Nampa
411 3rd Street South
Nampa, ID 83651

PROJECT: Human Resources Office Tenant Improvement Project for City of Nampa

PROJECT NO.: 1678

DATE:

SUBMITTED BY:

Name: Mussell Construction, Inc.

Address: PO Box 3304
Nampa, ID 83653

OFFER

Having examined the Place of the Work and all matters referred to in the Instructions to Bidders and the Contract Documents for the above mentioned project, we the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:

1. Base Bid: All labor, materials, services, permit fees, and equipment necessary for completion of the work for the office tenant improvement project shown on the drawings and specifications.

Twenty Four Thousand Nine Hundred Fifty and 00/100 Dollars \$ \$24,950.00
in lawful money of the United States of America.

2. Bid Alternate No. 1: Deduct the following amount from the base bid to omit the new ceiling in each new office. This includes a deduction for all labor materials, services, permit fees and equipment to omit ceiling, lighting work, fire sprinkler work, and ductwork not required due to maintaining the open ceiling. The following number has accounted for installing a full height wall with between the two new offices.

Twenty Two Thousand Eight Hundred Fifty and 00/100 Dollars \$ \$22,850.00 (deduction of \$2,100)
in lawful money of the United States of America.

KM These Bids do not include Building Permit. Add \$675 to both number's to include permit.

Amounts shall be shown in both words and figures; in event of discrepancy, the amount in words shall govern.

We have included herewith, the required security Bid Bond as required by the Instructions to Bidders.

All applicable federal taxes and State of Idaho taxes are included in the Bid Sum.

ACCEPTANCE

This offer shall be open to acceptance and is irrevocable for thirty (30) days from the Bid closing date.

If this Bid is accepted by the Owner within the time period stated above, we will:

CITY OF NAMPA – OFFICE T.I. FOR HUMAN RESOURCES

Execute the Agreement within ten (10) days of receipt of Notice of Acceptance of this Bid.

Furnish the required bonds within ten (10) days of receipt of Notice of Acceptance of this Bid in the form described in Supplementary Conditions.

Commence work within seven (7) days after execution of the Agreement.

If this Bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bonds, the surety deposit shall be forfeited as damages to the Owner by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this Bid and the Bid upon which the Contract is signed.

In the event our Bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

CONTRACT TIME

If this Bid is accepted, we will:

Complete the Work in the time limits required by Supplementary Conditions, Article 8: TIME, Paragraph 8.1 Definitions, Subparagraph 8.1.1, subparagraph .1.

CHANGES TO THE WORK

Changes in the Work will be net cost plus a percentage fee in accordance with Supplementary Conditions.

On work deleted from the Contract, our credit to the Owner shall be the Architect approved net cost plus the overhead and profit percentage noted above.

ADDENDA

The following Addenda have been received. The modifications to the Bid Documents noted therein have been considered and all costs thereto are included in the Bid Sum.

Addendum No.	<u>1</u>	Dated	<u>September 29, 2016</u>
Addendum No.	_____	Dated	_____
Addendum No.	_____	Dated	_____

BID FORM SIGNATURE(S)

The Corporate Seal of

Mussell Construction, Inc.
(Please print full name of your Proprietorship, Partnership, or Corporation)

Was hereto affixed in the presence of:


Authorized Signing Officer

Project Manager
Title

Licenses No. PWC-C-16638

(If the Bid is a joint venture or partnership, add additional forms of execution for each member of the joint venture in the appropriate form or forms as above.)

NAMING OF CONTRACTOR(S)

5.4 Naming of contractors Section 67-2310, **Idaho Code**, requires general (prime) contractors to include in their bid the name of the subcontractors who shall, in the event the contractor secures the contract, subcontract the plumbing, heating and air conditioning and electrical work under the general (prime) contract. Failure to name subcontractors as required by this section shall render any bid submitted by a general (prime) contractor unresponsive and void. Subcontractors named in accordance with the provisions of this section must possess an appropriate license or certificate of competency issued by the State of **Idaho** covering the contractor work classification in which the subcontractor is named.

The Owner interprets this law to mean three separate areas of work, 1) plumbing work, 2) heating and air conditioning work, and 3) electrical work. The Owner also interprets this to mean the entity that will perform the work at the site, regardless of contractual relationship whether a subcontractor, a sub-subcontractor, or the prime contractor submitting the bid.

Bidders shall be licensed in the State of Idaho, in accordance with the provisions of an act known as "Public Works Contractor Licensing Law" Idaho Code 54-1901 et seq. The term "Public Works Contractor" includes the contractor, sub-contractor, or specialty contractor regardless of the dollar value involved.

FIRE SPRINKLER
SUBCONTRACTOR: Phoenix Fire Protection

ADDRESS: 4130 Airport Rd.

BY: Trent Bice

TITLE: Owner

DATE: 10/4/16 PHONE: 208-468-9115

PUBLIC WORKS LICENSE NO: PWC-C-16630

HVAC

SUBCONTRACTOR: Advanced Heating and Cooling

ADDRESS: 721 N Ralstin Place, Meridian, ID 83642

BY: Brandon Romero

TITLE: Business Development Manager

DATE: 10/4/16 PHONE: 208-846-9100

PUBLIC WORKS LICENSE NO: PWC-C-10869

ELECTRICAL

SUBCONTRACTOR: Royalty Electric

ADDRESS: 8611 W Cory Ln, Boise, ID 83713

BY: Mike Dale

TITLE: Owner

DATE: 10/4/16 PHONE: 208-947-0912

PUBLIC WORKS LICENSE NO: 001310

PLUMBING

SUBCONTRACTOR: N/A

ADDRESS: _____

BY: _____

TITLE: _____

DATE: _____ PHONE: _____

PUBLIC WORKS LICENSE NO: _____

END OF BID FORM

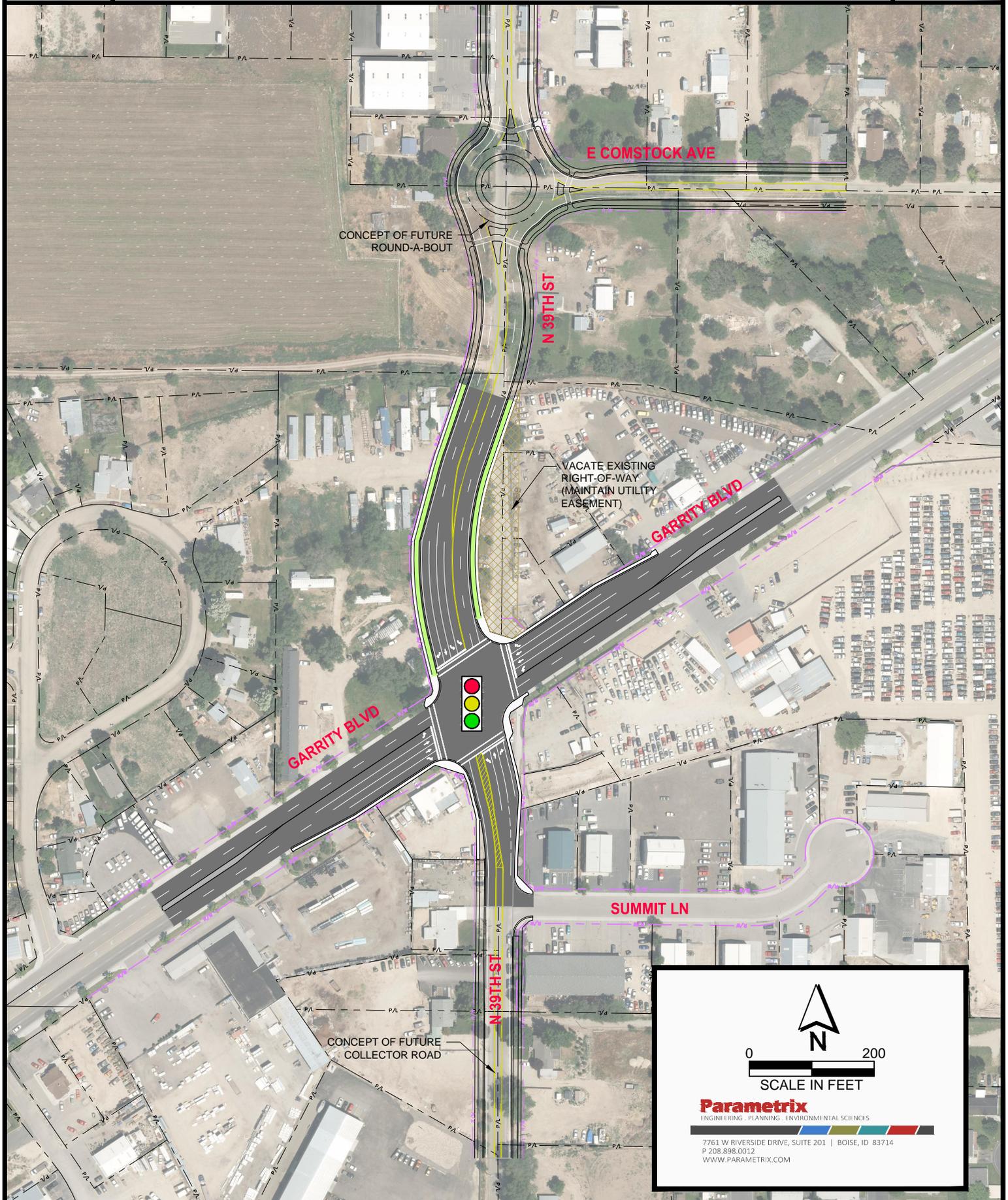
ENCROACHMENT AGREEMENT PRIMARY HEALTH PARKING IN RIGHT OF WAY

- Rocky Mountain Companies is the developer for Primary Health and is developing a site located at the northeast corner of Garrity Boulevard and North 39th Street.
- Due to the size and shape of the parcel they have requested an encroachment to allow parking facilities located partially in the right of way for North 39th Street.
- The Engineering Division does not oppose granting this request if City Council approves of the following actions also presented as part of the October 17th agenda:
 - Re-designation of North 39th Street between Garrity Boulevard and Comstock Street as an arterial, and
 - Establishment of new alignment of North 39th Street as shown in Exhibit A
 - The variance to the setbacks for parking along North 39th Street

REQUEST: Authorize the Mayor to sign the Encroachment Agreement (Exhibit B) with Rocky Mountain Companies.



Exhibit A 39TH / GARRITY ULTIMATE DESIGN OPTION




 0 200
 SCALE IN FEET

Parametrix
 ENGINEERING · PLANNING · ENVIRONMENTAL SCIENCES

7761 W RIVERSIDE DRIVE, SUITE 201 | BOISE, ID 83714
 P 208.898.0012
 WWW.PARAMETRIX.COM

ENCROACHMENT AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2016, by and between the CITY OF NAMPA, a municipal corporation, hereinafter referred to as the "City", and _____, hereinafter collectively referred to as "Second Party".

WITNESSETH:

WHEREAS, the City has a public easement on and/or an easement through the following described real property located at _____, Nampa, Idaho, Canyon County, which is owned by Second Party, described as:

See attached Exhibit "A"

WHEREAS, Second Party desires an encroachment agreement for _____, hereinafter referred to as the "improvement," on Second Party's above described property, which improvement would encroach upon the City's easement.

NOW, THEREFORE, in consideration for the City allowing the Second Party to retain the improvement which will encroach upon the City's easement, the City and the Second Party covenant and agree as follows:

1. The Second Party recognizes that the improvement on the City's right of way is an encroachment.

2. Upon notification from the City that the encroached area must be utilized by the City for maintenance or construction of utilities, sidewalk or roadway, the Second Party agrees that Second Party will, within 90-days of such notification, remove the encroachment from the City's easement at Second Party's expense. In the event the Second Party fails, within such 90-day period to remove the encroachment, the City may cause said encroachment to be removed and the expense of such removal will be borne by the Second Party, who agrees to pay the same. Restoration of the improvement following such maintenance or construction, if practical, shall be the responsibility of Second Party.

3. Notwithstanding anything herein contained to the contrary, the City shall have the right to cancel and terminate this Agreement upon default by Second Party that Second Party fails to cure within 30-days after receipt of written notice from the City (except that Second Party shall not be in default if the obligation cannot be fulfilled within the 30-day period and Second Party is using best efforts to perform the obligation); in which case the City can require the Second Party to permanently remove the improvements, installations or manner of encroachment from the easement at Second Party's own expense, and if Second Party shall fail to do so within 90 days from City's notification to Second Party, the City may cause all improvements, installations or manner of encroachment to be removed from the right of way and the expense of said removal will be borne by the Second Party, who agrees to pay the same.

4. Second Party shall construct, maintain and repair the improvement at Second Party's own cost and expense.

5. In consideration for allowing Second Party to encroach upon its right of way at no charge, Second Party does hereby indemnify and hold the City and its personnel, employees and agents harmless from any and all liability, loss, claim, demand or action, costs or attorneys fees, by any person and/or entity, or any assigns of any claims, arising from the encroachment upon and use of this easement by Second Party or any persons going onto the easement, whether invitees of Second Party or otherwise but excluding trespassers.

Second Party expressly executes this Agreement with the intent of relieving the City of any and all liability created by or arising from Second Party's encroachment upon and use of the easement and hereby discharges the City and its assigns and legal representatives from all claims, demands, causes of action, liability, loss, costs or attorneys fees, and/or any other claim with respect to which this Agreement is executed, that may arise through Second Party, or anyone claiming under Second Party, against the City or its legal representatives, successors and assigns.

6. In the event an action is brought to enforce any of the terms or provisions of this Agreement, or enforce forfeiture thereof for default thereof by either of the parties hereto, the successful party to such action or collection shall be entitled to recover from the losing party a reasonable attorney's fee, together with such other costs as may be authorized by law. In case suit shall be brought for an unlawful detainer, Second Party shall pay to City all costs, expenses and attorney's fees which shall be incurred by City in obtaining possession of the easement.

7. This Agreement shall be construed under the laws of the State of Idaho. This Agreement shall inure to and bind the respective heirs, legal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF, the parties hereto execute this Encroachment Agreement the day and year first above written.

CITY OF NAMPA - APPROVED BY:

AUTHORIZED SIGNATOR(S):

Robert L. Henry, Mayor

Printed name: _____

Title: _____

ATTEST:

Deborah Bishop, City Clerk

Printed name: _____

Title: _____

Date

STATE OF IDAHO)
 :SS
County of Canyon)

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert L. Henry, the Mayor of the City of Nampa, Idaho, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the City of Nampa, Idaho, and was so authorized to do so.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Notary Public for Idaho
Commission Expires: _____

STATE OF IDAHO)
 :SS
County of _____)

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Notary Public for Idaho
Commission Expires: _____



Planning & Zoning Department

Before the Mayor and City Council

October 17, 2016

STAFF REPORT – PUBLIC HEARING

Zoning Map Amendment from RS 6 (Single-Family Residential – 6,000 sq ft) to RA (Suburban Residential), and Variance of minimum 30,000 sq. ft. lot area in the RA (Suburban Residential) Zone for Jessica Selkow

To: Mayor and City Council

Applicant: Jessica Selkow

File No: ZMA 020-16

Prepared By: Norman L. Holm

Date: October 10, 2016

Requested Action(s): 1) Rezone from RS 6 (Single Family Residential – 6,000 sq ft) to RA (Suburban Residential), and 2) Variance of minimum 30,000 lot area requirement in the RA zone.

Status of Applicant: Owner of 1409 Lake Lowell Avenue

Existing Zoning: RS 6 (Single Family Residential – 6,000 sq. ft.)

Proposed Zoning: RA (Suburban Residential)

Size of Property(s): Approximately 26,052 sq. ft.

Existing Land Use: Rural Residential

GENERAL INFORMATION

Planning & Zoning Commission Zoning Map Amendment Recommendation: Approval

Planning & Zoning History: The applicant's 14 year old daughter is a sophomore at Nampa High School. She loves animals and is involved in 4H and FFA. In June of 2016 she acquired two goats one for her 4-H dairy goat project and one for her FFA pack goat project. In July, someone complained to the city. In order to resolve the complaint the owner applied for the rezone and lot size variance for the property.

Proposed Land Uses: The Owner is requesting the Zoning Map Amendment and Variance in order to allow for the keeping of two goats on the property needed for her daughters 4H & FFA projects.

Surrounding Land Use and Zoning:

North- Rural Residential, County R2

South- Rural Residential, Single Family Residential, RS 6

East- Agricultural, Single Family Residential, RS 6

West- Rural Residential - Single Family Residential, RS 6

Comprehensive Plan Designation: Medium Density Residential

Applicable Regulations: Rezones or zoning map amendments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and be in agreement with the adopted comprehensive plan for the neighborhood. Chapter 24 outlines the findings required for approval of variances.

10-24-1: [Variance] Purpose:

The City Council is empowered to grant variances in order 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, on the basis of 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.

SPECIAL INFORMATION

Public Utilities:

12" Sewer main available in Lake Lowell Ave.

12" Water main available in Lake Lowell Ave.

12" Irrigation main available in Lake Lowell Ave. and 6" irrigation main alongside east property line.

Public Services: All present.

Transportation and Traffic: The property has frontage and access from Lake Lowell Ave.

Environmental: The rezone would have little effect on the adjoining properties. The impact of downzoning the property from RS 6 to RA would have little or no impact on the neighborhood.

STAFF FINDINGS AND DISCUSSION

Pertaining to the ZONING MAP AMENDMENT: The requested rezone is appropriate. The parcel adjoins the Medium Density Residential Land Use Designation to the north making the rezone from RS 6 to RA compatible with the Future Land Use Map designation of Medium Density Residential.

If the City Council votes to accept the Planning Commission recommendation for approval of the rezone the following findings are suggested:

1. Rezone of the subject property to RA is reasonably necessary in order to allow the applicant to use the property as proposed.
2. Rezone of the subject property to RA is in the interest of the property owner(s) and conforms to the adopted comprehensive plan designation of Medium Density Residential use.
3. The proposed Rural Residential use of the subject property will be compatible with the existing Agricultural and Rural Residential uses established at other locations around the immediate vicinity.
4. The use of a development agreement to establish any conditions for the rezone of the property serves no purposes.
5. Petition statements of consent were provided at the P&Z commission hearing from 31 property owners surrounding the subject rezone property at locations checked off on the vicinity map. As of the date of this staff report only one statement or letter of opposition has been received from Randy & Lois Hamilton who owns (but does not presently reside) at the dwelling directly adjacent to the south at 813 S Cove Lane.

Pertaining to the VARIANCE: The granting of this reduced lot size variance for the property would allow the daughter of the applicant's daughter to continue to use the property for the raising and keeping of the goats for her 4-H and FFA projects.

As of the date of this staff report no property owners and/or residents have specifically expressed opposition to the granting of the Variance. The City Council may approve or deny a Variance. Any decision should not be construed as setting a precedent for each Variance application decision should be determined upon its own facts/merits. Any vote to approve or deny should be accompanied by a reasoned statement listing the rationale for the decision made.

In reference to the required findings of Chapter 10-24-2 A. the City Council would need to conclude something similar to the following:

1. Literal interpretation and enforcement of the minimum lot area a requirement would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance. *The 26,048 sq. ft. lot is only 13% (or 3,948 sq. ft. smaller than the required minimum 30,000 sq. ft. lot area for the RA zone.*
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. *No vacant available land exists adjacent the subject lot which could be acquired and adjoined to the lot to achieve a total lot area of 30,000 sq. ft.*
3. Literal interpretation and enforcement of the minimum lot area requirement would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district. *Other RA zoned lots exist around the City of Nampa not 30,000 sq. ft. in area.*

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. *Other RA zoned lots exist around the City of Nampa not 30,000 sq. ft. in area.*
5. The granting of the variance will not be detrimental to public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

ATTACHMENTS

Zoning Map Amendment & Variance
Applications
Zoning and location map(s)
Aerial and street view photos
Applicant letter and petitions of support
P&Z Commission hearing minutes
Agency and other correspondence



APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP
City of Nampa, Idaho

9/13/16 RZ
NORAN

This application must be filled out in detail and submitted to the office of the Planning Director for the City of Nampa, Idaho, accompanied by a nonrefundable fee of \$406.00 (for 1 acre or less), and **\$811.00** (for more than 1 acre) for a map amendment; or **\$213.00** for a text amendment.

Name of Applicant/Representative: Jessica Selkow Phone: 209-631-7557
 Address: 1409 Lake Lowell Ave. City: Nampa State: ID Zip Code: 83686
 Applicant's interest in property: (circle one) Own Rent Other buying from family - current residence
 Owner Name: Carol Selkow Phone: 209-201-7240
 Address: 1150 First St. City: Atwater State: CA Zip Code: 95301

Address of subject property: 1409 Lake Lowell Ave. Nampa

Is a copy of one of the following attached? (circle one) Warranty Deed Proof Of Option Earnest Money Agreement.

Subject Property Information

(Please provide one form of the following REQUIRED DOCUMENTATION to complete the amendment):

Original Legal description of property AND a legible WORD formatted document. (Must have for final recording)
 Old or illegible title documents will need to be retyped in a WORD formatted document

Subdivision _____ Lot _____ Block _____ Book _____ Page _____

Project Description

State the zoning desired for the subject property: Rezone to Residential Ag

State (or attach a letter stating) the zoning amendment desired, text or map, and the reason for the change, together with any other information considered pertinent to the determination of the matter. In the case of a text amendment please attach the full text of the proposed amendment.

We would like to rezone from residential to residential Ag to be compliant with city code to keep 2 goats for our childs 4H & FFA projects on our property.

Dated this 29th day of July, 2016

Jessica Selkow
Signature of applicant

NOTICE TO APPLICANT

This application will be referred to the Nampa Planning Commission for its consideration. The Planning Commission shall hold a public hearing on the application and will then make its recommendation to the City Council. The City Council will then hold a second public hearing. Notice of the public hearings must be published in the Idaho Press-Tribune 15 days prior to said hearings. In the case of map amendments notice shall also be posted on the premises not less than 1 week prior to the hearings and notices will be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearings and should be present to answer any questions.

For Office Use Only:
 File Number: ZMA 020 - 2016 Project Name: Rezone from RSL to RA



APPLICATION FOR VARIANCE

City of Nampa, Idaho

10/17/16 cc
Norm

This application must be filled out in detail and submitted to the office of the Planning Director for the City of Nampa, Idaho, accompanied by a nonrefundable fee of \$255.00

Name of Applicant/Representative: Jessica Selkow Phone: 209-631-7557
Address: 1409 Lake Lowell Ave. City: Nampa State: ID Zip Code: 83696
Applicant's interest in property: (circle one) Own Rent Other buying from family - current residence
Owner Name: Carol Selkow Phone: 209-201-7240
Address: 1750 First St. City: Atwater State: CA Zip Code: 95301

Address of subject property: 1409 Lake Lowell Ave. Nampa

Is a copy of one of the following attached? (circle one) Warranty Deed Proof Of Option Earnest Money Agreement.

Subject Property Information

(Please provide one form of the following REQUIRED DOCUMENTATION to complete the legal annexation):

- Original Legal description of property AND a legible WORD formatted document. (Must have for final recording)
Old or illegible title documents will need to be retyped in a WORD formatted document
- Subdivision _____ Lot _____ Block _____ Book _____ Page _____
- An accurate scale drawing of the site and any adjacent property affected, showing all existing and proposed locations of streets, easements, property lines, uses, structures, driveways, pedestrian walks, off-street parking and off-street loading facilities and landscaped areas.
- Miscellaneous information, considered pertinent to the determination of this matter,

Project Description

State the nature of the variance request and the practical difficulty or unnecessary hardship, which would result from a literal interpretation and enforcement of the specific regulation for which the variance is being sought, (attach additional pages if necessary):

We would like to rezone property to Residential Ag. However, a variance is needed due to the property being short a few thousand sq-ft.

Dated this 29th day of July, 20 16
26,051 sq.ft.
RA requires 30,000 sq.ft.

Jessica Selkow
Applicant Signature

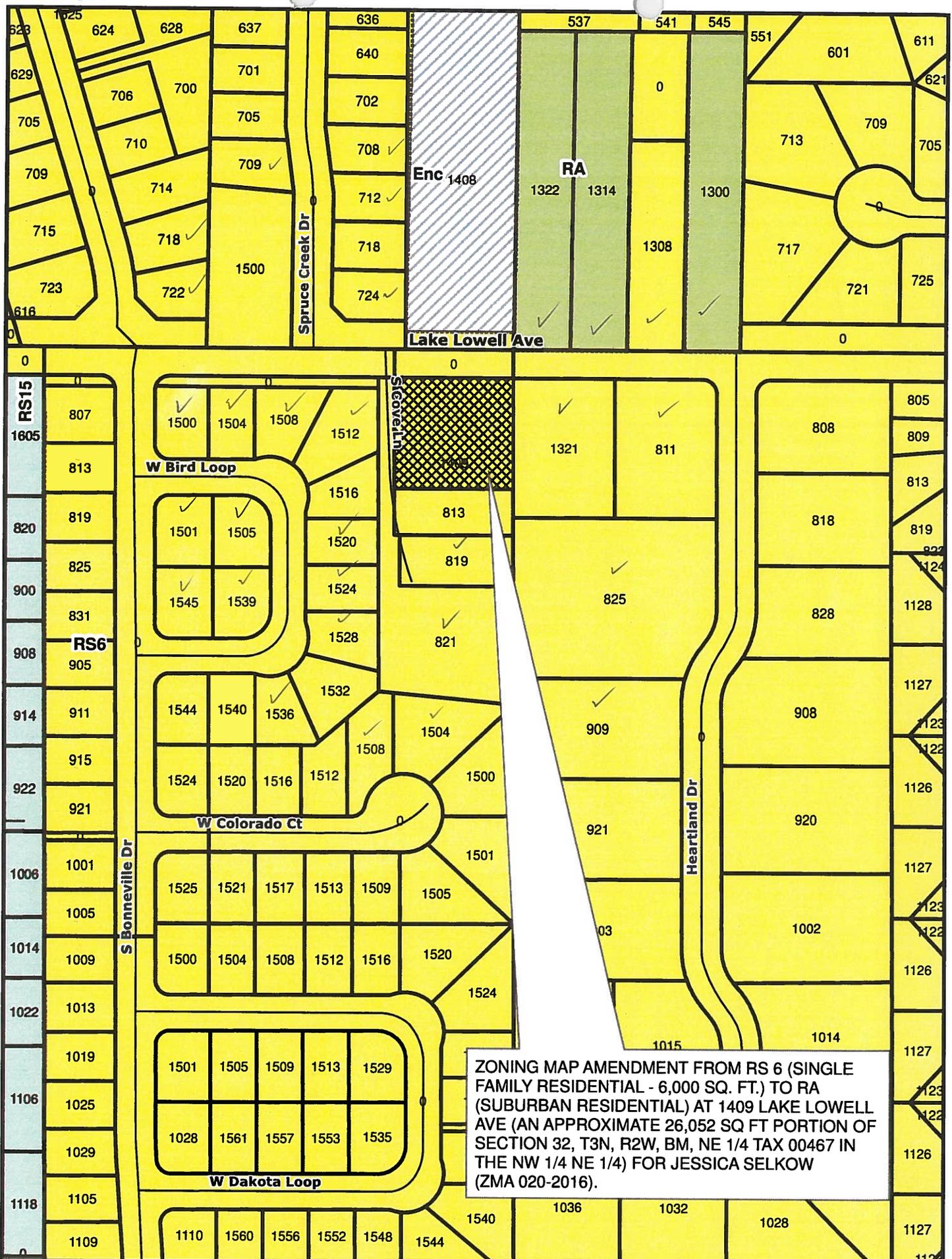
NOTICE TO APPLICANT

This application will be referred to the Nampa City Council for its consideration. The City Council shall hold a public hearing on the application and it shall be granted or denied. Notice of the public hearing shall be sent to adjacent property owners no less than 10 or more than 30 days prior to the hearing. You will be given notice of the public hearing and should be present to answer any questions.

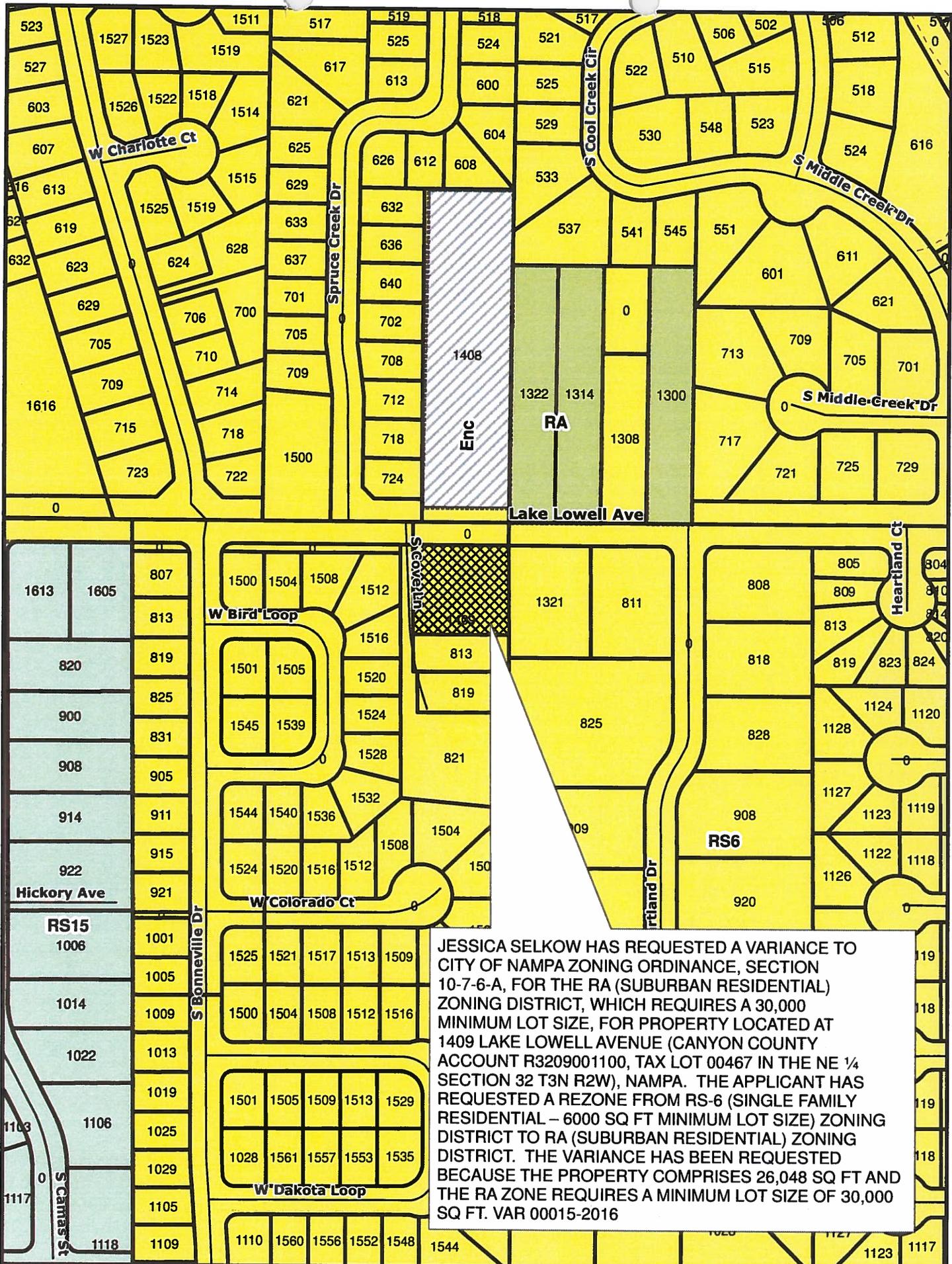
- A variance shall not be considered a right or a privilege, but will only be granted upon showing the following undue hardship:
1. Special characteristics of the site, which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and
 2. The variance is not in conflict with the public interest.
- Variations are not intended to allow something that others do not have a permitted right to do.**

The use or construction permitted by a variance must be commenced within a 6 month period. If such use or construction has not commenced within such time period the variance shall no longer be valid. Prior to the expiration of the 6-month period the applicant may request from the city Council an extension for up to an additional 6 months from the original date of approval.

For Office Use Only:	
File Number: <u>VAR015 - 2016</u>	Project Name: <u>Substandard lot size</u>



ZONING MAP AMENDMENT FROM RS 6 (SINGLE FAMILY RESIDENTIAL - 6,000 SQ. FT.) TO RA (SUBURBAN RESIDENTIAL) AT 1409 LAKE LOWELL AVE (AN APPROXIMATE 26,052 SQ FT PORTION OF SECTION 32, T3N, R2W, BM, NE 1/4 TAX 00467 IN THE NW 1/4 NE 1/4) FOR JESSICA SELKOW (ZMA 020-2016).



JESSICA SELKOW HAS REQUESTED A VARIANCE TO CITY OF NAMPA ZONING ORDINANCE, SECTION 10-7-6-A, FOR THE RA (SUBURBAN RESIDENTIAL) ZONING DISTRICT, WHICH REQUIRES A 30,000 MINIMUM LOT SIZE, FOR PROPERTY LOCATED AT 1409 LAKE LOWELL AVENUE (CANYON COUNTY ACCOUNT R3209001100, TAX LOT 00467 IN THE NE 1/4 SECTION 32 T3N R2W), NAMPA. THE APPLICANT HAS REQUESTED A REZONE FROM RS-6 (SINGLE FAMILY RESIDENTIAL - 6000 SQ FT MINIMUM LOT SIZE) ZONING DISTRICT TO RA (SUBURBAN RESIDENTIAL) ZONING DISTRICT. THE VARIANCE HAS BEEN REQUESTED BECAUSE THE PROPERTY COMPRISES 26,048 SQ FT AND THE RA ZONE REQUIRES A MINIMUM LOT SIZE OF 30,000 SQ FT. VAR 00015-2016



North

1409 Lake Lowell Ave.





Dear Nampa Planning & Zoning Commission,

My name is Daina Selkow. I am 14 years old. I go to Nampa high as a sophomore student. One of my personality traits is the love of animals and being involved in 4-h and FFA. I have been in 4-h for 4 years now in the poultry, archery, and goat projects. I've been in FFA for two years and now am the FFA poultry leader. In June of 2016 I Acquired two goats. One la macha doe and one Nubian wether. These two goats are or my 4-h Dairy goat project and FFA pack goat project. In July, someone complained to the city. This is very unfortunate because the entire neighborhood loves these two goats. I've had many people compliment me and my goats and the job I do to keep them. After personally speaking to over 30 neighbors, many applauded my efforts. As pictured, I keep a very clean pen and I bathe my goats twice a week to ensure they don't get external parasites as well as internal parasites. I also spend a great deal of time with them training and bonding with them. I take them for walks to give exercise and to keep them from being bored. Lastly, I keep them on a strict feeding schedule so they never cry and complain of being hungry. I have learned a great deal with just being in 4-h and FFA alone and I will continue this with the plans of being involved in veterinary medicine. My wishing to rezone is for the soul purpose of raising goats for my FFA and 4-h projects. Thank you for the consideration. It's my hope that you carefully consider the decision of rezoning our property.

Respectfully,

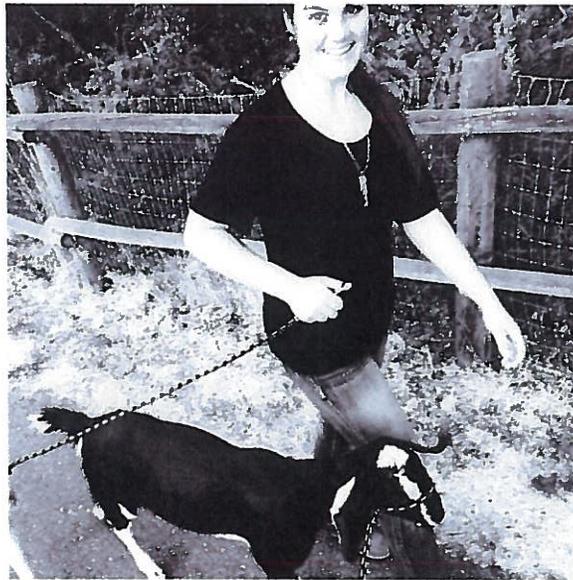
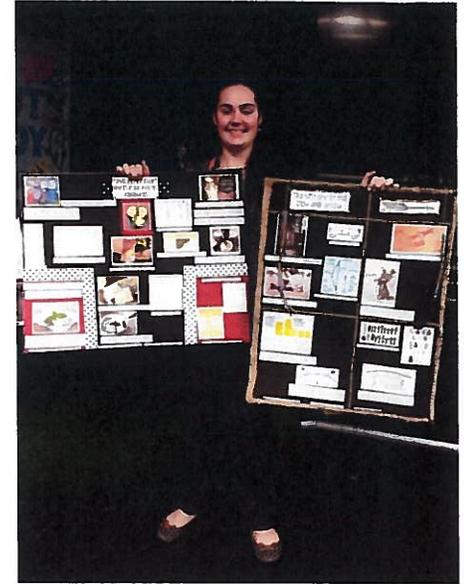
Daina Selkow

A handwritten signature in cursive script that reads "Daina Selkow". The signature is written in black ink and includes a horizontal flourish at the end.

1409

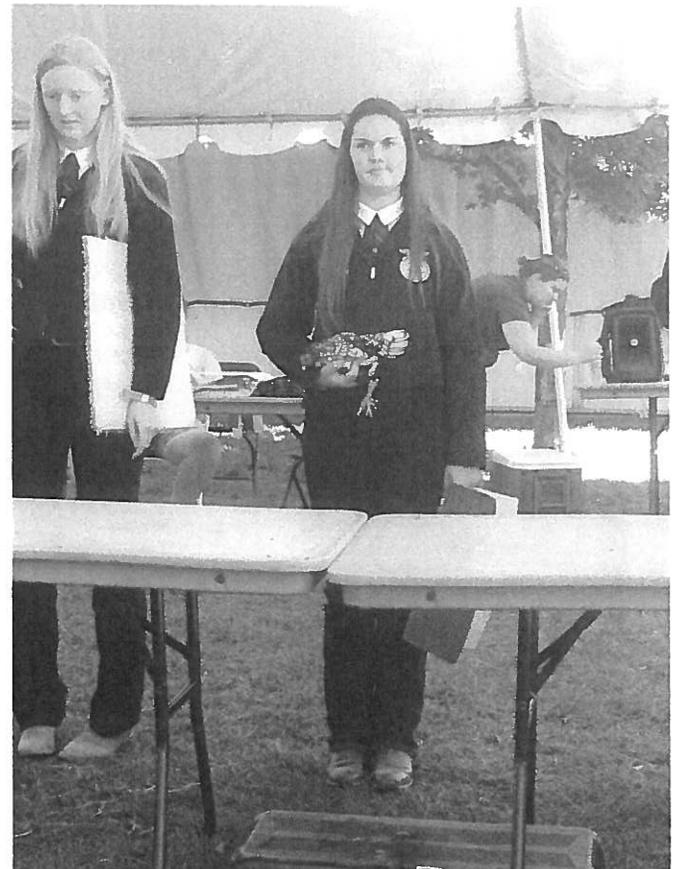


4H & FFA Goat Projects





4H & FFA Poultry Projects



September 12, 2016

I had the privilege to get to know and work with Daina Selkow as her 4-H Poultry Project Leader for several years before she moved to Idaho.

Daina has a passion for raising and caring for animals. She is an active and goal-oriented young person with an eye towards becoming a veterinarian. Her continued involvement in FFA and 4-H is providing her solid opportunities to develop her abilities in working with small animals, as well as growing her leadership skills (she is the FFA Poultry Project Leader at her high school).

She sets an excellent example for others as a student, through her involvement in school sports, her love of animals, and her high moral character.

Dennis Baker
St. Anthony's 4-H
Poultry Project Leader
1761 Osborn Terrace
Atwater, CA 95301

Nampa FFA
Columbia High School
301 S. Happy Valley Rd
Nampa, Idaho 83687

To Whom it May Concern,

I am writing this letter in support of the rezoning of the Selkow home to include the ownership of goats. This family includes a high school student very active in raising animals for both FFA and market purposes. In my experience as Miss Selkow's FFA advisor, I find this family to be very responsible in caring for their animals and very interested in being good neighbors. The goat project is an excellent learning opportunity for Miss Selkow to explore the areas of proper animal husbandry, book keeping, and responsibility.

Thank you for your time in considering this application and I hope that you will decide to support them in their efforts to keep the animals they already own.

If you have any questions, please feel free to call me at 208.250.0343



Tami Frank
Nampa FFA Advisor

September 12, 2016

To whom it may concern,

My name is Heather Lewandowski and I am an undergraduate student within the College of Agriculture at California State University, Chico. It has come to my attention that the Selkows, a family I have known for 11 years, have been told they may no longer be able to keep their goats. In today's world many people are so far removed from the agriculture industry and are unaware of the benefits that it offers to everyone, especially the younger generations. Daina Selkow is a part of 4-H and FFA within her local town. These two organizations create young, responsible leaders who will use the skills they learn throughout their lifetime to be successful.

When we hear the words goats, cows, and even horses many people think smelly and a nuisance. But these animals are learning tools. As a former FFA member myself who has raised and shown five different species of livestock, I understand what a difference these animals make, specifically goats. Goats are a low maintenance animal that can teach children a range of responsibilities and skills. The goats eat before you eat, they get their pens cleaned regularly, their bathed often, and receive daily exercise. That teaches children responsibility, gives them a hard work ethic, and has them learn to be prompt. Goats are also used for a variety of food and bi-products. Boer goats give you meat, which did you know goat meat is eaten worldwide and comprises 63% of the world's red meat. Dairy goats such as Nubians and la manchas are milked for cheese, soaps, and of course milk! Children raising these goats learn where their food comes from and some are even able to partake in milking their own goats to create bi-products like soap which can then be sold to the community members. Money made from the product goes back into the child's animals or saved for college.

When raising livestock it takes a lot of time out of your day. It's not a once a day responsibility and requires hours of attention. These animals help keep children out of the negative parts of the world and helps them make better decisions. The benefits of raising livestock definitely outweigh the negatives people may see. With the proper maintenance of the goats, you will never even know they are there. They teach children lifelong skills and even gives them an opportunity to create their own business or feed their family. When considering the Selkows and their two goats I would hope you take into consideration the benefits that these goats will have on Daina and her three younger brothers. These goats are not just animals but are considered family and can take Daina to new highs in her 4-H and FFA career.

Sincerely,

Heather Lewandowski

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Brenda Castillo, residing at 1504 W. Colorado Ct. Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Brenda Castillo Date 9-10-16

1504 W. Colorado Ct., Nampa ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Eric Porah, residing at 1508 W. Colorado Ct., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Eric Porah Date 9/10/16

1508 W. Colorado Ct., Nampa ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Susana Valenzuela, residing at 1524 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Susana Valenzuela Date 9-10-16

1524 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, William H. Kimble, Jr. residing at 1501^{w.} Bird Loop

support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

 Date 9-16-16

1501 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, STUART DENNIS, residing at 1314 Lake Lowell Ave. Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Stuart Dennis Date 9/10/12

1314 Lake Lowell Ave, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, April McNejce, residing at 1321 Lake Lowell Ave.

support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

April McNejce Date 9/10/16

1321 Lake Lowell Ave., Nampa ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

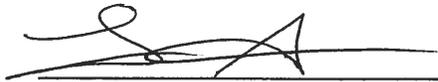
Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Travis Adams (Frontwood Homes), residing at 819 S. Cove Lane, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,



Date 9/10/16

819 S. Cove Lane, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

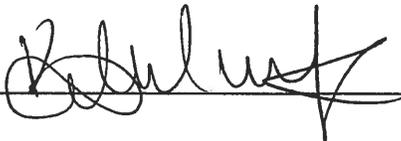
Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Kimberly McCormick, residing at 821 S. Cove Lane, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

 Date 9/9/16

821 S. Cove Lane, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, _____, residing at 1308 Lake Lowell Ave., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

_____ Date _____

1308 Lake Lowell Ave, Nampa, ID 83686

This neighbor works for
Nampa City majors office and
is supportive of us having the
goats and re-zoning but felt
signing would be a conflict of
interest. 8pm 9/7/16

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Alan Hochhalter, residing at 909 Heartland Dr., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Alan Hochhalter Date 9/7/16

909 Heartland Dr., Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Susan Monticelli, residing at 825 Heartland Dr., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Susan Monticelli Date _____

825 Heartland Dr., Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Ashley Crafton, residing at 811 Heartland Dr., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Ashley Crafton Date 9/7/14

811 Heartland Dr., Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Janet Cox, residing at 1300 Lake Lowell Ave, Nampa

support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Janet Cox Date 9/7/16

1300 Lake Lowell Ave., Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, DAVID TIDE, residing at 1322 Lake Lowell Ave., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

David Tide Date 9-7-2016

1322 Lake Lowell Ave., Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Carla Simpson, residing at 1408 Lake Lowell Ave. Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Carla Simpson Date 9/7/16

1408 Lake Lowell Ave, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, DIANE HARDY, residing at 724 Spruce Creek Dr. Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Diane Hardy Date 9/2/16

724 Spruce Creek Dr. Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Michael Brown, residing at 712 Spruce Creek Dr. Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Michael Brown Date 9/2/16

712 Spruce Creek Dr. Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Deborah Paul, residing at 708 Spruce Creek Dr. Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Deborah L Paul Date 9-7-16

708 Spruce Creek Dr. Nampa ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Sara wood, residing at 709 Spruce Creek Dr., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Sara wood Date 09/07/14

709 Spruce Creek Dr., Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

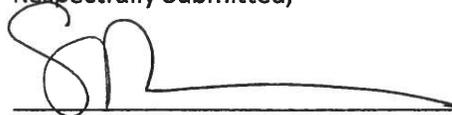
Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Oandra Dashiell, residing at 718 Bonneville Dr., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

 Date 09-07-16

718 Bonneville Dr., Nampa ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Sean McClure, residing at 722 Bonneville Dr., Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Sean McClure Date 9-7-16

722 Bonneville Dr. Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, MARIA COSTA, residing at 1505 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Maria Costa Date 09-07-16

1505 W. Bird Loop, Nampa ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Jay Curtis, residing at 1500 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Jay Curtis Date 9-6-16

1500 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Vanessa Quin Lun, residing at 1545 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Vanessa Quin Lun Date 9.7.16

1545 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Heather Maily, residing at 1539 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Heather Maily Date 9/7/16

1539 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Staci Rocha, residing at 1512 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Staci Rocha Date Sept. 7, 2016

1512 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Ruby A. Quintana, residing at 1508 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Ruby A. Quintana Date 9-7-16

1508 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

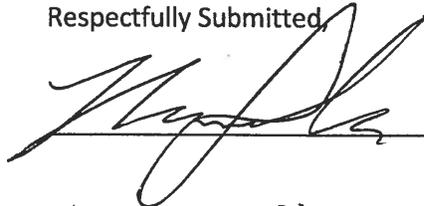
Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Russell Gentles, residing at 1504 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,



Date 9/7/16

1504 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

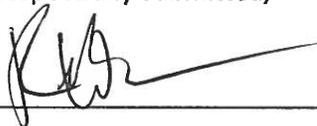
Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Randal Walker, residing at 1520 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,



Date 09/07/16

1520 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, Brandi Franco, residing at 1528 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

Brandi Franco Date 9-7-14

1528 W. Bird Loop, Nampa, ID 83686

Nampa Planning and Zoning Commission
411 3rd Street South
Nampa, ID 83686

Re: Rezoning 1409 Lake Lowell Ave.

To Whom It May Concern,

I, MIKE GARCIA, residing at 1536 W. Bird Loop, Nampa
support the decision to rezone the property at 1409 Lake Lowell Ave., Nampa from RS6 (Single-family Residential) to RA (Residential Ag) for the sole purpose of raising small agricultural animals for educational purposes.

I understand the children residing at the above mentioned address are involved in 4H and FFA school projects and need an area to raise animals, thereby they have my consent.

Respectfully Submitted,

 Date 9/7/2016

1536 W. Bird Loop, Nampa ID 83686

Zoning Map Amendment from RS-6 (Single Family Residential – 6000 sq ft) to RA (Suburban Residential) at 1409 Lake Lowell Ave. (An approximate 26,052 sq ft portion of the NE ¼ Section 32 T3N R2W BM NE ¼ Tax 00467) for Jessica Selkow (AMA 020-16).

Vice Chairman Gunstream proceeded to public hearing.

Jessica Selkow of 1409 Lake Lowell Ave – the applicant:

- Ms Selkow stated she was requesting a rezone to RA for their property at 1409 Lake Lowell Ave, for the sole purpose of raising her daughter's goats for 4H and FFA.
- According to Ms Selkow, her daughter had belonged to both organizations for several years, was now a leader in FFA, and it was something she had a passion for.
- Ms Selkow added their property was large enough to accommodate the two goats and the chickens and just wanted her daughter to be able to keep the animals and continue her education and experience.
- Several of the nearby properties, advised Ms Selkow, were either under County jurisdiction, or were also zoned RA.
- **Kehoe** inquired how many more years the family would be involved with 4H and FFA.
- **Daina Selkow**, Ms Selkow's daughter stated she would be in 4H through her Senior High School year, which would be 3 years.
- **Kehoe** inquired what would happen to the animals after Ms Selkow's daughter graduated.
- **Daina Selkow** advised she would probably continue to keep the animals past her high school graduation, but if not, would give them to somebody who would show them.
- **Ms Selkow** stated she also had three young boys who were in 4H as well, and they may wish to continue with goats and chickens.
- According to Ms Selkow, the family would not want to, or have, anything larger than a goat and although there were cows across the street, that was not what her family wanted.
- **Vice Chairman Gunstream** inquired how large the goats would get and **Ms Selkow** indicated the height of the goats at the present time, noting they were currently 6 months old.
- **Kehoe** inquired if the applicants were aware of the letter of opposition from Randy and Lois Hamilton of 813 S Cove Lane, Nampa, dated September 10, 2016.
- **Ms Selkow** stated she was not aware of that particular letter, however they were under the assumption that someone had complained, and were also under the assumption it was probably Randy Hamilton.
- Ms Selkow continued, that Mr Hamilton had not always been the easiest neighbor to get along with and noted the Hamilton property was directly behind them, however, the house was not completed and the Hamiltons do not currently live there.
- Ms Selkow advised they had gone to 32 of their neighbors and received 30 signatures in favor of the Rezone to RA.

Planning Director Holm:

- Holm indicated an aerial view of the property, which comprised 26,052 sq ft, and noted the RA zoning required 30,000 per sq of land.
- The applicants, continued Holm, had also submitted a Variance application for a substandard lot size in connection with the Rezone, in order to allow the approximate 4,000 sq ft reduction from the required 30,000 sq ft lot size.
- The Variance, added Holm, would be going before the City Council at the same time the Rezone application would go before City Council.
- Holm indicated the other RA zoned properties in the area across the street. The property directly to the north was under Canyon County jurisdiction and zoning.
- Holm indicated the larger lots within the subdivision to the east which were zoned RS-6 (Single Family Residential – 6000 sq ft minimum lot size).
- Holm advised the letter of opposition had been submitted by Randy and Lois Hamilton who had indicated they would be out of town tonight and could not be present to testify.
- Holm explained the number of goats permitted on the property would be determined by the size of the area the goats would be raised on, with one medium sized animal per 5,000 sq ft of land.

- The chickens, added Holm, would be allowed in an RS-6 zoned property, as the subject property was currently zoned.
- Therefore, the Rezone to RA was only required in order to allow the raising of goats, noted Holm.
- In response to a question from **Myers**, **Holm** advised pigs/swine were not permitted as agricultural animals within Nampa City limits (unless they were pot-bellied pigs – allowed as pets).

Vice Chairman Gunstream proceeded to public testimony.

April McNeiece of 1321 Lake Lowell Ave, Nampa – in favor:

- Ms McNeiece stated her property was immediately next door, to the east of the Selkow property.
- According to Ms McNeiece, the Selkows had lived next door for a little over a year.
- The Selkows understood when they bought the property, stated Ms McNeiece, that they could have chickens and goats on the property.
- Ms McNeiece noted there was livestock on the property across the street.
- Living right next door, continued Ms McNeiece, they were probably the closest to the goats, and she had no problem with the goats, as they were kind of fun. Ms McNeiece added the goats do not make noise very often.
- Ms McNeiece reiterated she had no objection to the goats living next door to her.
- In response to the letter from Mr and Mrs Hamilton, Ms McNeiece stated the Selkows were not aware of the zoning when they moved in.

Jessica Selkow:

- In response to questions from **Vice Chairman Gunstream**, **Ms Selkow** advised they have a barn with an open back door, allowing the goats to freely access the fenced enclosure and the barn.

Myers motioned and Rodriguez seconded to close public hearing. Motion carried.

- **Kehoe** noted the neighbor closest to the goats had objected to the proposed Rezone to RA.
- The subject property and the adjacent properties were all zoned RS-6 and the neighborhood would not be a future farm area but would remain a residential home area, added Kehoe.
- **Sellman** suggested the neighbor writing the letter of objection did not live there and would not have any idea of what was going on.
- **Rodriguez** noted the effort the applicant had gone to contacting all the surrounding neighbors regarding the request for RA zoning.
- Rodriguez inquired how many of the petitions had not been signed by neighbors. **Ms Selkow** indicated that 2 of the 32 neighborhood petitions were not signed.
- **Keim** inquired if there would be recourse for the neighbors if the goats became a nuisance.
- **Holm** advised the applicants were not applying for a Conditional Use Permit which would allow for complaints to be pursued.
- According to Holm, a Development Agreement could be attached to the Rezone Ordinance that could stipulate conditions similar to a Conditional Use Permit.
- Discussion followed regarding the substandard lot size and the fact Variance approval would be required from City Council for the 26,052 sq ft lot.

Myers motioned and Rodriguez seconded to recommend to City Council Zoning Map Amendment from RS-6 to RA at 1409 Lake Lowell Ave (an approximate 26,052 sq ft lot) for Jessica Selkow. Motion carried with Keim, Miller, Myers, Rodriguez and Sellman in favor and Kehoe opposed.

Planning & Zoning Department

Nampa, Idaho... Today's Vision is Tomorrow's Reality

September 14, 2016

Jessica Selkow
1409 Lake Lowell Ave
Nampa, ID 83686

Subject: Zoning Map Amendment from RS 6 (Single Family Residential - 6,000 sq. ft.) to RA (Suburban Residential) at 1409 Lake Lowell Ave (An approximate 26,052 sq ft portion of Section 32, T3N, R2W, BM, NE 1/4 Tax 00467 in the NW 1/4 NE 1/4) for Jessica Selkow (ZMA 020-16).

Dear Ms. Selkow:

The following is the decision of the Nampa Planning & Zoning Commission on the above request heard before them on September 13, 2016. This letter will stand as the Findings of Fact, Conclusions of Law and Decision required by Idaho Code Section 67-6535. The Planning Commission found the following concerning your requested rezone:

1. Rezone of the subject property to RA is reasonably necessary in order to allow the applicant to use the property as proposed.
2. Rezone of the subject property to RA is in the interest of the property owner(s) and conforms to the adopted comprehensive plan designation of Medium Density Residential use.
3. The proposed Rural Residential use of the subject property will be compatible with the existing Agricultural and Rural Residential uses established at other locations around the immediate vicinity.
4. The use of a development agreement to establish any conditions for the rezone of the property serves no purposes.

Consequently the Planning Commission voted to recommend to the City Council approval of the rezone from RS 6 to RA. Further consideration and public hearing on the rezone to RA has been scheduled before the City Council for their October 17, 2016 meeting. You should be present to represent your request and answer any questions they may have. Should you have questions, feel free to contact me at 468-5446.

Sincerely,



Norman L. Holm, Planning Director
CITY OF NAMPA

NAMPA*Proud*

Memorandum

To: Planning and Zoning

Cc: Tom Points, P. E., City Engineer

Cc: Daniel Badger, P. E., Staff Engineer

Cc: Michael Fuss, P. E., MBA, Nampa City Public Works Director

From: Jim Brooks – Engineering Division

Date: August 25, 2016

Re: Rezone from RS6 to RA to keep 2 goats for kid's 4-H and FFA projects

Applicant: Jessica Selkow

Applicant Address: 1409 Lake Lowell Avenue

Parcel Addresses: 1409 lake Lowell Avenue

ZMA 020-16 for September 13, 2016 Planning & Zoning Meeting

The Engineering Division does not oppose the granting of this request.

Memorandum

To: Mayor and City Council

Cc: Planning and Zoning

Cc: Tom Points, P. E., City Engineer

Cc: Daniel Badger, P.E., Staff Engineer

Cc: Michael Fuss, P. E., Nampa City Public Works Director

From: Jim Brooks – Engineering Division

Date: August 25, 2016

Revision:

Applicant: Jessica Selkow

Address: 1409 Lake Lowell Avenue, Nampa, Idaho 83687

Parcel Address: 1409 Lake Lowell Avenue

Re: Variance to meet lot area requirements for the RA zoning request (ZMA020-16) to RA in order to keep kids goats for 4-H and FFA projects.

⁰¹⁵
VAR~~020~~-16 for the October 17, 2016 City Council Meeting

The Engineering Division has no concerns with the granting of this request.

Sylvia Mackrill

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Monday, August 22, 2016 7:38 AM
To: Sylvia Mackrill
Subject: ZMA 020-16 & VAR 015-16

Good Morning Sylvia,

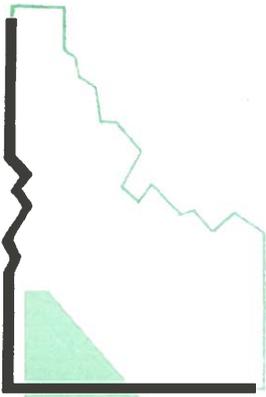
The Nampa Highway District #1 has no objection to the Rezone from RS 6 to RA and a Variance for a substandard lot size at 1409 Lake Lowell Ave as it is not within the Highway District's jurisdiction.

If you have any questions or comments feel free to contact us.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 Highway 45. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916



ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH

NAMPA, IDAHO 83651-4395

FAX # 208-463-0092

August 31, 2016

Phones: Area Code 208

Norman L. Holm
City of Nampa
411 3rd St.
Nampa, ID 83651

OFFICE: Nampa 466-7861
SHOP: Nampa 466-0663

RE: ZMA020-2016/ Jessica Selkow; 1409 Lake Lowell Avenue

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, NMID must review drainage plans. The developer must comply with Idaho Code 31-3805.

Sincerely,

Greg G. Curtis
Water Superintendent
Nampa & Meridian Irrigation District
GGC/gnf

PC: Office/File



APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

Shellie Lopez

From: Neil Jones
Sent: Thursday, August 18, 2016 7:32 AM
To: Shellie Lopez
Subject: RE: Rezone from Rs-6 to RA & Variance for a Substandard lot/ 1409 Lake Lowell Ave
ZMA 020 16 & VAR 015 16

Building Department has no conditions.

Neil Jones

Plans Examiner Supervisor

P: 208.468.5492 F: 208.468.4494

[Department of Building Safety](#), [Like us on Facebook](#)

From: Shellie Lopez

Sent: Tuesday, August 16, 2016 10:57 AM

To: Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Bret Caulder <caulderb@cityofnampa.us>; Carl Miller <cmiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eddy Theil <eddy@nampahighway1.com>; Eric Shannon <eric@nampahighway1.com>; Eric Skoglund <skoglundl@cityofnampa.us>; Jennifer Yost <yostj@cityofnampa.us>; Jim Brooks <brooks@cityofnampa.us>; Michael Fuss <fussm@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; Patrick Sullivan <sullivanw@cityofnampa.us>; Ray Rice <ricer@cityofnampa.us>; Robin Collins <collinsr@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Sylvia Mackrill <mackrill@cityofnampa.us>; Tom Points <pointst@cityofnampa.us>; Vickie Holbrook <holbrookv@cityofnampa.us>

Subject: Rezone from Rs-6 to RA & Variance for a Substandard lot/ 1409 Lake Lowell Ave ZMA 020 16 & VAR 015 16

Good Morning! ☺

Re: ZMA 020-16 & VAR 015-16

Jessica Selkow has requested a **Rezone** from RS 6 (Single Family Residential - 6,000 sq. ft.) to RA (Suburban Residential minimum 30,000 ft) and a **Variance** for a Substandard lot size at 1409 Lake Lowell Ave (An approximate 26,052 sq ft portion of Section 32, T3N, R2W, BM, NE 1/4 Tax 00467 in the NW 1/4 NE 1/4).

The applicant is requesting the rezone in order to allow the 2 goats needed for her kids 4H & FFA projects. The Rezone application will go before the Planning and Zoning Commission as a public hearing item on the **September 13, 2016 agenda**.

The applicant seeks approval for an existing 26,052 sq ft lot or a Variance of 3,948 sq ft. The Variance is scheduled as a public hearing item on the City Council agenda of **October 17, 2016**.

Please find attached the ZMA 020-16 & VAR 015-16 files for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than August 31st

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.

Norman L Holm

City of Nampa

Planning & Zoning Director

September 10, 2016

Dear Norman Holm,

The following response is regarding a notice we received concerning the rezone request of our neighbor located at 1409 Lake Lowell Ave. The Selkows have requested changing their zoning from RS6 to RA.

We believe that this zoning request is being made to allow for the keeping of goats and possibly other farm animals on their property. The Selkows currently have several chickens and two goats that are in non-compliance with their current RS6 zoning.

An existing garage that is now being used as a barn is within 20' of our new homes master bedroom windows. The goats and chickens pen is within 10' of said windows. The noise of the goats is constant and loud. The smell and flies are unpleasant.

Selkows recently purchased this property knowing that it was in the city limits and that it did not meet their future zoning requirements. Now those of us that purchased property with an RS6 zoning are being asked to alter our chosen lifestyle to accommodate their desires.

We further believe that allowing this rezone would set a dangerous precedence for our neighborhood. The lots tend to be larger than most city lots and future rezone requests for similar purposes would likely happen. We have additional concerns as to what other unspoken effects an RA zoning could have within our neighborhood. My experience has been that people tend to press the possibly allowed features of their zoning to the maximum allowable use and beyond.

Last but not least, it is our concern that the rezone of this adjacent property would have a very negative affect on our property value. This belief was confirmed by our realtor friend who believes we are currently being negatively affected by the close proximity of the farm animals.

Sincerely,

Randy & Lois Hamilton

813 S Cove Ln Nampa Id.



PLANNING & ZONING DEPARTMENT

Before the Mayor & City Council
Meeting of 17 OCTOBER 2016

PUBLIC HEARINGS STAFF REPORT

Applicant/Representative(s):

Jackson Food Stores as Applicant/BRS as architect and representative(s)

File No(s): VAR 00017-2016

Analyst: Robert Hobbs

Requested Action(s): Variance(s) to Nampa City Zoning Code(s) as follows:

1. The required minimum landscape setback in the BC for yard areas fronting collector or arterial corridors as required by N.C.C. § 10-33-4(A) and (D)(6)...

(Decision Required: *Decision*)

Pertaining to:

A parcel of land (hereinafter the "Property") addressed as 612 Northside Boulevard (Canyon County Parcel/Acct. No. R3127300000, and further as: Tax Lots 60 and 61 and vacated Barbara Street and half vacated alley in the NW ¼ of Section 15, T3N, R2W, BM at the northeast corner of the intersection of Sixth Street North and Northside Boulevard in Nampa in a BC (Community Business) Zone (see attached Vicinity Map(s)...

Application Summary:

The Applicant has requested a Variance to N.C.C. § 10-33-4(A) and (D)(6) in order to establish a more spacious area for vehicle maneuvering upon the Property as part of a future remodel of the facility and site amenities thereon...see attached narrative

History:

N/A

Contents:

Conclusions of Law: Page 2

Staff Narrative Findings/Discussion: Pages 3-6

Recommended Condition(s) of Approval: Page 6

Attachments Description(s): Page 6

APPLICABLE REGULATIONS

10-24-1: [VARIANCE] PURPOSE:

The council is empowered to grant variances in order 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 of the bulk or quantifiable regulations prescribed by this title.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon 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, on the basis of 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.

STAFF FINDINGS AND DISCUSSION

I. Variance Introduction:

Variations are traditionally offered zoning tools used as remedies to seek jurisdictional waivers or reductions of quantifiable, measurable development code requirements (e.g., setbacks, property dimensions, height standards, min. or maximum quantities or sizes, etc.) with which compliance in a given situation could not be attained due to site constraints (such as unusual topography) inherent to a property, rather than being the result of an applicant's own action(s)/development desires. Normally, economic considerations or "self-imposed hardships" or predicaments are not qualifying grounds to support a Variance application or its approval. As noted in the planning text The Practice of Local Government Planning (ICMA, 1988, 2nd ed.),

"Many requests for variances are for minor bulk variances in existing neighborhoods: for example, expansions of patios or carports one or two feet into designated side-yard setbacks. On such matters the zoning board becomes a sort of neighborhood arbitration board, dealing with physical hardships. Although these hardships are rarely great, this should be weighed against the extent of the public sector's stake in the somewhat arbitrary determination that a 10-foot- side yard is superior to a 9-foot one."

In Nampa, in order to justify a Variance Permit request, an applicant is tasked with arguing successfully to the City's Council that there is some aspect of the Property that physically, topographically or based on code requirements puts them at a disadvantage in trying to accomplish what they wish in comparison to like properties, especially in the surrounding area.

If the Council believes that there is no real topographical hardship associated with a Variance application (e.g., a river, a highway or a mountain in the way, etc.), then left to the applicant is the opportunity to argue that there is a "unique site circumstance" sufficient to justify their request. In times past, Variance Permits have been issued on a case by case basis where a unique situation could be determined to exist that pertained to a Variance application. Thus, historical matters, errors by the City or County, demonstrated lack of knowledge concerning a code by an applicant or their contractor, common sense "solutioning", development precedent and a variety of other mitigating factors have been evaluated in conjunction with these kinds of applications for relief from quantifiable, measurable standards adopted as law via Nampa's zoning ordinance.

Council is at liberty to approve or deny a Variance. And, their vote should not necessarily be construed as setting precedent -- for nothing binds them to vote the same way twice other than their own perceptions and those of others that they may be concerned with. Still, consistency is a desirable goal when dealing with case by case Variance requests. As a Variance decision is a "quasi-judicial" matter, any vote to approve or deny should be accompanied by a reasoned statement listing the rationale for the decision made.

II. This Application:

As Variance Permits have been used to provide opportunity for an applicant to seek relief from a dimensional or quantifiable, metric standard, this request was received to ask the Council to consider allowing an exception to the City's required minimum landscape buffer

setback requirement in the BC Zone. A copy of their application narrative is also hereafter attached.

As this is a Variance request, it is the obligation of the Applicant to present such facts and persuasive arguments as to convince the Council that there exists some form of hardship or other unique site circumstance to justify issuance of the requested permit. The review criteria the Council is to use in assessing the application are those in bold font listed at the beginning of this report under the heading of "Applicable Regulations", "Actions" 1-5. Those criteria serve as the "Conclusions of Law" to be associated with this matter.

III. General, Possible Findings:

1. The Property (legal description within City case file # VAR 00017-2016) made the subject of this Variance request is located within the incorporated limits of the City of Nampa; and,
2. The Property Owner(s) has/have a controlling interest in the Property and are authorized to represent the same or allow another party to represent the same in this matter; and,
3. The Property owner(s) has/have authorized BRS Architects, ["Applicant"] Cindy Huebert representing to apply for, and represent, their interest(s) in obtaining the requested Variance Permit; and,
4. The Applicant proposes that the City's Council grant relief to the minimum City code required (N.C.C. § 10-10-6.A) frontage landscape strips' dimensions associated with the Property's street frontages in order to facilitate better vehicle maneuvering on the west side of a future gas canopy proposed in conjunction with future redevelopment of the Property; and,
5. As authorized and mandated according to Idaho statute, the City has adopted a comprehensive zoning ordinance that applies to all properties within the City's incorporated limits and, by limited form and fashion, to areas within its negotiated impact area; and,
6. The City's zoning ordinance requires that properties in the BC Zone comply with all relevant zoning code requirements appertaining thereto (including emplacement of any requisite, extant site improvements); and,
7. The Applicant has, therefore, submitted to the City a complete [package] Variance Permit Application together with the requisite fee, and the City has received the application and deemed it acceptable; and,
8. The Variance Application is being processed in conjunction with procedures compliant with the Local Land Use Planning Act, and Nampa Zoning Ordinance standards appertaining to such an application type; and,
9. Variances, as a rule, are not to be issued simply for economic reasons or convenience; they "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,

10. Further, a statement has been provided that attempts to justify the Variance request as some type of topographical or other physical site hardship or "unique site circumstance" that restricts Property development or "buildout" or use of land as allowed to other City properties or as granted already to City properties developed and/or used in similar fashion to the business plan(s) of the Applicant; and,
11. Adjacent property owners have not provided comment regarding the application; and,
12. The City's Engineering Division has expressed that they are not opposed to the application; and,
13. The Nampa Highway District has expressed that they are not opposed to the application; and,
14. City Code Enforcement have noted that there are no municipal law violations extant on the Property at the present time; and,
15. No direct physical impact on the general public by this request is foreseen by virtue of this request were it approved; expected impact would either: a) be on surrounding properties adjacent to the Property; and/or, be on the question any approval raises as to its propriety, possibly including a perceived setting of precedence for similar setback code deviations given compliance to building height standards demonstrated by other persons/parties in the City; and,
16. That City services are available to the Property, the site has access to City public roads; and,
17. Attached to this report is all of the information Staff had by the time this report was ready to go to print (12 noon, October 12, 2016).

IV. Analysis/Opinion:

As pertaining to land use Variance Permit requests, a burden rests upon an applicant to argue persuasively to the City's Council that one or more conditions related to the property they represent interfere(s) with the applicant's use of their land in manner and form commensurate with that enjoyed, most particularly, by their neighbors or other properties in a similar situation and zoning district as that applicant's land. Each Variance application is reviewed on a case by case basis and the merits of the matter are weighed in the public venue. Public testimony is received and the opinions of City departments or outside agencies submitted to the Council for their consideration.

With respect to the matter made the subject of this report, Applicant, per their narrative (and as afore-cited in this report) argues for their Variance request as follows: "That "for the project to be feasible and justify the investment, it is critical that the size of store, number of pumps, canopy configuration, and circulation pattern be constructed as shown on the Site Plan. A 20'-0" landscape buffer along the property line of their Northside frontage would impede Jackson's ability to build such a facility and provide the necessary vehicle circulation clearances around the proposed canopies and building. An obvious hardship in their desire to develop the property to its fullest potential."

With that argument in mind, note that zoning code normally does not allow for landscaping in a public right-of-way to count towards satisfying the requirement for provision of full frontage landscape strips along our major right-of-way corridors on properties as required by law. Still, Chapter 33 of the zoning ordinance does allow for service drives to pass through landscape strips on a limited basis. However, the extent of the intrusion in this particular case caused Staff to advance the proposed landscape diminishment to Council for review and decision.

Adjoining properties around the intersection of Northside and Sixth Street North have a mix of landscape setback dimensions. Not all have full twenty foot (20') landscape strips along their street frontages (although the hotel to the north does appear to have about that much landscaping between what is on their property and in the public right-of-way).

Contrarily, please note that the new Maverik that was just built kiddie-corner from the Applicant's site provided twenty foot (20') frontage landscaped setbacks (minus trees along Northside due to easement issues). While it may just about always be argued that an applicant could contrive a site/development plan that would circumvent the perceived need for a variance in Nampa's case (and as related to this issue) note that a long stretch of Garrity Boulevard has a code approved reduced landscape frontage requirement as well which suggests that the City has sanctioned such an allowance previously, although it is not a preferred practice.

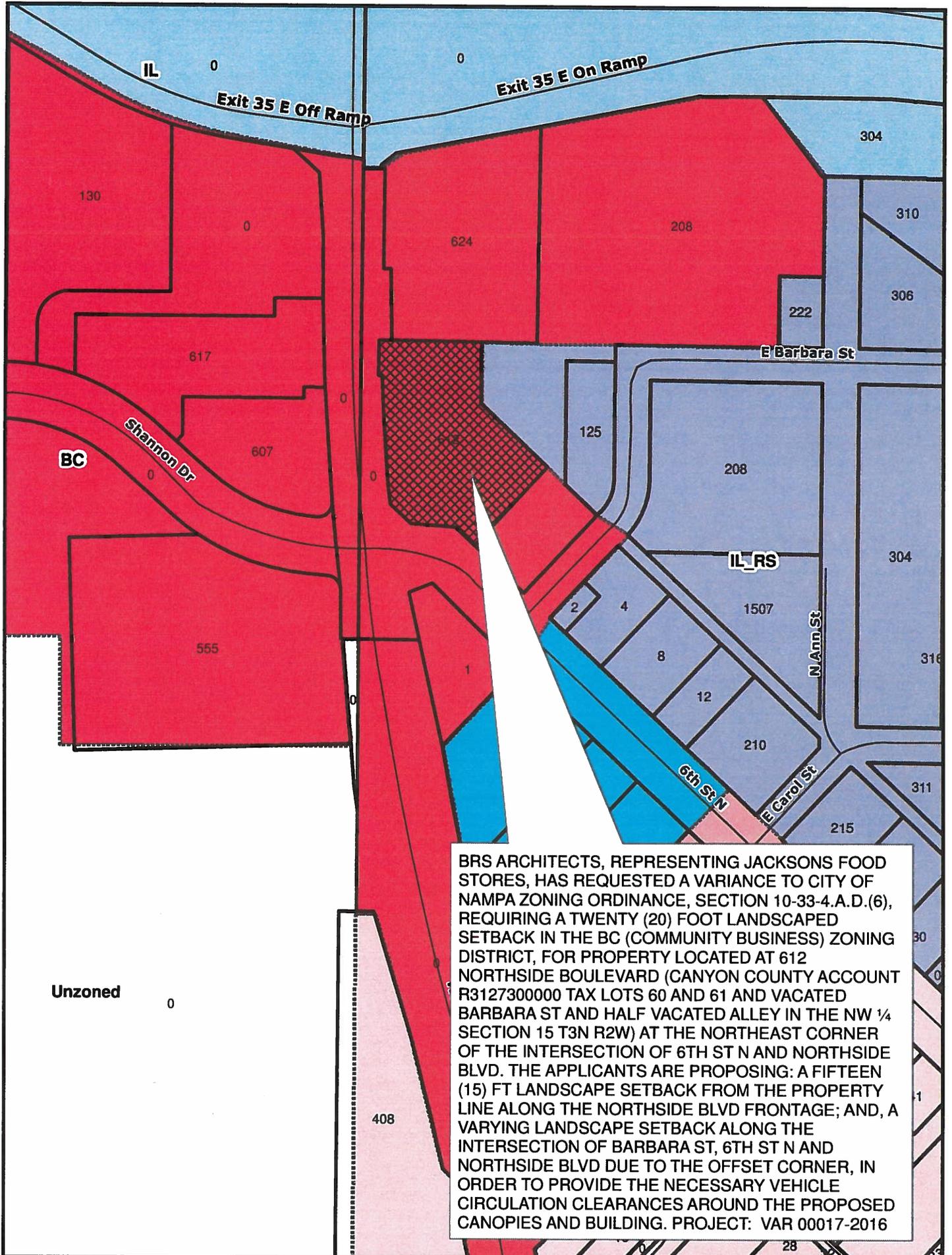
In this case, given the understandable desire to have pumps along Northside, and, to use the existing building footprint even after a possible remodel or demolition and reconstruction, it appears to Staff that the application has merit for consideration. The Council, as tasked in these kinds of matters, will have to decide if they agree with the Applicant's argument(s).

RECOMMENDED CONDITION(S) OF APPROVAL

N/A

ATTACHMENT(S)

- Copy of Vicinity Map (page/Exhibit 7)
- Copy of aerial photo of Property (page/Exhibit 8)
- Copy of Variance Application form (page/Exhibit 9)
- Copy of Applicant(s)' narrative/justification statement (pages/Exhibits 10-11)
- Copies of Applicant(s) supplied site plan drawing (page/Exhibit 12)
- Copies of any department/agency correspondence items and additional Google Maps images (pages/Exhibits 13+)



BRS ARCHITECTS, REPRESENTING JACKSONS FOOD STORES, HAS REQUESTED A VARIANCE TO CITY OF NAMPA ZONING ORDINANCE, SECTION 10-33-4.A.D.(6), REQUIRING A TWENTY (20) FOOT LANDSCAPED SETBACK IN THE BC (COMMUNITY BUSINESS) ZONING DISTRICT, FOR PROPERTY LOCATED AT 612 NORTHSIDE BOULEVARD (CANYON COUNTY ACCOUNT R3127300000 TAX LOTS 60 AND 61 AND VACATED BARBARA ST AND HALF VACATED ALLEY IN THE NW ¼ SECTION 15 T3N R2W) AT THE NORTHEAST CORNER OF THE INTERSECTION OF 6TH ST N AND NORTHSIDE BLVD. THE APPLICANTS ARE PROPOSING: A FIFTEEN (15) FT LANDSCAPE SETBACK FROM THE PROPERTY LINE ALONG THE NORTHSIDE BLVD FRONTAGE; AND, A VARYING LANDSCAPE SETBACK ALONG THE INTERSECTION OF BARBARA ST, 6TH ST N AND NORTHSIDE BLVD DUE TO THE OFFSET CORNER, IN ORDER TO PROVIDE THE NECESSARY VEHICLE CIRCULATION CLEARANCES AROUND THE PROPOSED CANOPIES AND BUILDING. PROJECT: VAR 00017-2016

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Map



Address Candidates



Address Points



County Parcels



Copyright



APPLICATION FOR VARIANCE

9

PLANNING AND ZONING DEPARTMENT

411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 F: (208) 465-2261

Nonrefundable Fee: \$255.00

W/1/16 CC ROBERT

Applicant Name BRS Architects / Cindy Huebert		Home Number 208-336-8370
Street Address 1010 S. Allante Pl. #100		Mobile Number -
City Boise	State ID	Zip code 83709
Email Cindy@brsarchitects.com		
Property Owner Name Jacksons Food Stores / Scott Stom		Home Number 208-888-6061
Street Address 3450 E. Commercial Ct.		Mobile Number -
City Meridian	State ID	Zip Code 83642
Email scott.stom@jacksons.com		
Applicant's interest in property: <input checked="" type="checkbox"/> Own () Rent () Other		
ADDRESS OF SUBJECT PROPERTY: 612 Northside Blvd, Nampa ID 83687		

Please provide the following required documentation

- Completed Application
- A copy of one of the following: Warranty Deed Proof Of Option Earnest Money Agreement
- Signed & Notarized Affidavit of Legal Interest (attached). Form **must** be completed by the legal owner (If owner is a corporation, submit a copy of the Articles of Incorporation or other evidence to show that the person signing is an authorized agent)
- Original Legal description of property AND a legible WORD formatted document. (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

Project Description

➤ State the nature of the variance request and the practical difficulty or unnecessary hardship, which would result from a literal interpretation and enforcement of the specific regulation for which the variance is being sought, (attach additional pages if necessary): See the attached letter dated 9-20-16

Dated this 20 day of September, 2016

Applicant Signature

PLEASE NOTE

This application will be referred to the Nampa City Council for its consideration. The City Council shall hold a public hearing on the application and it shall be granted or denied. Notice of the public hearing shall be sent to adjacent property owners no less than 10 or more than 30 days prior to the hearing. You will be given notice of the public hearing and should be present to answer any questions.

A variance shall not be considered a right or a privilege, but will only be granted upon showing the following undue hardship:

1. Special characteristics of the site, which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and
2. The variance is not in conflict with the public interest.

Variances are not intended to allow something that others do not have a permitted right to do.

The use or construction permitted by a variance must be commenced within a 6-month period. If such use or construction has not commenced within such time period, the variance shall no longer be valid. Prior to the expiration of the 6-month period the applicant may request from the city Council an extension for up to an additional 6 months from the original date of approval.

OFFICE USE ONLY

FILE NUMBER: **VAR-017** - 2016

PROJECT NAME New Jacksons



ARCHITECTS

1010 S. Allante Place, Suite 100
Boise, Idaho 83709
Telephone 208 336-8370
Fax 208 336-8380
www.brsarchitects.com

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September 20, 2016

Mr. Robert Hobbs – Assistant Planning Director
Planning and Zoning Department
Nampa City Hall
411 3rd St. So.
Nampa, ID 83651

Re: Variance Application
Jacksons Food Store # 85
612 Northside Blvd.
Nampa, ID
BRS No. 16062

Dear Mr. Hobbs,

On behalf of Jacksons Food Stores, we are respectfully requesting approval of the attached Variance Application for their future facility to be located at 612 Northside Blvd. The existing Jacksons facility located at this address will be demolished and replaced with a new c-store, gas and diesel fueling stations, and canopies. The new facility will clearly be a major improvement and a significant enhancement to the Northside Corridor.

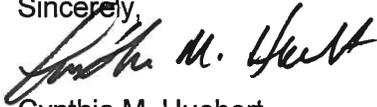
Specifically, this variance request pertains to the extent of the landscape buffer along the Northside frontage. To generally summarize, since Northside is classified as a principal arterial, this Jacksons site is subject to the requirements of Chapter 33 - Corridor Beautification and Chapter 16 - BC Community Business District/Zone of the Nampa Zoning Ordinance. Corridor Beautification requires a 15'-0" landscaping setback from property line and the BC zone requires a 20'-0" front yard setback from property line, also with landscaping. In effect, a 20'-0" landscape buffer adjacent to the Northside property line. With this in mind, note the attached Site Plan shows the majority of the existing westerly property line at 4'-0" from back of existing sidewalk. However, as it approaches the 6th Street intersection, the property line is variably offset approximately 13'-0" from back of existing sidewalk.

For this project to be economically feasible and justify the investment, it is critical that the size of store, number of pumps, canopy configuration, and circulation pattern be constructed as shown on the Site Plan. A 20'-0" landscape buffer along the property line of their Northside frontage would impede Jacksons' ability to build such a facility and provide the necessary vehicle circulation clearances around the proposed canopies and building. An obvious hardship in their desire to develop their property to its fullest potential.

Accordingly, Jacksons proposes a 15'-0" landscape setback from the property line along the full length of their Northside Blvd. frontage, except at the property line offset noted above. At this location, the established back of buffer line would be continued such that the distance from the projected 4'-0" back of curb line would be 15'-0" as well. Jacksons would agree to provide and maintain matching buffer improvements in the area between the offset property line and the projected 4'-0" back of curb line. The net effect would be a uniform 15'-0" wide buffer along Northside that will 1) meet the intent of the corridor beautification requirements of Chapter 33 and 2) allow the proposed project to move forward. We hope the city would agree and approve this variance request.

Please feel free to contact us if you have any questions or comments. We look forward to your input.

Sincerely,



Cynthia M. Huebert
BRS Architects

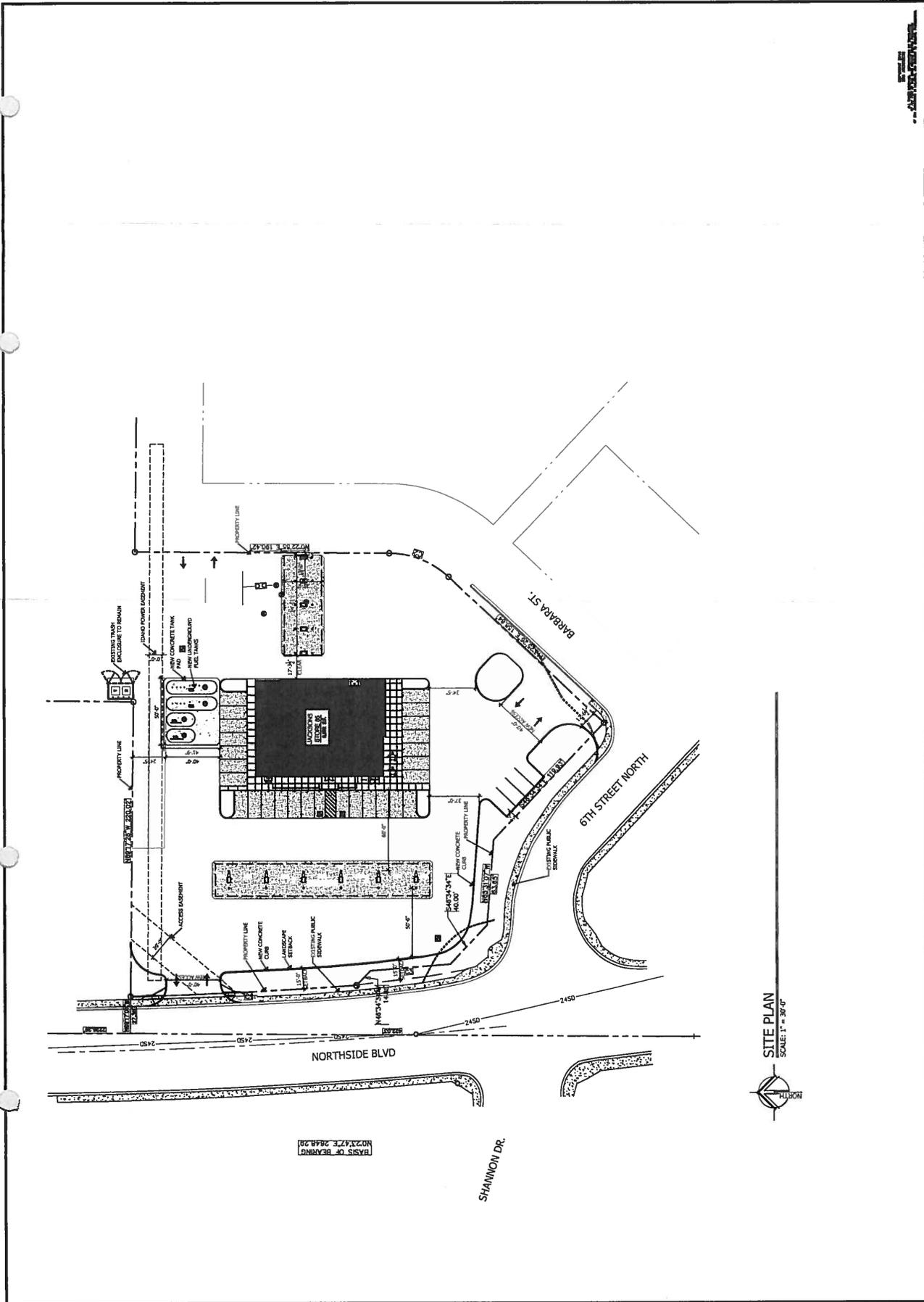
212

NO.	REVISIONS	DATE

1010 S. ATLANTA PL.
SUITE 100
BOISE, IDAHO 83709
(208) 336-8370
FAX (208) 336-8380
BRS
ARCHITECTS

PROPOSED DEVELOPMENT FOR:
Jacksons
JACKSONS FOOD STORES, INC.
STORE #85 NAMP
612 NORTHSIDE BLVD, NAMP, ID 83687
NAMP, ID

DRAWN	ADR
DATE	9/21/16
CHECKED	ADR
TOR NO.	16062
SHEET	AS1.0



SITE PLAN
SCALE: 1" = 30'0"

TRANS. OR BEARING

SHANNON DR.

Memorandum

To: Mayor and City Council
Cc: Planning and Zoning
Cc: Tom Points, P. E., City Engineer
Cc: Daniel Badger, P.E., Staff Engineer
Cc: Michael Fuss, P. E., Nampa City Public Works Director

From: Jim Brooks – Engineering Division

Date: September 28, 2016

Revision:

Applicant: BRS Architects-Cindy Huebert on behalf of Jackson Food Stores

Address: 1010 So. Allante Place #100, Boise Idaho 83709

Parcel Address: 612 Northside Boulevard

Re: Variance to allow a reduction to the 15-foot landscape buffer along Northside Boulevard.

VAR017-16 for the October 17, 2016 City Council Meeting

The Engineering Division has no concerns with the granting of this request.



14

Sylvia Mackrill

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Monday, September 26, 2016 6:54 AM
To: Sylvia Mackrill
Subject: VAR 017-16 Jackson Foods Landscape buffer reduction

Good Morning Sylvia,

The Nampa Highway District #1 has no objection to the variance for reduction of the Landscape Buffer along Northside Blvd for the Jackson Food Store at 612 Northside Blvd. in a BC zoning district as it is not within the Highway District's jurisdiction.

If you have any questions or comments feel free to contact us.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 Highway 45. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

Shellie Lopez

15
VAR-017-2016

From: Juan Vergara
Sent: Tuesday, September 27, 2016 10:44 AM
To: Shellie Lopez
Subject: CE2016-001422 612 NORTHSIDE BLVD

This was a P/Z inspection, **NO violations at this time.** R3127300000.

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.











PLANNING & ZONING DEPARTMENT

Before the Mayor & City Council
Meeting of 17 OCTOBER 2016

PUBLIC HEARINGS STAFF REPORT

Applicant/Representative(s):

Primary Health Medical Group as Applicant with Rocky Mountain Companies as representative(s)

File No(s): VAR 00018-2016

Analyst: Robert Hobbs

Requested Action(s): Variance(s) to Nampa City Zoning Code(s) as follows:

1. The required minimum [landscaped] setback in the BC for yard areas fronting collector or arterial corridors as required by N.C.C. § 10-33-4(A) and (D)(6)...

(Decision Required: Decisions -- Note that the Council shall take action on the zoning setback as requested; however, the decision to allow, or not, the intrusion of future Property improvements, temporarily, into City public right-of-way is not a zoning related decision and should be handled by separate motion and vote.)

Pertaining to:

Parcels of land located at 3900 Garrity Boulevard and 914 39th Street (Canyon County parcels R3110600000, R#110700000, R3110800000 Tax Lots 7, 7A and 7B in the SE ¼ of Section 13, T3N, R2W, BM) in a BC (Community Business) Zone at the northeast intersection of Garrity Boulevard and North 39th Street in Nampa (hereinafter, collectively, the "Property" -- see attached Vicinity Map and aerial photo)...

Application Summary:

The Applicant has requested a Variance to N.C.C. § 10-33-4(A) and (D)(6) in order to allow the encroachment and emplacement of twelve (12) vehicle parking stalls within the existing right-of-way and front yard setback of parcels adjoining 39th as part of a plan for redevelopment of the Property. The Applicant(s) state that obtaining a Variance Permit is necessary due to a proposed re-alignment of North 39th Street which will allow more immediate development and landscaping of the Property to occur in anticipation of the future re-alignment of 39th into a pre-planned configuration which will eventually bring the Property's street frontage setback(s) back into conformance with zoning code. See attached narrative...

History:

N/A

Contents:

Conclusions of Law: Page 2-3

Staff Narrative Findings/Discussion: Pages 3-6

Recommended Condition(s) of Approval: Page 6

Attachments Description(s): Page 7

APPLICABLE REGULATIONS

10-24-1: [VARIANCE] PURPOSE:

The council is empowered to grant variances in order 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 of the bulk or quantifiable regulations prescribed by this title.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon 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, on the basis of 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.**

STAFF FINDINGS AND DISCUSSION

I. Variance Introduction:

Variations are traditionally offered zoning tools used as remedies to seek jurisdictional waivers or reductions of quantifiable, measurable development code requirements (e.g., setbacks, property dimensions, height standards, min. or maximum quantities or sizes, etc.) with which compliance in a given situation could not be attained due to site constraints (such as unusual topography) inherent to a property, rather than being the result of an applicant's own action(s)/development desires. Normally, economic considerations or "self-imposed hardships" or predicaments are not qualifying grounds to support a Variance application or its approval. As noted in the planning text The Practice of Local Government Planning (ICMA, 1988, 2nd ed.),

"Many requests for variances are for minor bulk variances in existing neighborhoods: for example, expansions of patios or carports one or two feet into designated side-yard setbacks. On such matters the zoning board becomes a sort of neighborhood arbitration board, dealing with physical hardships. Although these hardships are rarely great, this should be weighed against the extent of the public sector's stake in the somewhat arbitrary determination that a 10-foot- side yard is superior to a 9-foot one."

In Nampa, in order to justify a Variance Permit request, an applicant is tasked with arguing successfully to the City's Council that there is some aspect of the Property that physically, topographically or based on code requirements puts them at a disadvantage in trying to accomplish what they wish in comparison to like properties, especially in the surrounding area.

If the Council believes that there is no real topographical hardship associated with a Variance application (e.g., a river, a highway or a mountain in the way, etc.), then left to the applicant is the opportunity to argue that there is a "unique site circumstance" sufficient to justify their request. In times past, Variance Permits have been issued on a case by case basis where a unique situation could be determined to exist that pertained to a Variance application. Thus, historical matters, errors by the City or County, demonstrated lack of knowledge concerning a code by an applicant or their contractor, common sense "solutioning", development precedent and a variety of other mitigating factors have been evaluated in conjunction with these kinds of applications for relief from quantifiable, measurable standards adopted as law via Nampa's zoning ordinance.

Council is at liberty to approve or deny a Variance. And, their vote should not necessarily be construed as setting precedent -- for nothing binds them to vote the same way twice other than their own perceptions and those of others that they may be concerned with.

Still, consistency is a desirable goal when dealing with case by case Variance requests. As a Variance decision is a “quasi-judicial” matter, any vote to approve or deny should be accompanied by a reasoned statement listing the rationale for the decision made.

II. This Application:

As Variance Permits have been used to provide opportunity for an applicant to seek relief from a dimensional or quantifiable, metric standard, this request was received to ask the Council to consider allowing an exception to the City’s required minimum street frontage setback buffer required for properties in the BC Zone. The summary of the Applicant(s)’ request was provided at the beginning of this report. A copy of their application narrative is also hereafter attached.

As this is a Variance request, it is the obligation of the Applicant to present such facts and persuasive arguments as to convince the Council that there exists some form of hardship or other unique site circumstance to justify issuance of the requested permit. The review criteria the Council is to use in assessing the application are those in bold font listed at the beginning of this report under the heading of “Applicable Regulations”, “Actions” 1-5. Those criteria serve as the “Conclusions of Law” to be associated with this matter.

III. General, Possible Findings:

1. The Property (legal description within City case file VAR 00018-2016) made the subject of this Variance request is located within the incorporated limits of the City of Nampa; and,
2. The Property Owner(s) has/have a controlling interest in the Property and are authorized to represent the same or allow another party to represent the same in this matter; and,
3. The Property owner(s) has/have authorized Rocky Mountain Companies (as Applicant with Matthew Witt representing) to apply for, and represent, their interest(s) in obtaining a/the requested Variance Permit; and,
4. The Applicant proposes that the City’s Council grant relief to the minimum City code required (N.C.C. § 10-10-6.A) frontage landscape setback dimensions associated with the Property’s street frontage along North 39th Street in Nampa in order to facilitate provision of a future parking lot to be developed on the Property in conjunction with a medical center. The Applicant further proposes that a portion of the parking lot also intrude into the current North 39th Street right-of-way [an action not made a part of the Variance Permit request by the City though asked for as part of the application submittal to the City]; and,
5. As authorized and mandated according to Idaho statute, the City has adopted a comprehensive zoning ordinance that applies to all properties within the City’s incorporated limits and, by limited form and fashion, to areas within its negotiated impact area; and,
6. The City’s zoning ordinance requires that properties in the BC Zone comply with all relevant zoning code requirements appertaining thereto (including emplacement of any requisite, extant site improvements); and,

7. The Applicant has, therefore, submitted to the City a complete [package] Variance Permit Application together with the requisite fee, and the City has received the application and deemed it acceptable; and,
8. The Variance Application is being processed in conjunction with procedures compliant with the Local Land Use Planning Act, and Nampa Zoning Ordinance standards appertaining to such an application type; and,
9. Variances, as a rule, are not to be issued simply for economic reasons or convenience; they “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,
10. Further, a statement has been provided that attempts to justify the Variance request as some type of topographical or other physical site hardship or “unique site circumstance” that restricts Property development or “buildout” or use of land as allowed to other City properties or as granted already to City properties developed and/or used in similar fashion to the business plan(s) of the Applicant; and,
11. Adjacent property owners have not provided comment regarding the application; and,
12. The City’s Engineering Division has expressed that they are supportive of the application and have provided requirements to be associated with any approval of the same by the City’s Council; and,
13. The Nampa Highway District has expressed that they are not opposed to the application; and,
14. The Nampa Building Department has expressed that they are not opposed to the application; and,
15. No direct physical impact on the general public by this request is foreseen by virtue of this request were it approved; expected impact would either: a) be on surrounding properties adjacent to the Property; and/or, be on the question any approval raises as to its propriety, possibly including a perceived setting of precedence for similar setback code deviations given compliance to building height standards demonstrated by other persons/parties in the City; and,
16. That City services are available to the Property, the site has access to City public roads; and,
17. Attached to this report is all of the information Staff had by the time this report was ready to go to print (12 noon, October 12, 2016).

IV. Analysis/Opinion:

As pertaining to land use Variance Permit requests, a burden rests upon an applicant to argue persuasively to the City’s Council that one or more conditions related to the property they represent interfere(s) with the applicant’s use of their land in manner and form commensurate with that enjoyed, most particularly, by their neighbors or other properties in a similar situation

and zoning district as that applicant's land. Each Variance application is reviewed on a case by case basis and the merits of the matter are weighed in the public venue. Public testimony is received and the opinions of City departments or outside agencies submitted to the Council for their consideration.

With respect to the matter made the subject of this report, Applicant, per their narrative (and as afore-cited in this report) argues for their Variance request as follows:

"There are multiple special site characteristics existing on these parcels that contribute to the support of this Variance application:

- 1- The final parcel configuration is irregularly sized and shaped in comparison to the surrounding area. This was a response to the existing roadways abutting the site; however, upon the re-alignment of 39th, the parcel configuration will be normalized to align with the surround[ing] area and roadways.
- 2- The Idaho Transportation Department is removing the current existing access to the site off Garrity Blvd. as part of the intersection improvement requirements. The loss of this access point leaves the site a single access on 39th, which to effectively function with the City's realignment of the roadway will need to be located at the north end of our site. These site constraints impact the physical configuration of our site by limiting options that may have enabled this special characteristic to be designed around.
- 3- City of Nampa Transportation planners have indicated that they would not require frontage improvement [sic] along 39th St. as part of our project, as they acknowledge that they would need to be removed again for the future roadway alignment. Not installing these improvements now enables the construction of our required parking field in the final post-realignment configuration."

While is not customary to encourage approving Variance Permit requests where an argument may be made that the owner/developer of the lot could simply re-design their project to fit the site, in this case, given the arguments made by the Applicant, especially number one (1), Staff believes the proposal has merit. This is a unique situation given the future movement of 39th to the west thereby abating even the need in the future for the setback landscape buffer strip dimensional Variance. Engineering, and their traffic planning personnel are in concurrence.

RECOMMENDED CONDITION(S) OF APPROVAL

N/A

ATTACHMENT(S)

- Copy of Vicinity Map (page/Exhibit 7)
- Copy of aerial photo of Property (page/Exhibit 8)
- Copy of Applicant(s)' narrative/justification statement (pages/Exhibits 9-10)
- Copy of Variance Application form (page/Exhibit 11)
- Copies of Applicant(s) supplied site plan drawing (page/Exhibit 12)
- Copies of any department/agency correspondence items and additional Parametric visual exhibits showing proposed Property site development plan superimposed over aerial photos and future 39th Street road alignment (pages/Exhibits 13+)

9

Map



Address Candidates



Address Points



County Parcels



Copyright

September 22, 2016

Mr. Robert Hobbs, Assistant Planning Director
Department of Planning & Zoning, City of Nampa
411 3rd St. S.
Nampa, ID 83651

RE: Variance Application for 3900 Garrity Blvd. and 914 N. 39th St. (Parcels R3110600000 & R3110800000)

Dear Mr. Hobbs,

Rocky Mountain Companies (RMC) is pleased to submit the attached Application for Variance and supporting materials addressing special site characteristics pertaining to the proposed redevelopment of land located at the northeast corner of the intersection of Garrity Blvd. and N. 39th St. – specifically, 3900 Garrity Boulevard (parcel R3110600000) and 914 N. 39th Street (parcel R3110800000) within the City of Nampa.

RMC is the exclusive development partner for Primary Health Medical Group (PHMG), and to-date have constructed or redeveloped eleven facilities for them throughout the Treasure Valley with several more in the planning stages. RMC and PHMG have worked together to identify key locations in the region to provide affordable access to Family Practice and Urgent Care physicians. Those efforts have highlighted this proposed location at Garrity Blvd. and 39th St. as an important site to provide alternative care options for patients in the area.

In support of development in this area of Nampa, the City has undertaken the improvement of the intersection of Garrity Blvd. and 39th St.. These improvements include (but are not limited to) the installation of a traffic signal, as well as extensive planning for the future realignment of 39th St. to correct the irregular angle of the intersection. Since targeting this location, RMC has worked diligently with City of Nampa's Transportation Planners to ensure our development was planned cohesively with the ultimate goals of both our client and the City of Nampa. This collaboration has identified that the future realignment and improvement of N. 39th St. will result in the existing right of way for 39th being vacated and likely becoming part of the usable land area of our proposed Primary Health development. In response to these factors, and in collaboration with City of Nampa Staff, we feel it is appropriate at this time to request a Variance to existing special site characteristics to enable development of our site to a condition that aligns with the ultimate configuration of the realigned intersection.

There are multiple special site characteristics existing on these parcels that contribute to the support of this Variance application.

- The final parcel configuration is irregularly sized and shaped in comparison to the surrounding area. This was in response to the existing roadways abutting the site; however, upon the realignment of 39th, the parcel configuration will be normalized to align with the surround area and roadways.

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- The Idaho Transportation Department is removing the current existing access to the site off of Garrity Blvd as part of the intersection improvement requirements. The loss of this access point leaves the site a single access on 39th, which to effectively function with the City's realignment of the roadway will need to be located at the north end of our site. These site constraints impact the physical configuration of our site by limiting options that may have enabled this special characteristic to be designed around.
 - City of Nampa Transportation planners have indicated that they would not require frontage improvement along 39th St. as part of our project, as they acknowledge that they would need to be removed again for the future roadway realignment. Not installing these improvements now enables the construction of our required parking field in the final post-realignment configuration.

In response to these conditions, RMC is submitting this application to request a Variance to allow the construction and encroachment of (12) parking stalls within the existing right of way and setback area for N. 39th St. Upon completion of the future roadway realignment, these parking stalls will be in compliance with the new right of way and setback areas.

RMC has explored numerous avenues for development of this site, and we feel that the approval of this variance application aligns best with the goals of Nampa's Transportation Planners, as well as our client. We agree with City staff's view that it makes the most sense to cohesively plan our projects toward the ultimate preferred configuration. Approval of this application will allow continued vibrant redevelopment along the critical corridor that is Garrity Blvd.

Should you have any questions, please don't hesitate to contact our office. We look forward to continuing the fantastic collaboration work that City staff has displayed thus far, to ensure development that all can be proud of.

Sincerely,



Matthew Witt, AIA, NCARB
Director of Design & Construction
Rocky Mountain Companies



APPLICATION FOR VARIANCE

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PLANNING AND ZONING DEPARTMENT

411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 F: (208) 465-2261

18716 CC ROBERT

Nonrefundable Fee: \$255.00

Applicant Name MATTHEW WITT, ROCKY MOUNTAIN COMPANIES		Home Number (208) 345-7030	
Street Address 350 N. 9TH ST., STE 200		Mobile Number (208) 941-6131	
City BOISE	State ID	Zip code 83702	Email MAW@RMCOS.COM
Property Owner Name WILLIAM BOLINSKE		Home Number (208) 250-1544	
Street Address PO BOX 9086		Mobile Number	
City NAMPA	State ID	Zip Code 83652	Email
Applicant's interest in property: () Own () Rent (X) Other			
ADDRESS OF SUBJECT PROPERTY: 3900 GARRITY BLVD. & 914 N39TH ST.			

Please provide the following required documentation

- Completed Application
- A copy of one of the following: Warranty Deed Proof Of Option Earnest Money Agreement
- Signed & Notarized Affidavit of Legal Interest (attached). Form **must** be completed by the legal owner (If owner is a corporation, submit a copy of the Articles of Incorporation or other evidence to show that the person signing is an authorized agent)
- Original Legal description of property AND a legible WORD formatted document. (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

Project Description

➤ State the nature of the variance request and the practical difficulty or unnecessary hardship, which would result from a literal interpretation and enforcement of the specific regulation for which the variance is being sought, (attach additional pages if necessary): PLEASE SEE ATTACHED

Dated this 22ND day of SEPTEMBER, 20 16


Applicant Signature

PLEASE NOTE

This application will be referred to the Nampa City Council for its consideration. The City Council shall hold a public hearing on the application and it shall be granted or denied. Notice of the public hearing shall be sent to adjacent property owners no less than 10 or more than 30 days prior to the hearing. You will be given notice of the public hearing and should be present to answer any questions.

A variance shall not be considered a right or a privilege, but will only be granted upon showing the following undue hardship:

1. Special characteristics of the site, which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and
2. The variance is not in conflict with the public interest.

Variances are not intended to allow something that others do not have a permitted right to do.

The use or construction permitted by a variance must be commenced within a 6-month period. If such use or construction has not commenced within such time period, the variance shall no longer be valid. Prior to the expiration of the 6-month period the applicant may request from the city Council an extension for up to an additional 6 months from the original date of approval.

OFFICE USE ONLY

FILE NUMBER: VAR - 018 - 20 16

PROJECT NAME Park Stall within ROW + setbacks

Memorandum

To: Mayor and City Council
Cc: Planning and Zoning
Cc: Tom Points, P. E., City Engineer
Cc: Michael Fuss, P. E., Nampa City Public Works Director
From: Daniel Badger, P.E., Staff Engineer 
Date: October 10, 2016

Revision:

Applicant: Rocky Mountain Companies representing Primary Health Medical Group

Address: 350 Nor. 9th Street, Ste. 200, Boise, Idaho 83702

Parcel Address: TBD

Re: Variance to allow construction and encroachment of 12 parking stalls within the existing right-of-way and setback of Nor. 39th Street.

VAR018-16 for the October 17, 2016 City Council Meeting

The Engineering Division recommends the following conditions for this variance:

- Applicant shall design the improvements to address the drainage along North 39th Street
- If approved applicant shall enter into an encroachment agreement for the parking stalls in the right of way.



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Sylvia Mackrill

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, September 27, 2016 7:24 AM
To: Sylvia Mackrill
Subject: VAR 018-16

Good Morning Sylvia,

The Nampa Highway District #1 has no objection to the variance for Rocky Mountain Companies, representing Primary Health Medical Group to allow construction and encroachment of 12 parking stalls within the existing right-of-way and setback area of N. 39th St. as it is not within the Highway District's jurisdiction.

If you have any questions or comments feel free to contact us.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 Highway 45. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

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Shellie Lopez

From: Neil Jones
Sent: Monday, September 26, 2016 4:43 PM
To: Shellie Lopez
Cc: Bret Caulder
Subject: RE: Construction & Encroachment of 12 parking stalls within the ROW & Setback area / VAR 018 16

Building Department has no conditions.

Neil Jones

Plans Examiner Supervisor

P: 208.468.5492 F: 208.468.4494

[Department of Building Safety](#), [Like us on Facebook](#)

From: Shellie Lopez [mailto:lopezs@cityofnampa.us]
Sent: Monday, September 26, 2016 3:24 PM
To: Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Bret Caulder <caulderb@cityofnampa.us>; Carl Miller <cmiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eddy Theil <eddy@nampahighway1.com>; Eric Shannon <eric@nampahighway1.com>; Eric Skoglund <skoglundl@cityofnampa.us>; Jennifer Yost <yostj@cityofnampa.us>; Jim Brooks <brooks@cityofnampa.us>; Michael Fuss <fussm@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; Patrick Sullivan <sullivanw@cityofnampa.us>; Ray Rice <ricer@cityofnampa.us>; Robin Collins <collinsrr@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Sylvia Mackrill <mackrill@cityofnampa.us>; Tom Points <pointst@cityofnampa.us>; Vickie Holbrook <holbrookv@cityofnampa.us>
Subject: Construction & Encroachment of 12 parking stalls within the ROW & Setback area / VAR 018 16

Good Afternoon! ☺

VAR 018-16

Rocky Mountain Companies, representing Primary Health Medical Group has requested a Variance to allow the construction and encroachment of 12 parking stalls within the existing right-of-way and setback area of N 39th Street.

The Variance is scheduled as a public hearing item on the City Council agenda of November 7, 2016.

Please find attached the VAR 018 -16 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) prior to October 26, 2016.

Have a great day!