City of Nampa
Regular Council Meeting
November 21, 2016
Regular Council - 6:30 PM
Public Hearings - 7:00 PM

Call to Order and Pledge to Flag
Invocation – Scott Shaw, Intermountain District Church of the Nazarene
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 – November 7, 2016
2) Minutes of the Special Council Meeting – June 15, 2016
3) Minutes of the Airport Commission Meeting – September 12, 2016
4) Nampa Bicycle and Pedestrian Advisory Committee - N/A
5) Board of Appraisers Minutes – N/A
6) Planning & Zoning Commission Meeting – N/A
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) None
12) Authorize Public Hearings
    a) Annexation and Zoning to RS-6 on the south side of W Flamingo Ave, west of N Middleton Rd. for Penelope Riley representing Rod Luddington of Cherrod Development LLP
    b) Annexation and Zoning to RS-7 on the south side of Lone Star Rd, west of S Shumway Ave. for Leland and Maria Trobock.
13) Authorize to Proceed with Bidding Process
    a) None
14) Renewal of Agreements and Authorize Mayor to Sign
    a) None
15) Monthly Cash Reports
16) Resolutions – Disposal of Property with Value Under $1000.00
    a) None
17) Licenses for 2017-2018 (*All Licenses Subject to Police Approval*):
    a) None
18) Approval of Agenda

Communications
19) None

Staff Communications

20) Staff Report – Michael Fuss

Unfinished Business

21) POSTPONED Third 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

22) First Reading of Modification of Annexation/Zoning Development Agreement between Retail Property Acquisition, LLC and City of Nampa reducing the required off-street parking ratio of 1 space per 200 sq. ft. to 1 space per 250 sq. ft. at 2100 12th Ave Rd for Wal-Mart Real Estate Business.

23) First Reading of Zoning Map Amendment from RD to BC at 320 11th Ave N. for Adam Garcia representing Angel Navarrete.

New Business

24) Request for purchase of 8 Motorola MCC 7500 Radio Consoles and Equipment

25) Discussion of Taxi Code Amendments

26) Award bid and authorize Mayor to sign contract for the Well 1 & 2 Abandonment and Demolition project

27) Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

28) Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

Public Hearings

29) Vacation of the 60 ft. Future Street Right-Of-Way, Public Utilities, Drainage and Irrigation Easement, located on the south side of Shopko Commercial Center Subdivision for Nampa Shopping Center Associates.

Adjourn

Next Meeting

- ***Regular Council at 6:30 p.m. – Monday, December 5, 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
November 7, 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 adding taxi regulation discussion under new business and by adding under the consent agenda a beer, wine and liquor transfer from Denny's to SAS doing business as Denny's, 607 Northside Boulevard and by amending the October 17, 2016 minutes on page 4 the correct spelling for Becca Levi and on page 5 change from Councilmember White teen council to the Mayors teen council.

MOVED by Levi and **SECONDED** by Haverfield to **approve** the **Consent Agenda with the above mentioned amendments; Regular Council Minutes of October 17, 2016; Special Council Minutes of June 20, 2016, June 21, 2016 and October 28, 2016; Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes of September 21, 2016; Airport Commission Minutes; 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) Modify and Increase Recommended Flat Rate Sewer Only Customer Fee; **Authorization to Proceed with the Bidding Process**: 1) Snow Plowing Contract (FY17); 2) Irrigation Water Quality Materials Purchase; 3) Pump Maintenance Projects (FY17); **Renewal of Agreements and Authorize the Mayor to Sign**: 1) None; Monthly Cash Report; **Resolutions** – *Disposal of Property with Value Under $1,000.00*: 1) In Car Shotgun Racks – donate to the Owyhee County Sheriff's Office (Police); 2) (Environmental Compliance); and **2015-2016 Licenses**: (all licenses subject to police approval): Denny's Restaurant transfer to SAS Restaurant Ventures Inc. dba Denny's for beer, wine and liquor 607 Northside Boulevard; **approval of the agenda.** Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

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

Financial Advisor Assistance for Evaluating Phase II Wastewater Upgrades – Public Works is currently going through the facility planning process to determine the next phase of upgrades required at the Nampa wastewater treatment facility to meet the new National Pollutant Discharge Elimination System (NPDES) permit requirements. The upgrades will be a significant capital investment for the City. As staff is evaluating the capital construction and finance needs we have found that the timing and packaging of construction projects may be affected by the method of funding or financing. The Wastewater Program Management Team (WPMT) is composed of planners, engineers, rate consultants, and public involvement expertise. One area missing is public finance expertise. To that end, Public Works and Finance Departments performed informal interviews with four of the top financial firms in the Northwest and nationally to determine the appropriate firm and the appropriate approach to evaluating finance

and potential bonding options. Upon meeting with these firms, staff has concluded that a financial advisor will be necessary to help the City go through the steps of making the best financial decisions necessary to continue wastewater upgrades.

Upon researching some of the top municipal financial advisor firms in the Northwest and nationally, the following firms were interviewed:

- Public Financial Management, Inc., Seattle, Washington: Ranks second in the Northwest for the number of bond issues sold over the past three years
- George K. Baum & Company, Salt Lake City, Utah: Deals solely with municipal finance and has 22 offices around the country
- Northwest Municipal Advisors, Bellevue, Washington: Ranks third in the Northwest for the number of bond issues sold over the past three years
- Piper Jaffray, Boise, Idaho: Ranks first in the Northwest for number of bond issues sold over the past three years and comes highly recommended from several different sources

The following key questions were asked of each firm:

1. As a financial advisor, what services will you provide to us? What services are performed before and during a bond vote? If the vote is in favor of bonding, what next steps are needed?
2. What is your fee structure? Are there different fees depending on the level of service the City will require?
3. What members in your office would make up the team City staff would be working with, and what experience do these members have?
4. What experience do you have in the state of Idaho? Do you have a list of references?

All four firms had similar fees for the required services. Staff also discovered, during this process, that the state of Idaho has unique bonding requirements in place of which many of the firms had little or no experience. These firms informed staff they would be looking into these requirements to learn more. To successfully prepare for a bond election, if and when it is deemed necessary, a lot of hands-on meetings to create financial plans and models, prepare for bond rating, and planning for public involvement would be necessary. As three of the four firms are out of state, reimbursement of travel expense would be required. Based upon these determinates, Public Works and Finance Departments staff plan to move forward with the selection of Piper Jaffray for Financial Advisory Services to assist the WPMT to determine the best solution for Nampa and the required Phase II Upgrades at the wastewater treatment plant. Staff will begin negotiations with Piper Jaffray and submit a contract for approval from City Council in the near future.

Communications Director Vickie Holbrook presented a staff report on the City owning a drone.

The City of Nampa now owns a drone. The City of Nampa purchased this drone for several reasons, but first I want to say that it is not a toy, and it is not something that big brother will be using to spy on our residence. It is a new tool that we will be able to use to highlight some of the good things that we have going on in the City.

Why a Drone?

- Another tool to understand our city
- Opportunity to showcase Nampa - We want to be able to show a unique view of the City
- Expense to hire/limited flexibility, availability – the drone, pilot training and testing and accessories = $2,500. We can take it out when we want to, it gives us a whole lot more flexibility but it also gives us the opportunity to be very transparent with our tax payers because we can shoot images of before and after and go out and show exactly how we spent money.
- For capturing before/after photos of projects -
- Public safety training/emergency planning
- Life & death emergency situations

When Economic Development wanted to show case the Ford Idaho Center from a view that is different than driving by on the highway, we hired another person to fly the drone and that was $150.00 for thirty seconds worth of video.

City policy for usage

- Policy in place to maintain the trust of the public
- Pilots must be certified
- Promotional opportunities for the city
- Device is kept under lock and key
- Flight plans must be filed/approved
- We are following FAA rules

Meet our first pilot

- School Resource Officer Jacob Peper
- Able to obtain aerial views of schools, large, tall buildings; could have current images on file in the event of an active shooter, fire
- Search for a lost child in open area

We are only allowed to fly 400 feet so we can't go above that and we have to have within our vision and we can't use binoculars to that. If we wear glasses, we can use them. I don't think that you can see further than a half mile.

Councilmembers asked questions of staff concerning public records, who has control of it, what departments paid for the drone and about the policy.

The following Ordinance was postponed at the request of staff due to lack of supporting documentation.

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**, 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)

Mayor Henry presented a request for **reconsideration** of the **Council Decision** for the **rezone** from **RS6** to **RA** and **variance** at **1409 Lake Lowell** for **Jessica Selkow**.

MOVED by Bruner and **SECONDED** by White to **reconsider** the **rezone** from **RS6** to **RA** and **variance** at **1409 Lake Lowell** for **Jessica Selkow**. Mayor Henry asked for a roll call vote with all Councilmember present voting **YES**. Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to as Council if they would like to **amend the taxi regulations**.

Councilmember Skaug asked if the Council would be interested in amending the taxi code 5-7-1 there is a lengthy list of regulations on taxi and which some it is unnecessary and in the spirit of free market I don't think that we would like any more. If we wanted to press this home it would prevent UBER from being here the way it is written. We require taxi to have 24-hour service to have a business, that is unnecessary, we require our police department to be looking at all of the taxis and they are not doing that and I don't think that they should.

I have talked to Captain Daniels and the City Attorney and they don't see any problem with these changes.

MOVED by Skaug and **SECONDED** by White to **consider deregulating some of the taxi ordinance 5-7-1 at our next meeting**. Mayor Henry asked all in favor say aye with all Councilmember present voting **AYE**. Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented information on the **West Valley Humane Society Audit**. Mayor Nancolas, myself and Commissioner Rule met with all of the changes that have been going on with the Humane Society we have agreed that we would request an audit of the facility. The cost would be bore equally by all three entities.

Mayor Nancolas is working on a firm that does those type of audits. We have not gotten a firm quote back yet, but have been told that it will not be very expensive.

I just wanted bring Council up to speed as our contract is coming up for renewal in December. The Caldwell and the County contract have expired and they don't want to renew them until after an audit. We are just going to make sure that the money is in order as they move forward with new leadership and we move forward with new contracts.

Mayor Henry presented a request for **authorize** the **Parks Department Purchase** of **FY17 Mowers**.

Parks Superintendent Cody Swander presented a staff report explaining that for fiscal year 2017, Parks Dept. in cooperation with Fleet Services Division has identified the need to purchase new mower systems.

Form 50 requesting acquisition of two (2) new grounds mowing assets was recommended for funding by the Finance Dept. for fiscal year 2017. City Council has approved the acquisition of new assets in the final FY2017 budget, to perform assigned duties as needed.

The new assets are to be purchased utilizing an informal 3 bid process from the vendor whom offers the lowest cost to the city for a specific make and model of mower systems, one tow behind 'gang' mower and one self-propelled zero turn mower.

The Zero Turn mower is a replacement for a 2004 Toro which will be reallocated as a backup unit, and to absorb the duties of a 'Grasshopper' that blew up this past summer. The tow behind gang mower is a new addition.

If necessary, any required up-fitting will be performed by Fleet Services Division and/or local specialized vendor as yet to be determined.

MOVED by Haverfield and **SECONDED** by Levi to **authorize** the **immediate purchase** of **two new grounds mowing systems**, one **tow behind 'gang' mower** and **one self-propelled zero turn mower**. Assets are to be purchased utilizing an informal 3 bid process from the vendor whom offers the lowest cost to the city, not to exceed the total **estimated** purchase price of $35,000.00. Mayor Henry asked for a roll call vote with all Councilmember present voting **YES**. Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **adopt** the **12th Avenue Safety** and **Access Study Report** as a guide for future staff consideration of its recommendations; and direct staff to proceed with design and construction of the highest unfunded priority recommendation from the study that can be completed for $110,000.

City Engineer Tom Points presented a staff report explaining that the 12th Avenue Safety and Access Study focused on one of the highest accident roadway segments in Nampa – 12th Avenue South between Amity/Lake Lowell Avenues and 7th Street South (See Exhibit A). In five years preceding the study, there were a total of 238 crashes (47+/year) with 145 personal injuries (19 serious injuries and 1 fatality). Five intersections each had at least 10 crashes in that period. Most recently, two students were injured in separate bicycle-automobile accidents at Dewey Avenue and Lincoln Avenue during the week of September 12.

The study's far-reaching recommendations include

- Create additional safe crossings for pedestrians and bicyclists;
- Install medians to prevent left turns into and out of some streets and driveways;
- Straighten the curve near 12th Avenue's current intersection with Roosevelt Avenue;
- Re-align Roosevelt Street to intersect 12th Avenue in a safer location;
- Install a traffic signal at 13th Street South;
- Upgrade street lighting;
- Improve sight distance issues at numerous locations; and
- Consolidate and improve driveway approaches.

This project first came to Council in October, 2015, in the form of a State-Local Cooperative Agreement (SLCA) with ITD. The project scope of work included the following project goals:

- Identify transportation safety and access issues in the corridor for all modes (vehicle, pedestrian, bicycle).
- Prepare and prioritize a list of improvements to address the identified safety and access issues

- Engage stakeholders to better understand existing conditions, travel patterns, and potential improvements
- Recommend a specific site location for a Pedestrian Hybrid Beacon (PHB or HAWK) crossing 12th Avenue South between Sherman Avenue and Dewey Avenue. The signal is funded through the Local Highway Safety Improvement Program and scheduled for construction in FY17
- Recommend a specific site location for a PHB/HAWK crossing 12th Avenue South between 10th Street South and 12th Street South. The signal is funded through the Local Highway Safety Improvement Program and scheduled for construction in FY17

The SLCA included the following financial agreement:

- Idaho Transportation Department would pay to the City a not-to-exceed amount of $110,000 to fund the study.
- City of Nampa would commit a minimum of $110,000 toward implementing the highest-priority improvement(s). This amount was included in the FY2016 City budget; this amount will be rolled over into FY2017 in the budget amendment.

Parametrix was selected and completed the study on time and within budget (slightly less than $110,000). Study recommendations are presented in detail on Pages 26-29 of the final report attached as Exhibit B.

Priority Project 1 is to install a PHB/HAWK at Sherman and construct a center median on 12th Avenue from Sheridan to Lincoln. Priority Project 2 is to install a PHB/HAWK at 11th Street South. Even as land uses along 12th Avenue near Sherman change, recent bicycle-auto accidents near the intersection underscore the appropriateness of and continuing necessity for the first priority PHB/HAWK. The second provides a safe means to cross 12th Avenue in a section with no traffic breaks for many blocks in either direction.

Both PHB/HAWKs are funded with separate federal funding. Design is complete and they are soon ready to go to bid. The median between Sheridan and Lincoln remains as the highest-priority unfunded recommendation. City and Parametrix staffs conducted multiple public outreach efforts:

- Widely publicized informational meeting at Nampa High School;
- Interviewing more than 20 business owners along the entire project length; and
- Meeting individually with business owners most directly affected by the Priority 1 and Priority 2 recommendations, above.

In general, all public comments and interviews pointed out various perceptions of how the roadway is not working well: speeding; crashes; improper use of the center two-way-left-turn lane; inability to cross the street; poor sight distances; distractions along the roadside; dangerous

curve. Suggestions for improvement focused on three improvements. All are highly consistent with the study's recommendations:

- Pedestrian crossing protection;
- Additional traffic signal(s);
- Center medians.

Remaining recommendations beyond priorities 1 and 2, if the plan is adopted, would be included by Public Works staff in its annual cycle of project review and prioritization.

Staff request, therefore, for Council to adopt the plan as a guide for future staff consideration and direct staff to proceed with the highest unfunded priority recommendation that can be completed for $110,000.

Councilmembers asked questions of staff.

MOVED by Skaug and **SECONDED** by Haverfield to **adopt** the **12th Avenue Safety and Access Study** report (Exhibit B) as a guide for future staff consideration of its recommendations; and **direct staff to proceed to design and construct** the highest unfunded priority recommendation from the study that can be completed for $110,000. Mayor Henry asked all in favor say aye with all Councilmembers present voting **AYE.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry opened a **public hearing** for **modification of annexation/zoning development agreement** between **Retail Property Acquisition, LLC** and City of Nampa recorded 07/14/1998 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 at **2100 12th Ave Rd** for **Wal-Mart Real Estate Business**.

Joann Bulter, 251 East Front Street, presented the request.

Planning and Zoning Director Norm presented a staff report explaining that the request is for modification of an annexation and zoning development agreement between Retail Property Acquisition, LLC and the City of Nampa recorded 7 /14/1998 as Inst. No. 9826075 -- amending as necessary Section 4.a. of the original Agreement to reduce the Agreement's demand for an off-street parking ratio of 1 :200 sq. ft. of floor area for the retail user(s) on the property affected by the Agreement, and, to modify the concept development site plan (original agreement's "Exhibit B" assigned to the same land for 31.51 acres located at 2100 12th Avenue Road for Walmart Real Estate Business Trust.

History/Commentary: The Property was originally annexed as zoned Community Business (BC) in 1998. The entitlement was provided to facilitate the "build-out" of a Walmart store. A

Development Agreement [land use contract] was entered into by Walmart and the City to establish development conditions for the store and the balance of the Property in anticipation of ancillary uses also being developed thereon. The conditions have since been satisfied. As explained in the Applicant's representative's narrative, a minor change to the Agreement is needful and in line with current City standards.

Development Agreement Modification

Criteria to guide the Council regarding the requested Development Agreement Modification are absent from state statute or City ordinance. Thus, approving -- or not -- this application becomes a purely subjective matter/decision on the part of the City in reaction to this DA contract modification application.

As afore-noted, hereafter attached is a copy of Ordinance 27 42 (Instrument No. 9826075) which has, as a part thereof, the Development Agreement referenced by this report. The sections of the Agreement proposed for modification are, expectedly in this instance, amending as necessary Section 4.a. of the original Agreement to reduce the Agreement's demand for an off-street parking ratio of 1 :200 sq. ft. of floor area for the retail user(s) on the property affected by the Agreement, and, to modify the concept development site plan (original Agreement's “Exhibit B) assigned to the same land as also already noted……

Having reviewed the Applicant's submittal materials, and reviewed their request, Staff finds no reason to not approve the proposal. Parking provision for the Walmart is self-evidently available, and, is proposed to still be apportioned in accordance with City standard one (1) space per 250 of retail building square footage by virtue of the proposed Agreement modification. Further, the application materials provide an understanding of a proposed fuel station to be located at the northwest corner of the Property below the KFC and A& W (see attached plans). (A Design Review Application for the new fueling station has already been supplied to our department for processing.) The proposed fueling station's emplacement on the Property coupled with a bank's presence at the southwest corner of the Property provide impetus to modify [rather, replace] the old Agreement's Exhibit B with a new one to reflect the site's current and proposed the "build-out" condition.

As the process of rezoning and Development Agreement modification is a two-step endeavor, Staff will prepare a Development Agreement Modification document for Council's review prior to the 3rd reading of the ordinance that will/would enact the Development Agreement Modification.

Public/Agency/City Department Comments: Any correspondence from agencies or the citizenry regarding this application package [received by noon October 26, 2016] is hereafter

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

Note: Any relevant recommended requirements alluded to in any responding agency or City department/division correspondence will be manifest in the recommended Conditions of Approval presented by Staff in this report hereafter ...

Recommended Condition(s) of Approval

Should the City Council vote to approve the requested Development Agreement Modification(s) as desired by the Applicant(s), then Staff would recommend that the Council consider recommending imposition of the following Condition(s) of Approval against the requests/ Applicant(s):

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

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

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

MOTION CARRIED

Councilmembers asked questions of staff.

MOVED by White and **SECONDED** by Bruner to **approve** the **modification of annexation/zoning development agreement** between **Retail Property Acquisition, LLC** and City of Nampa recorded 07/14/1998 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 at **2100 12th Ave Rd** for **Wal-Mart Real Estate Business.** 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 a **variance** to City of Nampa Zoning Ordinance Section **10-23-18-F(1),** limiting the electronic display/message center portion of a freestanding pole sign to 45 percent of the sign's overall area. The applicants state they are applying for the variance in order to allow 100 percent of the area of the proposed freestanding pole sign to be used for electronic message/display, for property located at **1866 East Chisholm Drive**, on the

north side of 1-84, east of North Franklin Boulevard, within an IP (Industrial Park) zoning district, for **Ken Ritchie**, representing **KIVI TV**.

Ken Ritchie presented the request.

Norm Holm presented a staff report explaining that the request is for a variance to section 10-23-18 F.1. and table 10-23-20 G if the sign code and enter into a sign encroachment agreement. To allow the electronic display/message center portion of a proposed freestanding pole sign to exceed forty-five percent (45%) of the sign's overall area. One hundred percent (100%) of the sign's overall area is proposed to be used for an electronic display/message center and to allow the maximum display surface area of 1-1/2 sq. ft. per foot of street frontage or 300 sq. ft. maximum, whichever is more restrictive (in this case 222 sq. ft.) to be exceeded by 72 sq. ft. for a total proposed area of 294 sq. ft and to allow for an Encroachment Agreement to be executed with the applicant allowing the sign to be placed over or into the public right-of-way of East Chisholm Drive for Ken Ritchie representing KIVI TV.

Applicable Regulations:
Sign Code

10-23-10: SIGN VARIANCES:

A. Applicability: Sign variances may be granted to the height and display surface standards, to increase the number of allowed signs, to allow relocation of a sign, and to allow structural alterations to a sign in accordance with chapter 24 of this title.

10-23-18: SPECIFIC SIGN TYPE REQUIREMENTS:

F. Electronic Changing Or Flashing Signs (Including Message Centers): Electronic message center and display signs that are changing or flashing types shall be allowed in all commercial (including gateway), industrial, residential professional, and university zones, and on church, school or professional office sites, except they are not permitted within the DH zone. When permitted, all signs shall comply with the following restrictions:
   1. Signs that are proposed to feature electronic reader board message centers: The electronic display/message center portion of a freestanding pole or monument sign shall not exceed forty-five percent (45%) of the sign's overall area and shall be made an integral part thereof.

Table 10-23-20 (G): PERMANENT SIGNS PERMITTED IN THE IP ZONES: Maximum Display Surface Area per Establishment for Freestanding pole, monument, projecting or roof signs: 1 % sq. ft. per linear foot of street frontage or 300 sq. ft. maximum, whichever is more restrictive.

Variance Code

10-24-1: Purpose: A variance is a modification of quantifiable/measurable requirements imposed by this title (e.g., lot/parcel: size, width, depth, frontage required; structure heights; parking space dimensions/quantities; setbacks; sign dimensions/height; number of signs allowed; fence height; etc.). All variances shall be approved by the city council in order to be considered valid and in force. A variance shall not have the effect of allowing a use not otherwise allowed or conditionally allowed by chapter 3 of this title. 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 placement, 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. 4050, 2-19-2013)

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

Transportation: The proposed electronic display/message freestanding pole sign will be partially situated within the bulbed out section of the existing right-of-way of E Chisholm Drive as shown on the engineering exhibit. Engineering has recommended and the applicant has requested to enter into an Encroachment Agreement with the City for the sign to be placed over or into the public right-of-way.

Environmental, Aesthetics/Landscaping: The proposed sign will be 40' high and 12' x 24.5' or 294 sq. ft. in area. The sign will be situated in the existing landscape island to the right side of the entry into their parking lot.

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 proposed design or by their desire for economic gain.

If the City Council believes that there is no real topographical hardship associated with the 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 has indicated that the intent behind the proposed sign is three-fold. First, they would use the sign as a marketing tool for the KIVI TV station to promote their news and entertainment programming along with the community events they are involved in. Second, their intention is to sell advertising space on the sign to their existing TV customers as well as to businesses that are not their current customers. Thirdly, they would make the sign available for Amber alerts, as well as major traffic and weather alerts.

It will be up to the City Council to determine whether or not the applicant's rationale qualifies as a unique site or locational circumstance providing the required justification for the requested sign Variance approval.

The City Council is at liberty to either approve or deny a variance. And, your vote should not 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, will allow the proposed 40' high, 294 sq. ft. electronic display/message freestanding pole sign with 100% of the display area directed to the electronic display to be erected within the existing landscape island to the right side of the entry into their parking lot. The bottom of the sign would be 28' up from ground level.

The City Council will also need to make a decision on the applicant's request for an Encroachment Agreement with the City for the sign to be placed over or into the public right-of-way of E. Chisholm Dr.

Recommended Conditions of Approval - Should the City Council vote to approve the requested Sign Variance the following conditions of approval are recommended:

1. A Sign Permit shall be applied for by the Applicant, and reviewed, and approved by the City before any new Sign is installed, as authorized by this Variance approval.
2. The proposed Sign shall not be placed in any required utility easement, vision triangle as defined by adopted City code or overhanging any public right-of-way unless the City Council also approves the associated Encroachment Agreement request.
3. This permit is valid for six (6) months during which time in order to be "vested" a Sign permit application must be filed with the City of Nampa.
4. This Variance Permit is valid only for the Sign reviewed and approved by the City Council in association with this Variance approval.
5. The Sign shall otherwise comply with all requirements of the Nampa sign code excepting those waived as a result of this Variance approval.
6. The proposed 294 sq. ft. electronic display/message freestanding pole sign shall have its pole sheathed or boxed and have material components which match the primary business Building finishes for the property. Such coverings may include, but not be limited to: stucco, decorative metal, rock, simulated rock, and/or brick in accordance with the provisions of Section 10-23-18 H. d for new signs.

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

Councilmembers asked questions of staff and the applicant.

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

MOTION CARRIED

Councilmember Haverfield asked questions of legal concerning liability to the City.

Councilmember Levi made comments to the liability questions.

MOVED by Raymond and **SECONDED** by White to **approve** the **variance** to City of Nampa Zoning Ordinance Section **10-23-18-F(1),** limiting the electronic display/message center portion of a freestanding pole sign to 45 percent of the sign's overall area. The applicants state they are applying for the variance in order to allow 100 percent of the area of the proposed freestanding pole sign to be used for electronic message/display, for property located at **1866 East Chisholm Drive**, on the north side of 1-84, east of North Franklin Boulevard, within an IP (Industrial Park) zoning district, for **Ken Ritchie**, representing **KIVI TV including all city and federal regulations on signs.** 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 a **variance** to City of Nampa Zoning Ordinance Section **10-23-20(8)** which permits a 25-foot-tall, 200 square foot maximum size sign. The applicants state they are applying for the variance in order to construct a 90-foot-tall, 450 square foot sign, that will allow the sign on their property to be visible from 1-84, for property located at **555 Northside Boulevard**, on the west side of Northside Boulevard and south of Shannon Drive, within a BC (Community Business) zoning district. The sign is proposed for the northwest corner of the Maverik facility, for **Maverik, Inc**.

Todd Meyers, with Maverik presented the request.

Norm Holm presented a staff report explaining that the request is for a variance to N.C.C. § 10-23-20.B. (that limits the height of a free-standing sign [in this case a free-standing type] to 25' within a BC [Community Business] Zone); and, to N.C.C. 10-23-20.B (that limits the size of a free-standing sign to 1.5 sq. ft. per lineal foot of a property's street frontage, or, to 200 sq. ft. within a BC Zone -whichever is more restrictive) ... The Applicant seeks Variance approval to allow an 90' tall, 450 sq. ft. sign on the below referenced Property (per Applicant: in order to provide visibility of the sign from 1-84 commensurate with that afforded other signs allowed along the Interstate. Pertaining to the northwest corner of a parcel of land (hereinafter the "Property") addressed as 555 Northside Boulevard (Canyon County Parcel/Acct. No. R1303400000), which Property is positioned on the west side Northside Boulevard and south of Shannon Drive in Nampa in a BC (Community Business) Zone for Todd Meyers for and on behalf of Maverik, Inc.

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; 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.

<u>Staff Findings and Discussion</u>

I. **Variance Introduction**: Variances 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. A vote to

approve may be made contingent on an applicant's compliance with certain conditions. Variances have set life spans and may also be rescinded under particular circumstances.

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 a sign of higher than normally allowed height, and, larger than normally allowed size to be emplaced on the Property. Said Property is zoned as/for commercial development and presently has a new Maverik convenience store recently constructed thereon. The City's sign code specifies that signs of the type desired by the Applicant shall be limited to 25' in height (in the BC Zone). The 25' height is measured from grade at the base of the sign to the top thereof, and is meant to advertise to an adjoining thoroughfare. The sign code also caps the allowable area of a free-standing sign such as that proposed to either 1.5 sq. ft. per lineal foot of street frontage that adjoins the sign's location, or, 200 square feet-whichever is more restrictive.

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, Abbreviated Findings:

1. The Property (legal description within City case file VAR 00020-16) made the subject of this Variance request is located within the incorporated limits of the City of Nampa; and,
2. The Applicant has a controlling interest in the proposed sign and is authorized to represent the application associated with this report; and,
3. The Applicant proposes an increased height allowance (90' in lieu of 25') in conjunction with their intent to emplace a free-standing sign on the Property; and,
4. 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,
5. The City's zoning ordinance requires that properties in the BC Zone comply with all relevant zoning code requirements appertaining thereto (including regulation of signs within said district); and,
6. That among BC zoning regulations, those properties in the City of Nampa that do not directly abut/adjoin 1-84 (the Interstate) may have but 25' tall free-standing advertising signs with prescribed quantity/spacing, area, construction methodology, electronic

message center controls, etc.) in part to: "ensure that signs are designed, constructed, installed and maintained to assure public and traffic safety", to, "allow adequate and effective signs without dominating the visual landscape", to, "protect and enhance economic viability of the city's commercial corridors by assuring aesthetic appeal to businesses and residents alike", and to, "to balance the needs of business with the desire to preserve and enhance the visual character of the city ... " (N.C.C. § 10-23-1.A, C-E); and,

7. The Applicant seeks a Variance Permit from the City of Nampa in order to allow a proposed free-standing sign to be emplaced on the subject Property, said sign to be 90' tall and 450 sq. ft. in area - both taller and larger than the City's sign code allows; and,
8. The Applicant has submitted to the City a complete Variance Permit Application together with the requisite fee, and the City has received the application; and,
9. 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,
10. 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,
11. 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 "build-out" 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,
12. Adjacent property owners [to the Property] have not provided comment regarding the application; and,
13. The City's Engineering Division has expressed that they are not opposed to the application, and have provided requirements in the event the Variance is approved and a Sign Permit applied for by the Applicant(s); and,
14. The City's Building Department has expressed that they are not opposed to the application, and have provided requirements in the event the Variance is approved and a Sign Permit applied for by the Applicant(s); and,
15. The Nampa Highway District has expressed that they are not opposed to the application; and,
16. No direct physical impact on the general public by this request is foreseen by virtue of this request were it approved (e.g., tall signs, including sometimes larger varieties such as billboards are commonly emplaced in close proximity to interstates); and,
17. Other signs have received from time to time Variance approvals to allow increased heights beyond code standards. A review of past files regarding Variances for sign height since 1980 revealed the following:

- In 1989, the City Council approved a variance request for the Super 8 Motel at 624 Nampa Boulevard. Said request was for a sign oriented to the freeway and proposed to be 75' tall. Noted in the Staff report at the time was that,

  "Other signs of similar height to that which is proposed have been allowed in the area by variance, due to freeway orientation. They are as follows:
  Shilo - 80' high
  Denny's - 80' high
  Gem Fuel - 98' high (was 71' previously)"

- In 1996, the City Council approved a Variance request for the Sleep Inn at 1315 Industrial Way. Said request was for a sign oriented to the freeway and proposed to be 65' tall. Noted in the Staff report at the time was that,

  "Other signs of similar height to that which is proposed have been allowed at the Nampa Blvd. Exit by variance, primarily due to freeway orientation and the lower grade of the sign in reference the interstate elevation…. Freeway oriented businesses should be allowed signs higher than 40'. At one time the sign code gave the building official the discretion to grant higher sign heights…. I don't believe the ordinance should be amended as all businesses along the interstate don't require higher signs, only those directly oriented to the needs of travelers."

- In 1997, the City Council approved a Variance request for the Inn America at 130 Shannon Drive. Said request was for a sign oriented to the freeway and proposed to be 70' tall. Noted in the Staff report at the time was that,

  "The applicant indicate[d] that the property is in a low lying area. The location is further obstructed by the overpass. The variance in height limitation would allow the sign to be seen by the traveling public."

  Further comments in the same Staff report reiterate comments in previous Staff reports on the same theme (obviously, the City has established a precedent for allowing "freeway oriented" signs to exceed the normal 40' maximum free-standing sign height allowance); and,

- In 2016, the City Council approved a Variance request for Vesco to emplace at 1815 Madison (by Western Window) on the north side of 1-84 a billboard intended to have a top elevation of 80' above grade, approximately 65' in the air from a driver's perspective when seen from the freeway.

18. Per City GIS information, there is a lateral difference in grade height between the Property and the lnterstate's travel lanes of about 20-30', depending on point of assessment; and,
19. Other signs have received from time to time Variance approvals to allow increased heights beyond code standards. A review of past files regarding Variances for sign height since 1980 revealed the following:

    That where size variances have been approved, such signs were relatively small and the desired area increase also somewhat constrained (e.g., in lieu of 32 sq. ft., 56 sq. ft. was approved on more than one occasion.

IV. Analysis/Opinion: As pertaining to land use or sign Variance Permit requests in Nampa, 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, Staff notes regarding the sign height proposed:

A) That the Property area whereupon the Applicant wishes to erect an on-premise, free-standing sign is comparable in elevation with surrounding parcels, but is approximately 20' to 30' below the grade of the Interstate to the north according to the City's topographic maps; and,
B) That should the Applicant erect the proposed sign at 90' (25' allowed per BC Zone sign controls + 65' to adjust for the grade difference from sign base level and the Interstate above) they would be in care and keeping with nearby, existing and yet to be em placed sign devices that are of similar height. Applicant, in their justification letter refers to their need to be able to advertise to 1-84 and refers to neighboring properties' signs wherein they states,

> "Like many of the neighboring businesses, Maverik serves as [sic] the 1-84 traveling public and tourists commercial needs. Due to the visibility needs from 1-84 the signage is crucial to the vitality of the business. We are requesting to allow an additional sign that is 90 ft. high with a sign copy area of 450 [sq.] ft. This request is similar to the other businesses in the area, including the neighboring C-store (fuel sales) with the exact signage in both height and copy area that we are requesting. The request is in compliance

with the City's Comprehensive Plan to strengthen and expand businesses. It is also in line with the goals of the Plan as the proposed sign is compatible with other signs in the area and is in scale with the commercial district that serves the need of the traveling public."; and,

C) That the sign is intended to be supplemental to other signage on the property and is primarily directed to Interstate advertising; and
D) That the Property, while not abutting the Interstate is a reasonable distance to the same to justify advertising to it, and,
E) That the business on the Property (Maverik) is of a type that relies in large measure on freeway traffic to support its business performance; and,

With respect to proposed sign size, Staff notes as follows:

A) Petitions to allow larger than normally approvable signs have been limited in number in Nampa; and,
B) Those size Variances that have been approved of which Staff could find record have been limited in scope and of more de-minimis size than that proposed by the Applicant; and,
C) The Jackson's sign to which the Applicant refers as a comparably sized advertising construct is no larger than 438.5 sq. ft. given the dimensions pro-offered by the Applicant and appears, potentially, less massive as it has three sign boards with air gaps between the same; and,
D) The proposed Maverik sign is larger than the common variety billboards contained within the City (capped at 400 sq. ft.); howbeit it is smaller than the largest billboard size/type Nampa allows (672 sq. ft.). Even still, the area in the City where the largest signs may be placed (the 672 sq. ft. billboards) is along 1-84, and the Applicant's proposed sign is close to being on land abutting the freeway's right-of-way as it stands.

Having reviewed the comments of the Applicant, reviewed the Property area under consideration, considered the history of similar approvals along the Interstate (howbeit for smaller sign boards), and, after considering the Applicant's arguments, Staff opines that the Variance request for relief to Nampa's sign height control(s) has merit under the auspices of a "topographical hardship" (alternatively, as a "unique site circumstance"). The real question in Staff's opinion is what size is warranted - 450 sq. ft. or a lesser number given the proposed sign's proposed positioning, its proximity to the Jackson's sign, and, freeway travel speeds.

<u>Recommended Condition(s) of Approval</u>

Should the Council vote to approve the Variance application request, then Staff recommends that [the] Council consider imposing the following Condition(s) of Approval against the same:

Generally:

1. Applicant(s) shall comply with all applicable requirements (including obtaining a Sign Permit and any requisite Building and/or Electrical Permit(s) as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire [inspection], Building, Planning and Zoning and Engineering Departments, etc.) as the Variance(s) approval(s) do/does not, and shall not, have the affect of abrogating requirements from those agencies or City divisions/department.

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

Councilmembers asked questions of applicant.

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

MOTION CARRIED

Councilmembers made comments.

MOVED by Raymond and **SECONDED** by Levi to **approve** the **variance** to City of Nampa Zoning Ordinance Section **10-23-20(8)** which permits a 25-foot-tall, 200 square foot maximum size sign. The applicants state they are applying for the variance in order to construct a 90-foot-tall, 425 square foot sign, that will allow the sign on their property to be visible from 1-84, for property located at **555 Northside Boulevard**, on the west side of Northside Boulevard and south of Shannon Drive, within a BC (Community Business) zoning district. The sign is proposed for the northwest comer of the Maverik facility, for **Maverik, Inc**. 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 a **variance** to City of Nampa Zoning Ordinance Section **10-12-5-E**, regarding existing side and rear yard setback violations, for property located at **1711 1st Street South** (Apartments 1 -12, D R Lynn Condominiums 2) on the south side of 1st Street South and east of 17th Avenue South, in order to permit the existing stairs and landing located within the setbacks to remain, within an RMH (Multiple Family Residential) zoning district, for **Tim Altman**, representing **D R Lynn Homeowners Association**.

Steve Altman presented the request.

Norm Holm presented a staff report explaining that the request is for a variance to Nampa City Code(s) the required minimum (landscape) setback in the RMH for property containing a structure greater than three (3) stories or 30' in height as required by N.C.C. § 10-12- 5(E) ...

land addressed as 1711 1st Street South located near the southeast corner of the intersection of 16th Avenue North and 1st Street South for D. R. Lynn Homeowners Association as Applicant/Tim Altman member and representative. The applicant has requested the variance in order to cure an existing side and rear setback violation.

History: In 1983, the City approved a condominium plat for D. Y. Stutzman which authorized the construction of the multi-tenant building currently emplaced on the Property (ref. City case file no. 07-8337). An associated request for a parking space quantity Variance, which sought for a reduction in the number of spaces required to be developed for the condominium building was denied that same year. The condo building on the Property was platted with a depicted offset from the western property line of ten feet (10'), and eight feet (8') from the southern property line. The condo building was constructed, Staff believes, in relative or true conformance to the plat, but in violation of the RMH Zone's setback requirements in place in 1983 given its overall height - including roof structure.

In the end of March of this year, a complaint was received by the City pertaining to the condo building regarding, among other things, its position relative to the neighbor's property to the west (1703 1st Street South). A site inspection was made by the City's Senior Building Department Plans Examiner and photos were taken by him of the building and the intervening space between the condos and the property at 1703 1st Street South as well as 1712 2nd Street South. It was noted (by review of the afore-referenced photos, via conversation with the Building Department agent, and, by inspection by our department) that both sides of the building were less than thirteen feet (13') away from the property lines - the amount of setback required for the edifice. Furthermore, it was discovered that subsequent to construction, an outside stair and landing assembly had been added to the west side of the structure (the rear of the building when viewed from its parking lot) apparently without permits, which made the intrusion into the west side setback even more pronounced, and, created a building code violation in addition to the zoning violations.

Subsequently, the owners/representatives of the building were contacted and informed of the zoning and building code violations created by the current position of the building and its added stairwell. Building and Planning/Zoning Staff were able to explain the issues of concern to the Applicants and help them understand that, as far as zoning matters are concerned, a Variance Permit would be required to remove the cloud from the title that results from the building's lack of setback compliance. (It should be noted that the normal RMH Zone setback for a structure is eight feet (8') from a property line - unless that building is over 3 stories or 30' in height, in which case five (5) more feet is [to be] added to the required setback,.)

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.

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   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.
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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.),

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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. A vote to approve may be made contingent on an applicant's compliance with certain conditions. Variances have set life spans and may also be rescinded under particular circumstances.

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 setback buffer setback requirement in the RMH 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 00021-2016) 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 Tim Altman 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. § 10-12-5.E) interior yard setback dimension associated with the Property's interior yards in order to bring the Property and improvements thereon into conformance with the zoning laws of the City of Nampa and to remove the cloud on title that the current site situation creates; 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 RMH Zone comply with all relevant zoning code standards appertaining thereto; 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 retroactively negatively impacts the Property's [pre]existing 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 written comment regarding the application; and,
12. An adjoining neighbor, the property owner of 1703 1st Street South has provided verbal comment opposing the Variance as well as protesting the position of the multi-family condo building on the Property. Said neighbor has also complained about the behavior and activities of tenants of the condos; however, where real and/or valid, those matters are not zoning related issues to be addressed by Council; and,
13. A pair of adjoining neighbors (across 1st Street from the Property) have provided written comments regarding the Variance application. They have listed concerns regarding privacy fencing deterioration on the Property, fire code issues, lawn care and lack of trash receptacles; and,
14. The City's Engineering Division has expressed that they are not opposed to the application; and,
15. The City's Building Department has expressed that they are not opposed to the application and notes that, "the 46" setback exceeds the 36" minimum yard setback in the 1979 Uniform Building Code which was applicable at that time" and also affirmed the building's height above thirty feet (30'). {This is not to say that they don't have other concerns regarding the stair towers and landings on the back [west portion] of the building); and,
16. City Code Enforcement have noted that there are no municipal law violations extant on the Property at the present time; and,
17. No direct physical impact on the general public by this request is foreseen by virtue of this request were it approved because the building under scrutiny is existing (since circa 1983); expected impact would either: a) be on surrounding properties adjacent to the Property (e.g., the complainant); and/or, raise the question any Variance type approval raises as to its propriety, possibly including a perceived setting of [psychological] precedence for similar setback code deviations requests given expected and past compliance to building setback standards [to be] provided by other persons/parties when they built or will build structures in the City; and,
18. That City services are available to the Property, the site has access to City public roads; and,

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 Permit application is reviewed on a case by case basis and the merits of the case 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 essentially that the building on the Property was constructed where it was shown to be proposed and approved for placement by the City in 1983 and meets City setbacks. The Applicant's argument that their building conforms to setbacks is incorrect. Were the building flat roofed and less than 30' tall, it would be compliant (at least on the west and south sides) as they suppose. However, as its overall height exceeds thirty feet (30'), the RMH zone demands another five feet (5') be added to the eight feet (8') universally required. Said setback applies to all sides of the building save that which faces 1st Street South.

If one assumes the fence locations on the west and south side of the building to correspond to property line locations, and, on the building's east side one assumes the power poles that line the alley to define the edge thereof (and therefore the eastern property line of the Property) then on it may be safely said given current conditions and construction that the building is wholly non-conforming on all sides South in terms of setback compliance -- save along 1st Street.

- More specifically, it appears on rough measure that the west side of the stair tower/landing assembly is about four feet (4') from the western property line; and,
- The south side of the building is about eight feet (8') from the adjoining property line; and,
- The east side of the building, from the edge of the 2nd story deck is about four and one-half feet (4.5') from the eastern property line along the adjoining alley's edge.

It appears that the condo units are accessed from a variety of entrance points on each of the building's three levels (see attached photos). The Building Department opined when viewing the structure from the street that perhaps the west side stair and landing assembly was an "after the fact" addition to the condo building (maybe the deck too); however, closer on-site inspection suggests otherwise given the access door arrangement on each level.

While not ideal, at least as far as this matter is concerned, the Variance at this point, if issued, would [realistically] serve more to rectify a legal issue rather than facilitate

emplacement of an apartment-like building closer than normally allowed to an adjoining lot or parcel - or in this case cause the building to be teleported to a code compliant position on the Property. The floor plan of the building appears to contravene a better way of providing access to each unit than what presently exists (unless all units are internally accessible, which potentiality Staff was unable to confirm).

Finally, respecting neighbors' concerns regarding privacy fencing deterioration on the property, fire code issues, lawn care and lack of trash receptacles, etc….while possibility valid and of concern, they are not germane to the setback variance question, and should be handled separately by the proper authorities.

Mayor Henry asked questions of staff.

No one appeared in favor of the request.

Those appearing in opposition to the request were: Zina Sievenpeiper, 1703 1st Street South; Drey Campbell, 112 17th Avenue South; Mark Kondratyuk, 8179 East Orah Way; Mary Ann Hunter, 1716 1st Street South; Evan Hicks, 1710 1st Street South.

Councilmembers asked questions of staff and the attorney on if the fence could be a condition of the approval of the variance.

The applicant said that they do have the money to take care of the fence they were just waiting to see what happened at the hearing.

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

MOTION CARRIED

Councilmembers made comments on the variance and if the fence could be a condition of the approval after hearing that the applicant was planning to complete the fence. Questions were also asked about a vacation and who would enforce the fence issue.

MOVED by Bruner and **SECONDED** by Raymond to **approve** the **variance** to City of Nampa Zoning Ordinance Section **10-12-5-E**, regarding existing side and rear yard setback violations, for property located at **1711 1st Street South** (Apartments 1 -12, D R Lynn Condominiums 2) on the south side of 1st Street South and east of 17th Avenue South, in order to permit the existing stairs and landing located within the setbacks to remain, within an RMH (Multiple Family Residential) zoning district, and at the expense of the applicant a fence be constructed

within 30 days. 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 **zoning map amendment** from RD (Two Family [Duplex] Residential) to BC (Community Business) at **320 11th Avenue North** for **Adam Garcia** representing **Angel Navarrete**.

Adam Garcia presented the request.

Norm Holm presented a staff report explaining that the request is for a zoning map amendment (rezone) from RD (Two Family Residential) to BC (Community Business) for approximately .604 acres or 26,312 square foot located at 320 11th Avenue North for Adam Garcia representing Angel Navarrete.

Planning & Zoning History: The property at 324 11th Ave. No. (Also owned by the applicant) is zoned BC and is the current location of the Aguililla Restaurant. The applicant also owns the Starlite Motel to the south. The motel area (320 11th Ave. No.) is a portion of the property seeking rezone, which is already zoned BC. The house and yard area portion of the 320 11th Ave. No. location to the southeast with frontage on 4th Street North is zoned RD and is the subject of the requested rezone from RD to BC.

Proposed Land Uses: The owner/applicant is requesting a zoning change for the balance of the property from RD to BC in order to accommodate construction of the new Aguililla Restaurant.

Surrounding Land Use and Zoning:
North- Commercial, BC
South- Commercial & Residential, BC and RD
East- Residential, BC
West- Commercial, BC

Comprehensive Plan Designation: Community Mixed Use Designation bordering Medium Density Residential Designation to the east and west. The requested zoning map amendment interpreted being in compliance with the Community Mixed Use designation.

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.

Staff Findings and Discussion

The requested rezone is appropriate. The parcel has a Community Mixed Use designation on the Comprehensive Plan future land use map. The requested zoning map amendment interpreted being in compliance with the Community Mixed Use designation.

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

1. Rezone of the subject property to BC is reasonably necessary in order to allow the applicant to use the property as proposed.
2. Rezone of the subject property to BC is in the interest of the property owner(s) and conforms to the adopted comprehensive plan designation of Community Mixed Use.
3. The proposed Commercial use of the subject property will be compatible with the existing Commercial uses established along 11th Avenue North.
4. The use of a development agreement to establish any conditions for the rezone of the property serves no purposes.

At the date of this memo we have received no statements of opposition or support from any property owners or residents in or around the area.

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

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

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by White to **approve** the **zoning map amendment** from RD (Two Family [Duplex] Residential) to BC (Community Business) with staff conditions at **320 11th Avenue North** for **Adam Garcia** representing **Angel Navarrete.** 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 **declare 2305 East Amity** to be **surplus property**, authorize staff to offer it at the appraised price to each adjacent landowner, and proceed with ultimate sale.

Michael Fuss presented a staff report explaining that right-of-way acquisition for the Amity Avenue reconstruction project included total buyouts of five parcels. In each case, right-of-way needs diminished the value of the parcel to the extent that federal rules required the City to purchase them.

The project is now complete and closed out. That enables the City to divest itself of these parcel remainders. That process is dictated by Federal Highway Administration (FHWA) rules since original purchases were made with FHWA funds. Steps required by FHWA supersede local and state procedures when in conflict.

The first required step is a formal appraisal of each parcel's remainder after removal of required right-of-way. The parcel remainder at 2305 East Amity Avenue has been appraised and the value established as $70,000.

FHWA's required second step is to offer the parcel to each and every "adjacent landowner" at the appraised price. 2305 East Amity Avenue is a corner parcel (See Exhibit A) on the southeast corner of Chicago Avenue and East Amity Avenue. There are seven "adjacent" parcels, since "adjacent" includes parcels separated only by right-of-way (such as across the street). In Idaho, of course, the City first has to declare the property as surplus.

If the following request is approved, staff will notify all adjacent property owners of the option to purchase. If only one owner is interested, the property would immediately be sold at the appraised price. If two or more are interested, a private auction would be held with the only bidders being the interested owners; parcel would be immediately sold to the highest bidder at the bid price. If no adjacent owners are interested, staff will then ask the Council to set a date for a public auction with the minimum bid equal to the appraisal.

Whenever the property is sold, FHWA requires 100% of net proceeds to be put back into "Title 23 eligible" projects – essentially street maintenance, construction or re-construction.

Staff therefore requests Council to declare 2305 East Amity Avenue surplus property, to authorize staff to offer it at the appraised price to each of the adjacent landowners and, if needed, to pursue the steps outlined above.

MOVED by Haverfield and **SECONDED** by Skaug to **declare 2305 East Amity Avenue** to be **surplus property**, authorize staff to offer it at the appraised price to each of the adjacent landowners, and proceed as noted above to seek its ultimate sale. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **award** the **bid** and **authorize** the **Mayor** to **sign contract** with **Quality Electric** for the Amity Avenue / Chestnut Street Pedestrian Crossing project.

Michael Fuss presented a staff report explaining that the City, in partnership with Valley Regional Transit and COMPASS was awarded Federal Funds to install a High-intensity

Activated crosswalk (HAWK) pedestrian signal at the intersection of Amity Avenue and Chestnut Street (see Exhibit "A" Vicinity Map).

The Nampa Bike and Pedestrian Master Plan designates this location as a priority intersection and part of the city's interconnected multimodal network.

Due to limited sight distance, a pre-warning signal will be installed to alert eastbound traffic when bicyclists and pedestrians are using the crossing.

Funding is through the Federal Transit Administration (FTA) grant program administered by Valley Regional Transit (VRT) under a subrecipient agreement authorized by Council on November 5, 2012 and amended by Council on April 18, 2016.
The City received two (2) bids:

- Hawkeye Builders in the amount of $165,932.00
- Quality Electric in the amount of $157,119.02

Estimated project costs are:

Design Engineering	$ 36,803.54
Construction Engineering & Inspection	$ 12,744.00
Construction Bid	$ 157,119.02
Total Estimate	*$ 206,666.56*

Funding is based on an 80% Federal ($165,333,25) and 20% City match ($41,333.31) from FY17 Streets.

The City received confirmation from VRT on September 16, 2016 that the FTA has awarded the funds for the project.

Construction is anticipated to begin in December with completion in the spring of 2017

Engineering Division has reviewed the bids and recommends award to Quality Electric.

MOVED by Haverfield and **SECONDED** by Raymond to **award** the **bid** and **authorize** the **Mayor** to **sign contract** for the *Amity Avenue / Chestnut Street Pedestrian Crossing Project* with **Quality Electric** in the amount of **$157,119.02**. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** a Happy Valley Road and Victory Road **Roundabout Memorandum of Understanding.**

Michael Fuss presented a staff report explaining that the City of Nampa conducted the Airport-Overland Corridor Study in FY2008/2009. The principal effort of the study dealt in part with roadways near the airport and presented the original proposal to signalize 39th Street at Garrity Boulevard.

A subset of that study dealt specifically with areas off both ends of the existing runway designated Runway Protection Zones (RPZ). These areas, determined by the Federal Aviation Administration (FAA) as areas of high concern for potential crashes, lie at each end of the runway. FAA strongly prefers to minimize or eliminate stopped traffic within an RPZ. For the southeast RPZ which covers the existing four-way stop-controlled intersection at Happy Valley and Victory, the study's conclusion was that the intersection should be moved southerly, out of the RPZ (See Exhibit A).

The Nampa Highway District #1 (NHD) now proposes to construct a roundabout at that intersection, moving it south out of the RPZ. Construction is currently targeted for FY2019. The City will work through the Federal Aviation Administration (FAA) process to transfer land from airport ownership to road right of way to facilitate construction as shown conceptually in Exhibit A. NHD will provide right of way outside of the portion owned by the airport.

NHD has already selected a design consultant. Initial design considerations, such as those in Exhibit A, were shared with the consultant earlier this month. Please note that the landscaping plan shown in Exhibit B was provided by the Nampa Parks and Recreation Department and will be used for each of three roundabouts near Nampa to be constructed by NHD over the next five years.

City staff and NHD agreed that we needed to create a Memorandum of Understanding (MOU) to cement our working relationship on this project. The proposed MOU, attached as Exhibit C, is the product of our mutual effort. Staff anticipates a similar MOU to document our cooperative efforts for each of the other roundabouts.

Staff support entering into this MOU and request Council to authorize the Mayor or Public Works Director to sign it.

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Mayor** to **sign** the *Happy Valley Road and Victory Road Roundabout* **Memorandum of Understanding**.

COUNCILMEMBER HAVERFIELD AND COUNCILMEMBER BRUNER WITHDREW THEIR MOTION AND SECOND.

Councilmember White asked questions of staff.

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Mayor** to **sign** the *Happy Valley Road and Victory Road Roundabout* **Memorandum of Understanding**. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** a **Memorandum of Understanding** between **Nampa Highway District** and the City on planning and zoning actions.

Michael Fuss presented a staff report explaining that this agreement outlines how the City and Nampa Highway District 1 (NHD) cooperate on planning and zoning reviews, annexation of roads, and road construction improvements required by development.

This agreement has been written to remove the requirement of our customers having to obtain two permits in areas where the City and NHD both have jurisdiction of the road. NHD and the City will cooperate so our customers will only need to obtain one permit.

A method to determine when to annex a NHD road to the City has been determined. The City will annex the right of way when the road has an urban feel. The trigger point will be when 55% of the total road frontage is annexed within a ½ mile length of road as shown on Exhibit A. The City will solicit comments from NHD on planning and zoning actions within the impact area.

The City Engineer and NHD Engineer will meet annually in December to review road annexation continuity. The City and NHD will provide a recommendation on annexation adjustment for City Council consideration.

City standards will apply for road development even if the road is still under the jurisdiction of NHD.

Previous Utility and Maintenance agreements, Exhibits B and C, still apply.

Lawyers for the City and NHD have reviewed this agreement and recommend signature of the memorandum of understanding, Exhibit D.

MOVED by Skaug and **SECONDED** by Haverfield to **authorize** the **Mayor** to **sign** the **Memorandum of Understanding** between **NHD** and the **City** on **planning and zoning actions.** Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign** the **Task Order** for professional services with **Precision Engineering** for the University District Multimodal project.

Michael Fuss presented a staff report explaining that this project is part of a continuing effort to invest in safe and efficient street, pedestrian and bicycle infrastructure in the City of Nampa, especially near schools.

Elements of the project were chosen based on high pedestrian volumes, crash data, proximity to transit facilities, accessibility and in an effort to establishing safe routes to schools.

The City, in partnership with ITD and COMPASS secured Federal Transit Administration (FTA) funds to design and construct the following (see Exhibit A):

- *Sherman Avenue Chip Seal & Shared Use Bike Lanes (12th Ave. South-Chicago Street)*—During the design of the Amity Avenue Roadway Widening federal aid project (Chestnut St. to Kings Rd.), it was determined that bike lanes were not viable due to limited Right of Way. In exchange, the City agreed to install a shared use bike lane parallel to Amity on Sherman Avenue. This project fulfills the City's obligation to that agreement. The project includes minor road repair, chip seal, striping and signage.
- *Canyon Street/Pine Street/10th Avenue South Chip Seal& Shared Use Bike Lanes*—minor road repair, chip seal, signage and striping.
- *Roosevelt Avenue/Pine Street ADA Ramp Improvements*—install four ADA pedestrian ramps.
- *Canyon Street (Georgia Avenue to Lake Lowell Avenue) Shoulder Widening and Bike Lanes*—widen shoulder adjacent to Nampa High School and install bike/walkway facilities.

Estimated cost for the project is $365,000. Funding is as follows

FTA 5339 Grant Funding (80%)	$ 290,000
City Match FY17 Approved Funding (20%)	$ 75,000
Total	*$ 365,000*

Engineering interviewed three consultants and selected Precision Engineering based on their familiarity with the project requirements, skill set, and understanding of the FTA funding requirements.

Precision Engineering has provided a Scope of Work and Labor Estimate to provide design, bidding and engineer of record services for the amount of $ 51,205 (see Exhibit B).

Engineering 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** the **Task Order** for professional services between the City of Nampa and **Precision Engineering** for the **University District Multimodal project** (Key # 19235) in the amount of **$51,205**, time and materials not to exceed. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **award** the **bid** to **Thueson Construction** and **authorize** the **Mayor** to **sign contract** for **Zone B Crushed Aggregate** for Chip Seal.

Michael Fuss presented a staff report explaining that the Streets Division is beginning procurement of crushed aggregate for the FY 2017 chip seal program.

This is part of the City's Asset Management Program implemented to strategically and cost effectively facilitate the department's goal to provide efficient and sustainable development of public infrastructure for Nampa's future.

The Engineering and Street Divisions evaluated the condition of the roadways in next year's Zone B according to a Pavement Condition Index (PCI) scale from 1-100. A new road has a PCI of 100 while anything less than 60 is considered poor or failed

Staff selected roadways to be chip sealed based on PCI, functional classification, traffic volume, safety considerations, available funding and engineering judgment (see Exhibit A).

FY 2017 chip seal program estimates a need for 3,000 ton of ½" crushed aggregate for arterials & collectors and for 700 ton of ¼" crushed aggregate for residential streets.

Funding for the crushed aggregate is from FY 2017 Streets Pavement Management. Budget for oil and aggregate is $616,000.

Crushing will take place in late 2016/early 2017 and include delivery to the Nampa Streets Division yard.

The City received one (1) bid for the crushing service (see Exhibit B). The apparent low bidder was Thueson Construction, Inc., with a bid amount of $91,600.00 for crushing. All necessary public bidding requirements appear to be satisfied.

Councilmembers asked questions of staff.

MOVED by Bruner and **SECONDED** by Levi to **award** the **bid** to **Thueson Construction, Inc.** and **authorize** the **Mayor** to **sign contract** for **Zone B Crushed Aggregate** for Chip Seal in

the amount of **$91,600.00**. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign** the **Task Order** for professional services with **SPF** for the Locust Lane Irrigation Pipeline project.

Michael Fuss presented a staff report explaining that as part of the Public Works Asset Management Program and according to the 2014 Irrigation System Master Plan, Engineering identified necessary system improvements at Happy Valley Road and Locust Lane (see Exhibit A).

The project will provide a looped system which will increase supply capacity, system pressure and expansion potential to new customers.

The project includes design of approximately 3/4 mile of pipe.

Engineering interviewed Keller & Associates, Civil Survey and SPF for professional services. SPF scored highest based on experience in this field.

SPF has provided a Scope of Work to provide Project Management, Design, Bidding and Construction Admin Services for the amount of $33,000 (Exhibit B).

Total FY17 funding is through water enterprise and equals $500,000.

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

MOVED by Haverfield and **SECONDED** by Raymond to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order** and **Contract** with **SPF** for professional services on Locust Lane Irrigation Pipeline Project in the amount of **$33,000** (T&M N.T.E.). Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **award** the **bid** and **authorize** the **Mayor** to **sign contract** for **2017 Waterworks Materials** with **HD Waterworks**.

Michael Fuss presented a staff report explaining that the Waterworks Division performs the required maintenance and repairs for both the Domestic and Pressure Irrigation distribution systems.

Many of the repairs are due to mainline breaks and require immediate repair and therefore Waterworks needs to have the necessary materials on hand.

The Waterworks Division has identified a list of materials they need to re-stock their inventory.

The funds for this purchase will come from the FY 2017 Waterworks budget.

The City received five (4) bids for the materials (exhibit A).

HD Waterworks is the apparent low bidder at $136,968.76. All necessary public bidding requirements appear to be satisfied.

Engineering has reviewed the bids and recommends award to HD Waterworks.

MOVED by Bruner and **SECONDED** by White to **award** the **bid** and **authorize** the **Mayor** to **sign contract** for *2017 Waterworks Materials* with **HD Waterworks** in the amount of **$136,968.76**. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Public Works Director** and **Mayor** to **sign Task Order** and **Contract** for professional services on the **FY 2017 Storm Drain Repairs Phase 2 project**.

Michael Fuss presented a staff report explaining that 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:

- *4100 E. Greenhurst Road:* Modify sand & grease traps for maintenance access.
- *East Valley Middle School:* Upsize seepage bed to area.
- *Dufur/Dewey:* Design and build drainage system for dead end street.
- *815 S 25th:* Establish easement area for existing system, design access and maintenance system for operations.

The proposed schedule includes design and construction within FY17.

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

The FY 2017 Storm Drain Repairs Phase 2 project has an approved FY17 Streets Division budget of $430,000.

Estimated project costs are $418,000. Design services provided by T-O Engineering are $67,886.

T-O Engineers has provided an initial Scope of Work and Labor Estimate to provide design services for $67,886 (Exhibit B).

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

MOVED by Raymond and **SECONDED** by Skaug to **authorize** the **Public Works Director** and **Mayor** to **sign Task Order** and **Contract** for professional services on the *FY 2017 Storm Drain Repairs Phase 2* project in the amount of **$67,886** (T&M N.T.E.). Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

The following Resolution was presented:

Fleet Superintendent Doug Adams presented a staff report explaining that the Nampa Municipal Airport staff has recently identified the following various assets for disposal.

Airport staff requests the following assets be declared as surplus property in order to facilitate disposal:

Unit No.	Description	Estimated Value
951	1995 Chevrolet C1500 Pickup	$1,500.00
954	1997 Chevrolet Lumina Sedan	$1,000.00
958	1988 Ford LN8000 Dump Truck	$5,500.00
Total		$8,000.00

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

Nampa Municipal Airport, Fleet Services Division, and disposal team recommend disposal via public auction.

All proceeds will be returned to the airport fund.

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**. (Airport)

MOVED by Skaug and **SECONDED** by Haverfield to pass the **resolution** as presented and **dispose of identified surplus property** as recommended by staff. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the resolution passed, numbered it **49-2016,** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **authorize immediate piggyback purchase** of one (1) new light duty pickup truck under State of Idaho contract for **Nampa Municipal Airport**.

Doug Adams presented a staff report explaining that the Nampa Municipal Airport, in cooperation with Fleet Services Division, identified the need to replace its aging 1995 Chevrolet C1500 pickup truck in order to continue necessary duties.

A Form 50, in the amount of $25,000.00, for the acquisition of one (1) new light duty pickup truck was approved by City Council for fiscal year 2017.

The new pickup truck will be purchased via piggyback under the existing state of Idaho contract 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.

MOVED by Haverfield and **SECONDED** by Raymond to **authorize immediate piggyback purchase** of one (1) new light duty pickup truck under state of Idaho contract, not to exceed the total **estimated** purchase price of $25,000.00, for Nampa Municipal Airport.

COUNCILMEMBER HAVERFIELD AND COUNCILMEMBER RAYMOND WITHDREW THEIR MOTION AND SECOND.

Councilmember Levi made a statement on wanting the citizens to be able to hear the staff reports.

MOVED by Haverfield and **SECONDED** by Raymond to **authorize immediate piggyback purchase** of one (1) new light duty pickup truck under state of Idaho contract, not to exceed the total **estimated** purchase price of $25,000.00, for Nampa Municipal Airport. Mayor Henry

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

MOTION CARRIED

The following Resolution was presented:

Doug Adams presented a staff report explaining that the Wastewater Division staff has recently identified the following various assets for disposal.

Wastewater staff requests the following assets be declared as surplus property in order to facilitate disposal:

Unit No.	Description	Estimated Value
652	1995 Chevrolet C2500 Pickup	$1,500.00
653	1994 Kubota Tractor	$2,500.00
663	1993 Elgin Pelican Sweeper	$5,500.00
Total:		$9,500.00

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

Wastewater Division, Fleet Services Division, and disposal team recommend disposal via public auction.

All proceeds from the auction will be returned to the wastewater fund.

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**. (Wastewater)

MOVED by Haverfield and **SECONDED** by Raymond to pass the **resolution** as presented and **dispose of identified surplus property** as recommended by staff. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the resolution passed, numbered it **50-2016,** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **authorize** 1) **immediate piggyback purchase** of one (1) new light duty pickup truck under existing State of Idaho Contract for light duty vehicles, and 2) **informal three (3) quote bid process**, with bid awarded to lowest bidder for new general use utility

tractor, and 3) **immediate piggyback purchase** of one (1) new mechanical sweeper off of **HGACBuy** Contract for **Wastewater Division**.

Doug Adams presented a staff report explaining that the Wastewater Division, in cooperation with Fleet Services Division, identified the need to replace its aging 1995 Chevrolet C2500 light duty pickup truck, 1994 Kubota general use utility tractor, and 1993 Elgin Pelican solids cleanup sweeper in order to continue operations and maintenance duties.

Form 50s, in the amount of $342,332.00, for the acquisition of one (1) new light duty pickup truck, one (1) new general use utility tractor, and one (1) new mechanical sweeper were approved by City Council for fiscal year 2017.

The new truck will be purchased via piggyback under the existing state of Idaho contract 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.

An informal three (3) quote bid process will be conducted, with bid awarded to lowest bidder, for the new general use utility tractor.

A new mechanical sweeper will be purchased off of the HGACBuy contract 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.

Councilmembers asked about the process of piggyback purchase and what the difference is with a sweeper for the Street Department and one for Wastewater.

MOVED by White and **SECONDED** by Haverfield to **authorize immediate piggyback purchase** of one (1) new light duty pickup truck under the existing state of Idaho contract for light duty vehicles, not to exceed estimated purchase price of **$42,332.00**; and **authorize informal three (3) quote bid** process, with bid awarded to lowest bidder, for new general use utility tractor, not to exceed estimated purchase price of **$25,000.00**; and **authorize immediate piggyback purchase** of one (1) new mechanical sweeper off of HGACBuy contract, not to exceed estimated purchase price of **$275,000.00** for the **Wastewater Division**. Mayor Henry

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

MOTION CARRIED

The following Resolution was presented:

Doug Adams presented a staff report explaining that the Environmental Compliance Division (ECD) staff identified laboratory items listed below as unable to meet requirements of the new National Pollutant Discharge Elimination System (NPDES) permit.

Replacement equipment was purchased to meet performance and operational needs.

ECD staff request the following assets be declared as surplus property in order to facilitate disposal at public auction:

Item	Item No.	Estimated Value
Market Forge Sterilimatic Autoclave	STM-E, Serial No. 151603	$2,500
Hach Digesdahl, for Hach TKN Digestions	1684	$ 900
Satorius Analytical Mass Balance	ENTRIS822	$ 400
Knotes Tilting Head Dispenser 50 mL	759301-0050	$ 400
Knotes Tilting Head Dispenser 40 mL	759301-0040	$ 200
Lab Stoppers Size 7	NC-0962	$ 10
Labconco Rapid still II	10753	$ 850
Labconco Rapid still II	10753	$ 600
Glass Kimble Bottle	15097-2000	$ 200
TKN Cup Array		$ 800
Labconco TKN Tubes	23040	$ 300
	Total	**$7,160**

Staff recommends using local auctioneer, Musick Auction, for disposal of ECD laboratory items. Proceeds from sale will be credited to the wastewater fund.

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**. (Environmental Compliance)

MOVED by Bruner and **SECONDED** by Haverfield to pass the **resolution** as presented and **dispose of identified surplus property** as recommended by staff. Mayor Henry asked for a roll

call vote with all Councilmembers present voting **YES.** Mayor Henry declared the resolution passed, numbered it **51-2016,** and directed the clerk to record it as required

MOTION CARRIED

The following Resolution was presented:

Doug Adams presented a staff report explaining that the Fleet Services Division staff has identified items for disposal that have been removed during the Nampa Police Department (NPD) Patrol Vehicle Refurbishment Program, and construction of the newly acquired NPD CNT trailer.

Fleet staff request the following assets be declared as surplus property in order to facilitate disposal:

Item	Asset Number	Estimated Value
-Two (2) 4.6L Ford Engines	N/A	$300.00
-Electric Portable Air Compressor	N/A	$ 50.00
-RV Trailer Furniture	N/A	$100.00
-RV Trailer Range/Oven	N/A	$100.00
-RV Trailer Sink w/faucet	N/A	$ 25.00
-Misc. RV Trailer Items	N/A	<$100.00
-Two (2) Onen RV Generators	N/A	$500.00

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

Fleet Services Division, and disposal team recommend disposal via public auction.

All proceeds to be returned to the general fund.

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**. (Fleet Services)

MOVED by Haverfield and **SECONDED** by Skaug to pass the **resolution** as presented and **dispose of identified surplus property** as recommended by staff. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the resolution passed, numbered it **52-2016,** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign Task Order** with **RBCI** for **Public Involvement Activities** for Phase II Wastewater Treatment Facility Upgrades.

Michael Fuss presented a staff report explaining that Public Works staff and the Wastewater Program Management Team (WPMT) are in the process of updating the City's Facility Plan, and planning for Phase II Upgrades at the wastewater treatment plant (WWTP).

The decision making process for Phase I Upgrades included an extensive community involvement process. Building public understanding and buy-in for Phase II Upgrades will require a similar level of effort. Public Works staff believes an informed and involved community will prove invaluable to the City when leadership makes the final decisions about wastewater system improvements and any corresponding need to increase sewer rates.

City staff and the WPMT recommend the community outreach process for updating the Facility Plan and Phase II Upgrades at the WWTP. Activity would begin in the fall of 2016 with the final funding decision in 2018.

The attached Scope of Work (SOW) from the City's consultant, RBCI, is to maintain a proactive approach to public involvement and is based on the methodologies that proved successful with the Nampa community and its leadership during Phase I Upgrades, with some modifications.

The SOW shows RBCI's estimated hours and fees to complete initial tasks associated with Phase II decisions. The tasks that RBCI has provided estimates for are highlighted in green. Public Works staff and the City's Communications Director will continue to evaluate the non-highlighted tasks to determine any additional effort necessary and the amount that City staff may be able to perform.

If Council has any specific direction for public involvement tasks, please notify Public Works staff and additional services can be negotiated with RBCI.

MOVED by Raymond and **SECONDED** by White to **authorize** the **Mayor** and **Public Works Director** to **sign task order** for consultant services with **RBCI** for Public Involvement Activities for **Facility Plan Update and Phase II Upgrades** at the wastewater treatment plant, in the amount of **$84,956.00** (T&M NTE) (See Exhibit A). Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the

MOTION CARRIED

The following Resolution was presented:

Doug Adams presented a staff report explaining that the Fire Department has identified the following various unused equipment for disposal.

Fire Department 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		
4020	2000	Toyota	Tundra	5TBRT3416Y5109194	$ 4,000.00
4023	2003	Chevrolet	Silverado	2GCEC19V931376304	$ 4,000.00

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 as noted below:

- All equipment to be sold at public auction.

Fire Department 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**. (Fire)

MOVED by Haverfield and **SECONDED** by Bruner to pass the **resolution** as presented. Mayor Henry asked for a roll call vote with all Councilmembers present voting **YES.** Mayor Henry declared the resolution passed, numbered it **53-2016,** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **authorize immediate piggyback purchase** of two (2) new light duty pickup truck under existing **State of Idaho contract** for light duty vehicles for **Fire Department**.

Doug Adams presented a staff report explaining that for fiscal year 2017, the Fire Department identified the need to replace aging vehicles within the Fire Department's fleet.

Form 50's requesting acquisition of two new light duty trucks; to replace the aging fleet was approved by City Council for fiscal year 2017. The total estimated cost for replacement is $52,400.00.

- Total Capital approved by council is $37,400.00
- Nampa Fire Protection District to pay 16% (approx. $7,100.00)
- Estimated auction value of the surplus vehicles from auction $8000.00

The new pickup trucks will be purchased via piggyback under 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.

MOVED by Skaug and **SECONDED** by Haverfield to **authorize immediate piggyback purchase** of two (2) light duty pickup trucks under **State of Idaho** contracts, not to exceed total **estimated** purchase price of $52,400.00 for the **Fire Department**. Mayor Henry asked all in favor say aye with all Councilmembers voting **AYE**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Family Justice Center** to **apply** for a **Brynes Justice Assistance Grant**.

Family Justice Center Director Creselda De la Cruz presented a staff report explaining that the Nampa Family Justice Center is requesting authorization to apply and submit for the Byrnes Justice Assistance Grant. This is a three year grant that will assist with the current counseling services for children and incorporate supervision and oversight to the elder support group and pattern changing group. Due to lost funding from the Abuse in Later Life Program, this grant would support some of the needed services to the elder population. The request amount from this grant is $68,950 a year for three years totaling $206,850.00.

Councilmember White asked about the previous grant funding for the elderly.

MOVED by White and **SECONDED** by Levi to **authorize** the **Family Justice Center** to **apply** for a **Brynes Justice Assistance Grant.** Mayor Henry asked all in favor say aye with all Councilmembers present voting **AYE**. The Mayor declared the

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bruner to **adjourn into Executive Session** at 8:40 p.m. Pursuant to Idaho Code 74-206(1) (c) To acquire an interest in real property which is not

owned by a public agency. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by White to **conclude** the **Executive Session** at 8:57 p.m. during which discussion was held regarding acquiring an interest in real property which is not owned by a public agency pursuant **Idaho Code 74-206 (1) (c).** The Mayor asked all in favor to say aye with all Councilmembers saying **AYE**. The Mayor declared the

MOTION CARRIED

Mayor Henry adjourned the meeting at 8:58 p.m.

Passed this 21st day of November, 2016.

_____
MAYOR

ATTEST:

_____
CITY CLERK

SPECIAL COUNCIL
June 15, 2016

The Mayor called the meeting to order at 6:00 p.m. at the Nampa Fire Training Facility, 300 West Railroad Street.

The roll of the Council was taken with Councilmembers Skaug, Haverfield, Levi, White, Bruner, Raymond present.

Also in attendance were: Fire Chief Karl Malott, Assistant Fire Chief Richard Davies, Police Captain Brad Daniels, Finance Director Vikki Chandler, Fire District Commissioners Cleo Miller, Andy Peterson.

The Mayor explained the purpose of the meeting was the **presentation** of the Fire Master Plan.

Fire Chief Karl Malott introduced Lane Wintermute with ESCI.

Lane Wintermute with ESCI made a presentation to the council and fire commissioners.

We started this project some months ago to develop an Emergency Services Master Plan. Master Plan is a high level big picture (40,000 level) look at where the organization is currently and we attempt to answer three questions in the master Plan.

- Where is the organization today and how is that compared to National Standards and best practices in our experience?
- Where is it going to be the future, where is it going to need to be in the future in terms of population growth, projection service demand, what's going to happen to the organization going forward
- Now that we know where we are and where we need to be how are we going to go about getting there.

The process that we use we have developed over a bunch of years, where we do an evaluation of current conditions, that is where we are today.

The report that you have is broken down into these sections generally:

- Current Conditions Evaluations – detailed analysis of service delivery
  - Over View of the Current Organization which includes some financial analysis
  - Management Components
  - Staffing Support Programs
  - Capital Assets
- Service demand Projection in future models that we identify, we break it down to short, mid, and long term strategies

The organizational overview looks at how the organization is configured, actually two organizations, the City and the District. What is policy documents being and what are foundational items, how it is put together organizationally.

You will see throughout the report, where our process is we identify particular survey components we call them. These are things that we understand to be important in terms of industry standards and best practices and how a fire department is operated. We evaluate all of those, offer our observations and then where appropriate we offer recommendations to go with that.

There is some financial analysis, just a couple of highlights and not surprising the vast majority of your expenses are personnel related that is typical of any career fire department about an 85% to 15% split there.

We also did an analysis of cost per capita now this has to be put into perspective a little bit first of all it is based on National Fire Protection Association surveys. NFPA surveys fire departments around the country annually and gets information back and you will see a number of charts that are based on those. What the surveys do not do is that they don't differentiate between things like fire departments that provide ambulance transport and those that don't, they don't break down a lot of those details on some of those things. Some of these numbers you have to put into perspective. From a cost per capita standpoint Nampa fall right in the middle of the ranges.

We review the management components of the organization, how it is configured in terms of policy and procedure, documentation and processes that are used, we also look at things like critical issues, and challenges that are facing the organization. The way that we gathered this information initially when we started the project back in January we spent quite a bit of time in your community interviewing internal personnel in the fire department and then a number of you we met with. We conducted what we call stakeholder interviews with stakeholders both internal and external to the organization to try to get a sensing of the issues and concerns are that are facing the fire department. That is where we developed critical issues and challenges and a lot of the back ground information that we use.

We evaluate capital assets; we are going to talk about that later on. The importance of maintaining quality capital assets that is fire stations and fire equipment and also staffing levels.

There was a chart that was shown of operational personnel compared to the National and Regional median and you see that your numbers are a little lower.

We evaluated what we call support programs which is the training program that is conducted out of the fire training center. You have a strong and effective training program. We identified a number of recommendations that would improve upon it but overall it is a good program.

Similarly, with fire prevention and life safety you have an active fire prevention division that is very effective we also identified areas of improvements that could be made to further enhance that program.

We work with a lot of fire departments throughout the country, we do many of these studies every year so we see a tremendous variety every year, believe me there is a huge variety with fire departments. I came from my career were I thought that if you see one fire department you had seen them all and that is not the case. They are all different.

We find ones that are very well run and we find ones that we kind of scratch our heads sometimes.

Overall observations of the NFD as you probably know that I would like to verify, you have a very strong department, you have a solid organization, it is well managed, its well-equipped and you have high quality people, it is a very good fire department.

The service delivery analysis is a big part; it is terribly important that you completely understand the level of service that you are providing for today to your community. So we try to quantify what that service delivery is looking like right now, so that we can help you make decision going forward. Is it adequate the way you are doing it or is it inadequate, do improvements need to be made. We don't run into a situation where services are being delivered to efficiently or too quickly.

We look at service demand, and I going to look at each one of these elements as we go through.

Service demand is an analysis of a number of things, but fundamentally it is where our incidents are occurring, what type of incidents are they and how frequently are they occurring. We also in doing so we look historic service demand and projections of future service demand and you can seed the graph on the bottom is going back to 2011 up to 2014. You see a fairly steady increase of service demand over that period of years which you will continue to see throughout these slides.

We also look at what we call resource distribution and that is where do you physically locate your resources and resources being fire engines, ladder trucks, people. Where are the stations located and there is a number of different analysis in there?

Response reliability is really important element and that is how reliably you are getting resources dispatched and on the scene of an emergency. We analyze that a few different ways, one is a thing that we call unit hour, unit utilization which is a measure of how often are the response units tied up on an incident. How often are they unavailable because they are on calls. And another is concurrency this is a lot of numbers this is a question of what percentage of the time is there one emergency going on at a given time.

One way to look at resource workload is to examine the amount of time multiple calls occur within the same time frame on the same day. ESCI examined the calls that occurred between 2000 and 2015 to find the frequency that the Department is handling multiple calls within any given time frame. This is important because the more calls occurring at one time; the more stretched available resources become leading to extended response times from distant responding available apparatus. The following figure illustrates NFD's historical concurrency rates.

Incident Concurrency (2000-2015)

	SINGLE	2	3	4	5	6	7	8	9	10
2000	78.34%	18.22%	2.92%	0.40%	0.05%	0.07%	0.00%	0.00%	0.00%	0.00%
2001	77.62%	19.38%	2.74%	0.27%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
2002	76.94%	19.65%	2.59%	0.44%	0.17%	0.15%	0.06%	0.00%	0.00%	0.00%
2003	77.21%	19.77%	2.75%	0.23%	0.04%	0.00%	0.00%	0.00%	0.00%	0.00%
2004	76.45%	20.32%	2.75%	0.34%	0.11%	0.04%	0.00%	0.00%	0.00%	0.00%
2005	76.42%	20.40%	2.79%	0.35%	0.03%	0.00%	0.00%	0.00%	0.00%	0.00%
2006	74.52%	21.61%	3.12%	0.54%	0.19%	0.02%	0.00%	0.00%	0.00%	0.00%
2007	74.32%	22.17%	2.86%	0.39%	0.09%	0.04%	0.03%	0.04%	0.04%	0.01%
2008	74.27%	21.50%	3.85%	0.38%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
2009	72.20%	23.32%	3.68%	0.61%	0.07%	0.06%	0.03%	0.01%	0.01%	0.01%
2010	71.20%	24.45%	3.91%	0.43%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%
2011	68.23%	25.45%	5.23%	0.82%	0.24%	0.03%	0.00%	0.00%	0.00%	0.00%
2012	67.16%	25.76%	5.63%	1.09%	0.25%	0.10%	0.01%	0.00%	0.00%	0.00%
2013	62.62%	27.98%	7.56%	1.52%	0.29%	0.02%	0.00%	0.00%	0.00%	0.00%
2014	64.37%	27.29%	6.75%	1.30%	0.26%	0.02%	0.00%	0.00%	0.00%	0.00%
2015	60.42%	29.96%	7.69%	1.57%	0.23%	0.03%	0.01%	0.03%	0.04%	0.01%

The first column is for single incidents a time and column two is for two units out at a time all the way up to column ten.

For most departments, the majority of calls occur one or two at a time. However, as communities grow, the propensity for concurrent calls increases. When the concurrency reaches a level at which it stretches resources to near capacity, response times begin to extend. Although multiple medical calls will cause drawdown, especially as concurrency increases, they usually occupy only one unit at a time. Concurrent fire calls, however, are of more concern as they may require multiple unit responses for each call depending upon the dispatch criteria. Typically," other" calls that are not actual fires or medical calls have higher rates of concurrency than fires and, depending on the dispatch criteria, may create periods of extensive resource drawdown.

Response Performance

Based on the analysis of the available data, NFD's overall response performance to emergency incidents is over the NFPA 1710 recommendations. This should not be interpreted to mean that NFD is performing poorly. In nearly 40 years of conducting independent research and analysis for fire departments and emergency services providers across the nation, ESCI has never encountered a department that consistently meets the NFPA recommendations. Rather, adequacy of performance should be the focus and ensuring that response times meet community expectations.

For medical incidents, the American Heart Association (AHA) recommends that emergency resources be on the scene of a cardiac arrest within eight minutes, other lower acuity incidents comprise a much larger portion of the Department's overall medical incidents. Therefore, it is reasonable that multiple levels of response performance objectives be identified and formally adopted.

	AVERAGE	90TH PERCENTILE
2000	04:52	08:00
2001	05:00	08:00
2002	05:30	08:42
2003	05:10	08:13
2004	04:54	07:41
2005	05:28	08:41
2006	06:42	10:03
2007	06:35	09:57
2008	06:33	09:39
2009	06:30	09:38
2010	06:18	09:12
2011	06:17	09:10
2012	06:26	09:29
2013	06:32	09:32
2014	06:55	10:00
2015	06:48	09:50

Response time, however, is not simply a matter of operational response. The response time continuum begins when someone calls 9-1-1 and ends when the appropriate resources are on the scene of the incident. The response time continuum is comprised of several components:

- Processing Time —The amount of time between when a dispatcher answers the 9-1-1 call and resources are dispatched
- Turnout Time—The amount of time between when units are notified of the incident and when they are en route.
- Travel Time—The amount of time the responding unit actually spends on the road to the incident.
- Response Time —A combination of turnout time and travel time and generally accepted as the most measurable element.

Before entering this discussion, however, it is important to provide a brief discussion about how the statistical information is presented, particularly in regard to average versus percentile measures.

The "average" measure is a commonly used descriptive statistic also called the mean of a data set. It is a measure to describe the central tendency or the center of a data set. The average is the sum of all the points of data in a set divided by the total number of data points. In this measurement, each data point is counted and the value of each data point has an impact on the overall performance. Averages should be viewed with a certain amount of caution because the average measure can be skewed if an unusual data point, known as an outlier, is present within the data set. Depending on the sample size of the data set, this skewing can be either very large or very small.

As an example, assume that a particular station with a response time objective of six minutes or less had five calls on a particular day. If four of the calls had a response time of eight minutes while the other call was across the street and only a few seconds away, the average would indicate the station was achieving its performance goal. However, four of the five calls, or 80 percent, were beyond the stated response time performance objective.

Future System Demand Projections

In order to project potential future service demand, it is first necessary to evaluate historical population growth and current community risk. These elements, combined with historical per capita incident rates allow for a more accurate projection of future demand.

Population Growth Projections

Emergency services demand is typically driven by population and human activity. This holds true for NFD. As the population of the area has risen, so has the overall service demand. The overall population of the NFD response area has risen steadily over the last several decades. Unfortunately, population statistics for the response area outside the city limits is limited. These population figures have been more accurately maintained only since 2007. As illustrated in the following figure, the area has seen a general population growth of 2.02 percent since 2000 including the area outside the City limits.

Future Service Delivery Models

Although the foregoing sections of this report focused primarily on the conditions that currently exist within the NFD, the intent of this study is to combine that evaluation with a look into the future and provide policy makers with information necessary to carry the system forward over the next 10 to 20 years. This portion of the report provides recommendations related to the deployment of facilities, Apparatus, and personnel with a focus on future service delivery and an improvement in overall efficiency within the system.

Development of Response Standards and Targets

In order to determine future service delivery models for the study area, it is first necessary to establish response standards and targets that will be used to establish an appropriate deployment of physical resources. Although there are nationally published standards for the deployment of stations and apparatus, often these standards are simply too restrictive for many organizations. In this report section, ESCI will provide an overview of the published standards and then work to establish an appropriate set of response standards and targets for the study area that deliver an expected level of service within the fiscal constraints of the region.

NFPA 1710 recommends that career fire departments adopt response performance objectives that deliver an equal level of service across the entirety of the response area irrespective of population density, geography, or response area size. For an area the size of the study region, it is improbable that a single response performance objective can be accomplished. The standard recommends the following for career fire departments:

- Call Processing 0:60 at the 90th Percentile
- Turnout 0:60 at the 90' Percentile'
- Total Response 5:00 at the 90th Percentile'

Although the aforementioned response performance objectives are detailed within each respective published standard, it should be noted that few, if any, departments actually meet these objectives with consistency. In ESCI's 40 years of working with fire departments of various size and deployment modelling, no client department has been able to routinely meet the published standards. In addition, within each Standard, there is the ability of the Authority Having Jurisdiction (AHJ)to establish response performance objectives based on local expectations and abilities.

NFD has established performance objectives that loosely follow NFPA 1710 recommendations in that a full alarm assignment for a working residential structure fire are expected to arrive at the scene within 560 seconds (80 seconds for turnout and 480 seconds for travel) from the time of dispatch. Structure fires or other incidents that require additional resources through mutual aid or additional alarm assignments do not have an adopted response performance objective. Likewise, since NFD does not directly control the communications center, a formal call processing performance objective has not been established.

Based on the population density and historical service demand, combined with historical response performance, ESC recommends the following response performance objectives for consideration.

ELEMENT	PERFORMANCE OBJECTIVE	PERCENTILE MEASURE
Call Processing	00:60	90th
Turnout	00:90	90th
Travel	05:00	90th
Effective Response Force	08:00	90th

Short-Term Recommendations

The previous sections of this report detail a considerable volume of observations, comments and recommendations relating to NFD management and operations. The process of understanding, prioritizing and implementing the recommended enhancements can be daunting, simply due to the amount of work that may be involved. To help the organization navigate through the process, the following discussion further defines the short-term priorities that ESCI has identified as the most important initially.

The following list summarizes the identified recommendations based on the agency evaluation contained within this report that are achievable in the short-term, typically within a range of one to three years. These recommendations have been compiled into a prioritized list for ease of reference.

- Priority 1—Items Involving Immediate Internal Safety Concerns
- Priority 2—Considerations That May Present Legal or Financial Exposure
- Priority 3—Matters That Address a Service Delivery Issue
- Priority 4—Considerations to Enhance the Delivery of a Service
- Priority 5—An Important Thing to Do

Priority 1 —Items Involving Immediate Internal Safety Concerns

The recommendation deals with an improvement or initiative that solves an issue affecting the safety of firefighters and/or other personnel. These are not matters that simply make it easier to do a particular function but, in fact, change a currently unsafe situation into a safe one.

- ESCI did not identify recommendations specific to immediate internal safety concerns.

Priority 2—Considerations That May Present Legal or Financial Exposure

The recommendation resolves a situation that is creating or has the potential to create an opportunity for legal action against the entity or its officials. It also may be a situation that could subject the entity to a significant expense.

- Use SOGs in all training evolutions, particularly when manipulative exercises are involved.
- Use local legal representative to ensure that appropriate legal mandates are contained within policy documents.
- Adopt a formal process for access to public records

Priority 3—Matters That Address a Service Delivery Issue

The recommendation addresses a service delivery situation that, while it does not create an immediate safety risk to personnel or the public, it does affect the Department's ability to deliver service in accordance with its standards of performance. For example, adding a response unit to compensate for a growing response workload or delivering training needed to allow personnel to deal effectively with emergency responses already being encountered.

- This master plan will serve as a long-range plan for the Department to effectively plan for changes in the future. The Department should undertake a formal strategic planning process through which the recommendations of this master plan can be prioritized and implemented. In conjunction with the strategic planning process, identify citizens that have an interest in providing input for future planning.

- In conjunction with the strategic planning process, use a community survey to solicit input from a broad range of residents regarding community expectations.
- Develop plans for future replacement of aging fire stations.
- Develop a capital replacement plan for fire apparatus and equipment.
- Fill the currently vacant Division Chief of Training position as soon as feasible. Evaluate the adequacy of planned program staffing levels.
- Incorporate periodic night drills into the training schedule.
- Develop an active pre-incident planning program and incorporate into ongoing training efforts.
- Establish a practice of regularly scheduled fire prevention inspections based on risk criteria.
- Plan and schedule existing occupancy inspections on a regular rotation

Priority 4 – Considerations to Enhance the Delivery of Services

Recommendations that improve the delivery of a particular service. For example, relocating a fire station to improve response times to a particular part of town or adding a piece of equipment that will improve the delivery of a service.

- Establish a practice of regularly scheduled review and updating of foundational policy and procedure documents.
- Develop a formal complaint handling process to ensure that complaints (and positive comments) are handled effectively and seen through to a final disposition.
- A formal facilities replacement plan should be implemented. This master plan should serve as the basis of that plan.
- The current vehicle replacement plan should be reviewed for adequacy and then fully funded to ensure money will be available when apparatus must be replaced.
- Update the training program's three-year plan.
- Complete an annual summary of training program activities and accomplishments to measure program success relative to goals and objectives.
- Consider the addition of clerical support staff in the Training Division.
- Conduct a workload analysis in the Training Division and adjust program staffing as needed
- Collect fire prevention inspection data directly via electronic media.
- Provide staffing support to the public education position, as feasible.
- Seek to restore regular and ongoing use of the "safe house".
- Assure that consistent training is provided to line personnel regarding scene control and evidence preservation.
- Conduct post incident reviews of all significant incidents, not limited to structure fires.
- Consider the addition of administrative staff support in the Prevention Bureau.
- Establish recommended response performance objectives.

Priority 5 – An Important Thing to Do

The recommendation does not fit within any of the above priorities but is still worth doing and can enhance the Department's morale and/or efficiency.

- Complete performance evaluations on all personnel annually.
- Job descriptions should be routinely updated to ensure that they are still applicable to each level of employment.

- Consider developing a community newsletter to keep residents informed about what is happening within the fire department.
- The Department should consider producing an annual report intended for public distribution.
- Given the large volume of training equipment on hand, inventory equipment annually.
- To establish consistency, develop a departmental training manual.
- Complete all hands meetings on a regular basis to keep personnel informed
- Provide regular management and operational reports to elected officials to assure that they are well informed about department activities.

Mid Term Recommendations

Mid-term recommendations are those that will require a substantial amount of work by NFD and other agencies as may be appropriate. In some cases, there will be a significant financial impact (positive or negative) and local policymakers will need to be involved from the beginning. The following recommendations are provided in no specific order and are offered as possible strategies to improve future operations.

Alternative Response Vehicle Deployment

In the course of stakeholder interviews, multiple interviewees raised the question of using some type of smaller response vehicle other than large and expensive fire engines for medical incident response. Based on the stakeholders' information, ESCI developed the following analysis:

Alternate Response Units (ARUs) or Alternate Response Vehicles (ARVs) offer a slightly different model than the Peak Activity Units, whose primary mission is responding flexibly to peak demand for emergency services. The Alternative Response Vehicle is typically focused on non-emergency, lower acuity emergency medical calls but may also make emergency responses. Its purpose is to keep the primary fleet of emergency response vehicles and crews in service and available for the higher acuity, true emergency calls. Tualatin Valley Fire & Rescue (TVF&R) in Oregon implemented a 12-month pilot of this program in 2011. The agency has experienced positive results and permanently incorporated the units into its daily operation. A variety of similar approaches are being implemented in fire departments nationally.

The premise behind the unit is to reduce the expensive staffing and vehicle response to likely non-life-threatening calls for service. The units are sport utility vehicles, staffed by one Firefighter/Paramedic in most models. The units are dispatched according to a protocol used by the dispatch centers, which medically triages the calling party. In some applications, the communication specialists at the communication center are trained to Emergency Medical Technician/Emergency Medical Dispatch (EMT/EMD) certification. In other situations, the communication specialists are not necessarily EMTs but are trained to the EMD certification.

The dispatcher triages and categorizes a patient over the phone using a series of questions following an EMD algorithm. The calls are placed into one of typically five categories: Alpha, Bravo, Charlie, Delta, and Echo responses. Alpha is lowest on the severity/acuity scale and is not a life-threatening call type. Echo is the highest severity/acuity and the most urgent, immediate life-threatening call type. ARVs respond

Alpha and Bravo calls routinely, but may also respond to higher acuity calls if the unit happens to be closer than emergency response units to improve response time. It is important to note that the agency recognizes that a single paramedic in an ARV cannot effectively deal with a higher acuity call type alone, thus the focus on lower acuity call types.

In TVF&R, the ARVs also responded to minor non-medical calls such as lockouts, smoke detector problems, and burning complaint investigations. The four TVF&R ARVs responded to 2,134 incidents in 12 months, which represents 7.2 percent of the agency's total call volume for that year.

In another application in Spokane, Washington, an ARV pilot program included three units deployed strategically within the service area. Initially, they were deployed Tuesdays through Fridays from 8:00 a.m. to 6:00 p.m. using peak activity to drive deployment times. The deployment model was later modified to provide increased employee flexibility. In the six-month pilot, the units handled 1,193 incidents that would have been handled by an engine company, medic unit, or ladder truck.

A unique feature of the above mentioned ARV approach is that assignment/recruitment of staff on these units emphasized paramedic assertiveness as a desirable trait, since the unit lends itself to "jumping" calls to provide a fast response, assessment, and potential cancellation of more traditional response units where the ARV is closer and available. In fact, in this instance, each unit's call load was made up of at least 40 percent of calls that were "jumped" versus dispatched initially. In over 72 percent of the incidents responded to, the incident was handled alone by a single ARV. In over 29 percent of the calls where other units also responded, those additional units were cancelled, keeping them available for higher acuity calls which might occur simultaneously. In 204 incidents, the ARV requested additional units either while responding or once on scene emergency medical calls but may also make emergency responses. Its purpose is to keep the primary fleet of emergency response vehicles and crews in service and available for the higher acuity, true emergency calls. Tualatin Valley Fire & Rescue (TVF&R) in Oregon implemented a 12-month pilot of this program in 2011. The agency has experienced positive results and permanently incorporated the units into its daily operation. A variety of similar approaches are being implemented in fire departments nationally.

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It is important to note that ARVs may not provide recognized credit through the Idaho Survey and Rating Bureau (ISRB), which should be confirmed. EMS response capability is not evaluated by ISRB since it is focused on property conservation and property risk. However, response time and unit reliability are improved by the use of ARVs, and one agency states that, " ... the public perception of the program has been overwhelmingly supportive and accepted throughout the community as simply, 'smart government' ...

If Nampa Fire Department deployed ARVs using peak activity data to determine location and hours in service, the units would likely have a positive effect on station/unit reliability, reduce wear and tear on heavy apparatus, and contribute to a positive public perception similar to what Spokane Fire Department and Tualatin Valley Fire & Rescue have experienced.

Pre-Incident Planning

A pre·incident (or pre-fire) plan is a simple document that is developed for commercial occupancies and target hazard buildings for the purpose of providing firefighters with information about a building, should a fire occur there. Information is typically gathered regarding a building's configuration, exiting, protection systems, and hazards that may present

themselves to a firefighter in the event of an incident. Pre-incident plans help to make firefighting more effective and to provide for increased firefighter safety.

Although NFO has undertaken some pre-incident planning efforts in the past, it has been limited in recent years. There is no viable pre-incident planning process currently in place and what plans do exist were said to be out of date.

SCI recommends the Nampa Fire Department develop a pre-incident planning program.

Responses to Nursing, Assisted living, and other High Frequency Facilities

Every fire department has known patients and facilities who frequently call for assistance. In many cases, fire agencies experience significant call volume at facilities, such as nursing homes and assisted living and mobility-impaired resident facilities. Many calls for service are legitimate medical emergencies for a variety of residents/patients, while some are lift-assists where mobility-impaired residents fall from bed and need assistance getting back into bed. First responders in these cases perform a quick assessment of the latter group and place them back into bed. While this may seem to be an appropriate service to provide to the residents of such facilities, in many cases it is a liability shift and/or a staffing shift from a fee-for-service facility to the taxpayer-provided emergency responders. Further, it misuses critical emergency response resources to address decidedly non-emergent problems.

A growing concept nationally is what has been referred to as the Community Assistance Response (CARES) Program. The concept of this approach is to address the high frequency individual. CARES is intended to decrease the negative impact of 9-1-1 over-users or abusers, decrease on-scene time for engine companies for social service calls, decrease level of frustration of front line crews, and at the same time provide a higher level of service to customers.

A CARES program is made up of student interns from local universities majoring in social work degree programs working together with the fire department. These students meet their academic practicum requirements by serving the CARES Team as student interns. The combined team addresses the needs of vulnerable populations who have received a response from fire personnel and are identified as needing social service or other support system assistance. Generally, the citizen needs help that is available through existing social services programs, but the individual is either unaware of the resource or not able to access them through traditional means. In most cases, responders find these individuals feeling isolated or are in some type of crisis and don't know where to turn for help. Often, these citizens generate many 9-1-1 calls for assistance.

CARES team members normally serve an entire school year (September through June) but may work through the summer as well. They undergo orientation and training that helps them to become knowledgeable about local community agencies, diversity issues, and mental health issues. Team members are also trained in crisis intervention and experience ride along time with response units to experience firsthand the circumstances faced in the field.

CARES team members work in collaboration with the fire department to assist vulnerable populations who face barriers in identifying and utilizing appropriate community resources. The

CARES team visits individuals in their home, works with them to identify their needs, advocates with them, and connects them to appropriate resources.

CARES team responsibilities include:

- In-home visits
- Client assessments
- Contacting and brokering with other social service agencies
- Advocating on behalf of the client
- Program development
- Internal and external marketing
- Participation in local coalitions
- Grant writing

Without a CARES style program, a minimum of one fire engine with three firefighters and one ambulance with two paramedics may be dispatched to arrive on scene. With a CARES program implemented, emergency demand is reduced and service is increased.

Response to High Frequency Facilities

The first step in identifying whether a problem exists in responses to high frequency facilities is to define high frequency. Each agency must determine a reasonable number of separate responses in a given period of time that places a facility into the high frequency category. Such definitions can vary from a set number (e.g., greater than six responses in a given 30-day period) to benchmarking the frequency of responses to an in-agency facility against comparable facilities in other jurisdictions (preferably with different ownership).

Once a "high frequency facility" is defined, the agency must then determine whether the problem is individual facilities or all facilities in an entire industry. If the problem is with individual facilities, there may not be a need to develop a system. Instead, direct assessment and intervention with those facilities may be all that is necessary. If the problem is an entire industry, a system must be developed.

If the industry is problematic, the next step is to develop an alternative to the current manner in which these mostly non-emergent calls are handled. Partnering with a private ambulance provider to handle these call types is one way to shift that demand to an agency that provides non-emergent services for a fee. Another approach is to develop a consortium consisting of all of the facilities in that industry. The purpose of the consortium is to acknowledge that the current system use is overly burdensome to the fire department and reduces its availability to respond to true life-threatening emergencies and that it is the responsibility of the industry to self-regulate. It may even be possible for the consortium to agree to fund and staff special units to offset the negative impact to first response units in the system.

Mid To Long-Term Recommendations

Based on the preceding analysis of current conditions and the review of current risk and development trends within the City1 ESCI has evaluated the need for additional resources to

enable the department to provide services to future populations. This begins with facilities and the resources within them to enhance the level of services provided.

Future Station Location Considerations

ESCI considers facility deployment strategies by reviewing areas where gaps exist in the capability of the system to deliver target level performance, as well as where there is overlap and redundancy in the capability of two or more fire stations. Deployment strategies can then be developed in an effort to eliminate service gaps, whenever possible.

As demonstrated earlier in this report, current deployment of Nampa fire stations enables NFD to cover approximately 75 percent of historical service demand within four minutes of travel and 89 percent of historical demand within eight minutes of travel. In order to improve the overall effectiveness of the operations to continue to provide a high level of service to an increasing population, additional stations may be necessary at some point in the future.

Capital Replacement Planning

Earlier in this report the importance of capital replacement planning was discussed. Because of the importance of adequate planning, the following addition discussion is offered. Factors that influence decision making are as follows:

- Actual hours of use of any specific piece of equipment can vary significantly in comparison to other similar apparatus, even within the same fire department. Attempts to shuffle like apparatus among busy and slower fire stations to distribute hours of use more evenly have proven difficult. Frequent changes in apparatus create familiarity and training challenges. In addition, certain response areas may have equipment and tool requirements that are not common to others.
- Actual hours of use, even if evenly distributed, do not necessarily equate to intensity of use. For example, a pumper making mostly emergency medical responses will not age as rapidly as a pumper with a high volume of working fire incidents that require intense use of the pump or hydraulics. However, every that an engine is at idle is equivalent to driving 33 to 35 miles of wear and tear. Likewise, road mileage can also be a poor indicator of deterioration and wear.
- Technology, which is increasingly a factor in fire equipment design, becomes outdated even if the apparatus wear is not as significant. In some departments, crews at different fire stations deal with widely different technology on pumpers simply because of the age of the equipment. These differences can be significant, affecting everything from safety and lighting systems to automated digital pump pressure controls and injection foam generation.

Small Equipment Replacement

Each piece of fire apparatus carries a complement of equipment, some of which is very expensive. Radios, hose, nozzles, ladders and self-contained breathing apparatus (SCBA) are examples of equipment that, like vehicles, carry a high replacement cost with a predictable service life and replacement cost.

Often, small equipment is included in the specifications provided to vendors for new apparatus. It is not always the case, and there is usually some equipment that has to be replaced independently of the vehicle specification and bidding process. For this reason, ESCI recommends that a schedule for replacement and funding mechanism for small equipment be developed.

Future Staffing Alternatives

Staffing is typically a fire agency's single most expensive resource. Two significant factors that drive cost are the 24-hour nature of the fire service demand and that firefighters typically travel in teams of three or four. Therefore, staffing a unit 24 hours per day, 365 days a year with a team of three or four firefighters can often generate an annual staffing cost of between $1.4 and $1.8 million.

A more efficient and effective model includes a flexibly staffed and flexibly deployed resource which augments the traditional deployment of response resources. This flexible unit follows the observable trends in emergency calls for service (demand), which dictates to a significant degree the distribution of that flexible resource. Implementing this flexible unit reduces response times where demand is high .. These flexible resources are referred to as Peak Activity Units (PAUs) and they are deployed in a manner that mirrors the ebb and flow of demand. A PAU has four major configuration variables: the unit itself, the crew make-up/size, the deployment purpose/philosophy, and deployment hours/geography.

PAUs are typically staffed and deployed during the most statistically busy times of the day and week, which makes the unit less costly and more flexibly deployed both by time of day and geographically. These units can be a Type 1 or a Type 6 fire engine, a medical rescue unit, or a multi-purpose squad. Regardless of the type of unit it is, what makes it unique is the way it is deployed and staffed. PAUs can be staffed with a medical crew if that is its primary purpose or as a fire suppression crew. It can also be deployed during wildland fire season with a wildland Fire crew. Regardless of staff capability, the staff can be obtained as callback crews, so-called "debit hours" (if the scheduled hours of work provide for this), overtime hours, staffing on duty above shift minimum staffing, or a regularly assigned crew for the hours assigned to a PAU. These concepts normally require bargaining the hours and working conditions under which the unit is staffed when a collective bargaining unit is affected.

PAUs are not only assigned as an additional resource based on statistically busy times and locations. They can also be used to manage gaps in coverage for units participating in training and could even be cooperatively staffed with a neighboring agency(s). A PAU could be only occasionally staffed for activities such as a scheduled event or routinely staffed for periods of peak demand. Adding PAUs as an adjunct to existing staffing patterns adds flexibility to fire department emergency operations.

A traditional fire company is staffed and continuously available 24 hours per day to respond to emergencies. Move-ups (the repositioning of a fire company to cover under-resourced response zones due to emergencies or training) have been used for many years by fire departments throughout the country and are an attempt to partially reduce the gaps in coverage during

emergencies. Only recently as a result of powerful analytical tools have some fire departments become more aggressive with move-ups, spawning such terms as "dynamic redeployment," "system status management," and PAUs.

For the purpose of illustration, we assume a PAU is staffed by three personnel and would be made available for response 12 hours per day, six days per week, although it can be placed into service in various work period configurations. We also assume the PAU is staffed with regularly assigned personnel who work a different schedule than the hours worked by shift firefighters.

An example of this type of staffing schedule is shown in the following figure. In this example, a total of six personnel (two officers and four firefighters) work a 48-hour work week. Each person is assigned two 12- hour shifts and one 24-hour shift. Under this arrangement, a PAU member working a 24·hour shift finishes the first 12 hours of work on the PAU, and then is reassigned to fill any vacancies on other companies during the second 12 hours (the back half of the shift) thereby potentially reducing overtime exposure.

PEAK ACTIVITY UNIT STAFFING						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Officer (24)	Officer (12)	Officer (12)	Off	Off	Off	Off
Firefighter (12)	Firefighter (12)	Firefighter (24)	Off	Off	Off	Off
Firefighter (12)	Firefighter (24)	Firefighter (12)	Off	Off	Off	Off
Off	Off	Off	Officer (24)	Officer (12)	Officer (12)	Off
Off	Off	Off	Firefighter (12)	Firefighter (12)	Firefighter (24)	Off
Off	Off	Off	Firefighter (12)	Firefighter (24)	Firefighter (12)	Off

Regional 911 Communications Consideration

Fire departments in the Nampa area are currently dispatched from multiple 911 centers in two different counties and the Nampa Police Department dispatch center. From a regional standpoint, issues of delayed dispatching, call transfer issues, and mistakes made in relaying information from one dispatch center to another were shared with ESCI in the course of stakeholder interviews.

Field interviews did not indicate whether the challenges are or are not necessarily indicative of problems in the Nampa dispatch center, but are viewed as a possible regional concern that should be further evaluated as it is beyond the scope of work of this project. It was indicated that communication center capabilities vary between the area 911 centers.

A regionalized approach to 911 services may be beneficial to Nampa Fire Department and its neighboring fire and EMS agencies from a standpoint of dispatch efficiency. Creating a stand-

alone, fire-based dispatch center for the region without regard to county boundaries may improve the communications, coordination, efficiency, and effectiveness of emergency communications regionally. It is recommended the NFD involve itself in any future discussions of the concept of exploring the development of a single fire-based communication center in the region.

Fire Prevention and Community Risk Reduction

NFD does not conduct fire and Home safety inspections on all commercial occupancies on a regularly scheduled basis. ESCJ recommended earlier that an approach that achieves and inspection frequency based on risk exposure be adopted, approximating the example listed earlier in the Life Safety Services (Fire Prevention) section of this report.

However, ESCI also recognizes that achieving an optimal inspection frequency as listed earlier is likely beyond the capacity of the existing Fire Prevention Bureau staff. The use of on-duty response crews to complete some lower risk inspections will be helpful; even so, additional staffing or redeployment of existing personnel may be necessary. Administrative support staffing will also need to be considered.

An additional consideration is the qualifications and certifications that are necessary for prevention personnel to operate effectively. Fire and life safety code administration and enforcement requires highly specialized and technically intense training. Personnel that are conducting new construction plan reviews, inspecting installed protection systems such as fire sprinkler and kitchen venting equipment, and enforcing existing occupancy inspections require multiple specialized certifications. These functions are highly unique and technically specialized.

A concern that was expressed in the course of stakeholder interviews was how Prevention Bureau staffing is managed. Personnel may be placed in the Bureau on a rotating basis, whether they have interest in fire prevention or not. Further, some in the Bureau expressed frustration that there are few incentives in place to encourage staff to seek additional training and certifications and that there lacks structure in terms of minimum qualifications and time in grade recognition.

These observations indicate that the Prevention Bureau is in a state of growth and transition. Consistent with its general mission, the NFD is responsible to manage a significant portion of public safety risk within its service area.

The NFD fire prevention program will need to adapt to the ever increasing work load and future anticipated growth. To address the challenges identified, ESCI recommends that NFD take the time to fully evaluate the program and undertake a comprehensive planning process that will:

- Identify and assess pertinent risks.
- Prepare and enable the Fire Prevention Bureau with the ability to manage the additional workload that will come with community growth.
- Address the need for expanded inspection efforts.
- Incorporate a blended strategy of education, engineering, and enforcement to mitigate as much of the risk as practical.

- Seek to achieve an appropriate inspection frequency for existing commercial occupancies.
- Provide strong direction for the program.
- Appropriately staff the program to expand the existing occupancy inspection frequency.

within the fire prevention program, ESCI further recommends that NFD specifically explore cooperative services initiatives in the areas of public education and fire/arson investigation.

An emerging trend in the fire service nationally is a concept called Integrated Community Risk Reduction (CRR). CRR is an integrated approach to risk management that marries emergency operations and prevention strategies into a more cohesive approach to reducing risks in any community. It includes the fire department partnering with the community, non-profit organizations, and private sector agencies with a mission nexus to an identified community risk. The concept starts with the fire department mining data to quantify community risk. Once the community risks have been identified, they are prioritized based on frequency of emergency service demand or consequence (to the victim, to the community, to the local economy). Upon prioritizing the risks, strategies are developed to mitigate the risks. These strategies are incorporated into a CRR plan, which integrates resources across the fire department, partner agencies, and the community to implement the various strategies in an integrated way. After plan implementation, the results are reviewed to determine the impact on the risks. Adjustments are made as necessary based on the results and the process is refined and continuously re-implemented.

The risks are not limited to structure fires. They can include falls, drowning, interface exposure, or any risk requiring fire department response. Risk can also be localized by station area. Station captains, in collaboration with fire prevenient staff, can develop and manage a station-specific CRR plan as a subset of the fire department's plan.

ESCI recommends that NFD evaluate and implement opportunities for the development of a Community Risk Reduction program.

Future Opportunities for Cooperative Efforts

A master planning process would be incomplete without considering opportunities that exist in a study to undertake cooperative or shared service delivery approaches. It should be made clear that ESCI was not retained to complete a Cooperative Efforts Feasibility Study in this project and does not represent the following discussion to be a determination of whether or not a merger, consolidation, or other form of shared service delivery approach is advised. However, it became apparent to the ESCI project team that multiple opportunities exist and warrant further analysis.

A first look at potential cooperative efforts involves identifying potential partners. Generally, adjacent fire jurisdictions are considered to be those that the study agency is most likely to partner with in some manner. The following map depicts NFD's adjacent fire jurisdictions.

NFD has several adjacent fire jurisdictions, specifically the cities of Caldwell and Meridian. the Middleton Fire District, and the Star Fire District. Those four agencies are currently engaged in a

study similar to this one and informal discussions have taken place about potential future collaborative efforts.

It is broadly recognized that jurisdictional boundaries seldom make efficient and effective service delivery parameters. Citizens often recognize and appreciate regional approaches to service delivery as an all too rare example of governmental cooperation and efficiency. NFD has already demonstrated a regional mind-set in numerous programs and processes; examples include broad use of Mutual Aid practices, implementation of Automatic Aid dispatch procedures, shared training activities, and a variety of other collaborative efforts. Opportunities to expand on these efforts are many.

Having completed many cooperative efforts feasibility studies throughout the country. ESCI has identified what we call the "Big Six" factors that are consistently found as barriers to collaborative initiatives.

The “Big Six” are: Turf, Power, Politics, Control, Timing, Money.

However, at this writing, a unique situation exists in this study area. Concurrent with the Nampa Fire Department Master Plan process, fire agencies, in Meridian, Star, Caldwell and Middleton are completing a similar process. In the course of both studies, the subject of future, more formal, cooperative efforts has been raised in multiple conversations and stakeholder interviews. ln various informal discussions, fire chiefs, elected officials and community members have talked about identifying opportunities that may exist and seeking to identify their feasibility. Stated otherwise, the "Big Six" factors listed above appear to be of less significance in the case of these communities, which opens the door to more serious analysis of how service delivery may be addressed from a regional perspective.

A variety of partnering strategies Is available to fire districts and municipalities in Idaho. They are briefly summarized below.

General Partnering Strategies

Potential efficiencies that may be gained from some form of cooperative service delivery can be categorized using an escalating level of cooperation between the Nampa Fire Department and one or more of the other agencies in the area. General partnering strategies fall in a range from remaining autonomous to the creation of a new organization. The following is a general overview of the available strategies only; absent further analysis, they are not recommended as feasible strategies.

The following alternatives will need to be evaluated carefully if future efforts are to be pursued:

- Maintain Status Quo
- Contract for Services
- Administrative Consolidation
- Functional Consolidation
- Operational Consolidation
- Fire Authority or Joint Powers Authority

- Legal Unification

This is a do-nothing option. While typically viewed negatively, in some cases the best action is no action. In this case, maintaining status quo means that certain issues will need to be addressed, including the recommendations provided in this report. However, NFD remains as it is today, working with its neighboring agencies to respond collaboratively and cooperate where desired, as is the current practice, but the agency remains independent.

The advantages of this approach are that it is the easiest option to implement and creates the least amount of work or stress on the organization. Maintaining status quo also retains local control.

That is the current City Council would continue to oversee its individual departments as the electorate desires, without the complication of considering the views of a different or expanded constituency.

The disadvantages of this approach are that the opportunities for efficiency (either financial or service level) through greater collaboration are not realized and some duplication and overlap may continue. In today's environment, taxpayers typically hold their elected officials accountable for delivering a quality level of service at an affordable rate, and expect creative thinking to solve problems or achieve those ends. While "maintaining the status quo" is easy and involves the least amount of impact to the agencies, it can also be one of the riskier decisions to make politically.

Contract for Services

A contract for services can be for limited, discreet functions, such as for administrative, clerical, HR, IT, or financial services, often referred to as an administrative consolidation. Alternatively, one agency can contract with another for larger support elements, such as training, fire prevention, logistics, central purchasing, or vehicle maintenance, often referred to as a functional consolidation. The primary services provided by a fire department can also be contracted, i.e., service delivery, often referred to as an operational consolidation. These consolidations are not legal terms and differ only in the scope of the contract. The process is the same for all three types of consolidation, the agencies sign a contract referred to as an intergovernmental agreement (IGA).

Administrative Consolidation

The advantages of an administrative consolidation model include reduced overhead costs by eliminating administrative duplication; a gradual alignment of otherwise separate operations under a single administrative head; potentially less resistance to change by the rank and file in the operational elements than other options; and singularity of purpose. focus, and direction at the top of the participating organizations. This option lends itself well to a gradual move toward a single, integrated agency where differences in attitude. culture, and/or operation are otherwise too great to overcome in a single move to combine.

The disadvantages include potential conflicts in policy direction from the participating councils and boards and potentially untenable working conditions for the f.re chief ("one person, multiple bosses").

Functional Consolidation

Concerning a functional consolidation, advantages include greater opportunities for efficiency including an opportunity to reinvest redundant resources into areas lacking in resources (e.g., transferring redundant training officers back to a line [operations] function, increasing line strength). Further, a closer working relationship may be realized between members of the agencies in the consolidated function(s) that can spill over to other unrelated activities in the otherwise separate agencies. This type of collaboration may segue to greater levels of cooperation. Barriers can be broken down as members of each agency realize that the other agencies' members "aren't so different after all."

A disadvantage is that interaction by and between line personnel of different agencies increases the potential for friction. Numerous details must be worked out in advance of such a contract, including but not limited to work rules, employee assignments, compensation, office location, logos, asset allocation, authority, and even the name of the consolidated function. Further, independence and autonomy are lost in the consolidated areas, spilling into other seemingly unaffected areas. However, NFD is familiar with and works closely with its neighbors through the current collaborative efforts in response and training, making these areas less contentious and making other areas of collaboration less risky.

Operational Consolidation

Considering an operational consolidation, the advantages are that the greatest opportunity for efficiency (not necessarily cost reduction) is typically in the operational element where service is delivered to the communities and the level of trust and cooperation required to make implementation of this option successful implies openness and a near-readiness to take the next step to full integration.

The disadvantage is that administrators and policy-makers must share power and gain consensus where they once had unilateral authority to control and implement. Bargaining unit agreements usually have to be aligned. Further, it sometimes becomes difficult to determine which agency would be the contractor.

Fire Authority or Joint Powers Agreement

Under a fire authority model, two or more entities provide a service that they are empowered to provide as a separate entity under the governance of a single or combined board of elected officials. This process is often used in situations where the two participating governments differ in type and revenue sources or where governments have differing rates of taxation. However, the state of Idaho does not provide statutory language that enables the formation of a fire authority so, while similar approaches may be implemented, the fire authority approach is not an option.

What is provided for under statute is the establishment of Joint Powers Agreements (JPAs). Under this model a "Joint Powers Board" is established representing each of the involved entities, and the JPA essentially provides the fire and EMS services directly or via contact with other providers.

The JPA model is useful as described where taxation levels or methods differ. It can be an intermediate step toward legal consolidation or merger.

Legal Ramification

Under certain circumstances in law, fire agencies can join into a single entity. This formal approach unites not only programs but also fire department organizations themselves. State laws addressing political subdivisions usually detail a process for legal unification.

Typically, state laws draw a distinction between words like annexation, merger, and consolidation when speaking of legal unification. Organizationally, however, the outcome of any such legal process results in one unified agency. The major differences between the legal strategies relate to governance and taxation issues. In many states, some process of inclusion exists that essentially involves the annexation of one entity to another, preserving the governing board and taxing authority of the surviving agency. A legal merger usually entails the complete dissolution of two or more public agencies with the concurrent formation of a single new entity (and board) in place of the former. The key feature of both forms of legal unification (merger and inclusion) is a single tax rate applied to the whole of the resulting jurisdiction. Both processes typically require an affirmative vote of the residents.

The process for consolidating fire agencies in the state of Idaho is outlined in Idaho Statutes, Title 31.

Summary Discussion

ESCI finds that potential opportunities exist for development of cooperative strategies in the NFD service area. While, as stated, considerable further analysis and a formal feasibility study will be needed to definitively determine which, if any, approaches should be pursued, it is essential that the concepts identified be explored.

With that discussion complete, ESCI finds that a great deal of potential exists for establishing some form of cooperative efforts between Nampa Fire Department and one or more of its neighbors. Closer cooperation in terms of functional consolidation efforts would benefit the participating agencies substantially. ESCI is unable to say whether the generally accepted reasons for consolidation or merger hold in this particular case without a more in-depth feasibility study. However, it is important that the City understand that there are opportunities for significant gains by implementing some form of cooperative efforts.

In summary, ESCI reminds the reader of the importance of overcoming the "Big Six" factors that get in the way of collaborative initiatives. The challenge that we present to the decision makers is

to step back and ask themselves if any of the "Big Six" are things that they are holding on to and, if so, how they can work past those barriers.

Annexation of Inclusion of NFD into the Nampa Fire Protection District

To enhance the discussion above., this consideration is offered in greater detail, because interest was raised in a number of stakeholder interviews regarding the concept of inclusion of the city of Nampa into the Nampa Fire Protection District. The following discussion is not an analysis of the feasibility of inclusion or annexation, which is beyond the scope of work of this study, but rather a discussion of the concept and insight into possible options.

If found to be feasible, the decision to undertake an annexation is not a simple one. It is imperative that the agencies involved have a complete understanding of the complexities and challenges that are involved. To that end, the following considerations are offered concerning the annexation approach

An annexation should be viewed as a means by which the City and the District can provide the same level of service at a minimum while striving to do so at an equivalent or reduced cost, increasing overall organizational efficiencies. The same service at a reduced cost is always desirable. However, increased cost accompanied by a higher level of service is sometimes acceptable if adequately presented and subsequently desired by the electorate. Whether that happens or not in this case depends on how the citizens of the area view the change and how politics drive the issue. Certainly, increased costs may also be viewed in some instances as insurmountable.

Overview

Should an annexation occur, the Nampa Fire Department will no longer exist as a department of the City. Instead, fire protection, support functions, and administration will be the responsibility of the District. The District Board of Commissioners (BOC) will establish policy and provide administrative oversight and, while management of the fire department will remain similar to the current organizational structure during the transition period. the District may need to contract with the City for administrative functions that the District does not currently have in place. The District can initiate these functions at a later date or allow them to remain with the City. These functions may include information technology, vehicle maintenance, human resources, payroll risk management, and a variety of other functions. ESCI underscores the importance of addressing these administrative needs and cautions decision makers against underestimating their magnitude and importance.

An additional important consideration will be the collection of impact fees. Currently the City is able to do so and it will be essential to determine if and how that capacity may be affected.

Under an annexation, NFD personnel would become district employees. Any agreements, employment practices, and standards previously established by the City will either have to be revised or honored by the District.

The existing command structure will remain unchanged under an annexation model. Current City administrative employees will be incorporated appropriately into a new organizational chart with duties clearly defined in updated job descriptions.

The two agencies will need to resolve. by negotiation, capital asset ownership, including fire stations and apparatus. It is logical that the ownership of all fire apparatus be transferred to the District. The same holds true with regard to the current fire stations. However, the disposition of existing debt for facilities and apparatus will need to be negotiated as a part of the annexation process.

ESCI offers the following guidance information regarding hanging the governance structure and related elements for future consideration by the City and the District.

Governance

Under an annexation, all organizational governance would fall to the District Board of Commissioners. The BOC will determine policy and oversee the management and administration of what is essentially a new fire department. The Commissioners would adopt an annual budget, provide financial direction, and strategic guidance to administrative staff. Involvement of the city of Nampa in governance decisions would become limited to only what may be otherwise agreed to.

In this instance, the District is smaller in population than the City. local government should be fully representative of its constituency. Therefore, the District should consider a plan to phase the governance of the District in terms of membership on the Board toward a balanced mix representing the new protection area. Approaches could include districting of commissioner positions and/or the expansion of the number of board positions from three to five, which is allowed by Idaho statute.

Although a change in the governance structure is beneficial, it is not recommended initially. The registered voters of the City and District should be allowed to vote on the annexation and, subsequently, vote on future commission positions. A change to the District's governance structure is challenging in and of itself. Consequently, this issue should be left to a future date so as to not confuse the issue of annexation.

Modifying the Government Configuration

Under Idaho statutes, a Fire District Board of Commissioners must consist of three members. However, Title 31, Chapter 14, section 31-1410A empowers a Fire Protection District to increase the size of the Board from three to five. Under the cited statute. if the board is increased, the existing board members are required to subdivide the district into five subdivisions with approximately equal population, area, and mileage. However, it is also noted that even without increasing the size of the board, the BOC will have to redraw boundary lines along the parameters outlined.

Financial Consideration

A critical consideration of an annexation initiative is the financial impact on the taxpayer. As the financial responsibility for fire protection is shifted from the City to the District, a critical decision must be made regarding how the City will tax its residents when it is no longer responsible for fire protection. If the annexation is pursued, the District will begin taxing City property owners for fire protection at a rate that may increase the cost to city taxpayers. Consequently, the City will need to make a policy decision to determine whether it will continue to tax at its current rate or choose to reduce property taxes by an equivalent or partial amount to offset the tax rate levied by the District. The level of taxation coupled with the community's sense of public safety and willingness to support the idea on election day will be determining factors in the success or failure of the annexation vote.

The significance of this consideration cannot be overstated. The citizens' perception that the City may gain a financial windfall may be strong. Often, public works, police departments, and others will lobby for portions of the budget that previously went to the fire department.

Detailed and careful financial analysis is critical to analyzing the impacts and options for annexation. That analysis falls beyond the scope of work of this project and it is emphasized that ESCI is not advising one way or another on the initiative. A proper feasibility study including thorough financial analysis is necessary to make appropriate decisions.

Administration

Implementation of policy and day-to-day fire department operations will be the responsibility of the fire chief and command staff (upper level management). Under the annexation, a number of decisions will have to be made regarding the allocation of responsibilities to upper level management, and the BOC wi11 be responsible for setting the organization's structure.

Apparatus and Vehicles

In the event of an annexation, ownership of all emergency apparatus and vehicles currently titled to the City will most likely be transferred to the District. At the same time, the District will need to look to the future; As recommended earlier, a vehicle replacement schedule should be established immediately, based on current vehicle conditions and anticipated service life. Of equal importance, the replacement schedule should be accompanied by a funding strategy that assures that when a vehicle is due for replacement, the dollars are available to address the need.

Facilities

There are three options that may be considered regarding the disposition/ownership of facilities. They are:

- Transfer of ownership.
- Transfer of ownership subject to right of reversion to City If property is no longer used for fire protection and EMS purposes.
- Long-term lease.

The transfer of ownership subject to the right of reversion is considered to be the preferred alternative, as it will provide a degree of protection to the City in the unlikely event that the annexation be dissolved in the future.

Personnel Management and Payroll

ESCI uses the assumption that the current administrative and operational staffing levels will be maintained. The District will need to make accommodations for the performance of personnel management and human resource functions. In addition, payroll functions will need to be addressed. The District does not have staffing in place to perform these functions. At least initially, the District can contract for human resource and payroll services from the City. Future plans can be made for the assimilation of these services into the Districts ongoing operations, or they may continue to be accessed by contract.

Staffing, Service Delivery, and Response Performance

Annexation should not result in a reduction in service levels. A plan should be developed by the District for future service delivery needs if it assumes control of the current response system. The plan, which can be based on existing NFD service delivery standards, should consist of the following elements:

- Development of baseline response time standards and targets.
- Future addition of response resources in an incremental and fiscally prudent manner.
- Ongoing system performance measurement to determine the outcomes of changes to the response system and to identify areas where response capacity is eroding.

Training Program

ESCl's analysis of NFD's training program shows the program is adequately organized and effective in addressing the appropriate baseline competencies necessary to assure effective emergency scene operations. It will be important for existing training practices and programs to be maintained under the annexation and for the Division Chief of Training to develop and monitor an annual training plan to meet future service delivery demands as discussed in the previous section.

The District must remain aware that training becomes its responsibility if the City is annexed. With that responsibility comes the potential for liability should personnel be inadequately trained. For this reason, the District has a deeply significant interest in assuring that training is adequately provided.

Fire Prevention and Public Education Programs

Fire prevention and public education efforts are addressed currently by NFD on behalf of the District. Active prevention and public education practices are ongoing and effective.

Much like training, fire prevention will become the responsibility of the District, including the potential liabilities that are incumbent with performing code enforcement activities. The Board of Commissioners will need to remain attentive to the effective delivery of fire prevention services.

Legal Consideration

Idaho Statutes Title 31, Chapter 14, 31-1429 provides a process for a city to annex or withdraw from a fire district. As always, ESCI emphasizes that project team members are not qualified to give legal advice so any discussion concerning statutory issues must be viewed in that light. Opinions are offered on the cited statutes and some of the matters surrounding them, but no representation is made that all relevant law has been consulted or that the interpretation of the law is necessarily correct. The partnering agencies should consult with legal professionals experienced in public law before embarking on any annexation strategy.

Idaho Statutes describe the process the annexation of a city to a fire district. The process begins when a city expresses by ordinance or resolution that it wishes to be included within the limits of the fire protection district.

Summary

What is presented here is a high level overview of ESCl's understanding of the annexation/inclusion option in Nampa. It does not constitute a comprehensive study of the feasibility of doing so, which would be necessary if the City and District decide to consider the matter further. However, it is ESCl's opinion that the initiative may be a beneficial one and the agencies are encouraged to continue to consider it as a potentially viable option ..

Conclusion

This document provides a considerable amount of technical data, much of which was provided by the Department, and allows the reader to gain a clear understanding of the services provided by NFD as well as an indication of how well those services are being provided. This document is not intended to be a critical evaluation of the organization but rather provide Department personnel and City policymakers with information from which to make informed decisions about the future of the department.

Based on information obtained throughout this process, NFD is functioning at a level commensurate with community expectations and is providing services in line with adopted objectives. While there is always room for improvement, the Department is serving its citizens well. Given the method of funding the fire department, the organization is well resourced and is commended for undertaking this project to initiate a formal plan for future service delivery.

ESCI began collecting data and information for this project in November 2015, and the analysis presented in this report is comprised of months of data review and evaluation including one-on-one interviews with Department and City personnel; evaluation of internal documents, policies, rules and regulations; assessment of current service delivery; and the creation of projected

service demand and alternative service delivery models. It is ESCl's sincere hope that the information contained within this document is found to be useful and provides policymakers with the information necessary to meet the emergency services needs of the citizens of Nampa and the Nampa Fire Protection District.

Fire Chief presented the following report.

What's Next?

- Master Plan-

Identifies the direction we need to go

- Strategic Plan- Defines how we get there
    1. Mission and Objectives
    2. Needs Assessment
    3. Strategy Formula
    4. Strategy Implementation
    5. Evaluation and Control
- Population growth
- Urban Sprawl – i.e. Ridgevue High School
- Commercial growth
- Residential growth

Taking a Different Approach

- EMS calls are 65% of our business where fire calls only constitute 4-5%
- Yet we still have a duty and responsibility to maintain a ready force to combat the deadly effects of fire in our community
- There are different models that may be more effective to continue to provide the same, or better, service as we keep pace with growth

Standard Engine Model

Initial Capital Expense Station Engine Model	
Engine Station Build	$1,400,000
Apparatus	$450,000
Total	$1,850,000
Ongoing Annual Expense	
Personnel (9)	$927,000
Utilities	$7,000

Maint building	$5,000
Fuel	$5,000
Engine Depreciation 10 yrs	$45,000
Total	$989,000

Alternative Response Vehicle Model

Initial Capital Expense ARV	
ARV Station Build	$300,000
Apparatus	$70,000
Total	$370,000
Ongoing Annual Expense	
Personnel (6)	$645,000
Utilities	$2,500
Maint building	$2,500
Fuel	$3,500
ARV Depreciation 10 yrs	$7,000
Total	$660,500
Cost Comparison	
Capital for Engine Model	$1,850,000
Capital for ARV Model	$370,000
Cost Savings	$1,480,000
Ongoing Annual Expenses Engine Model	$989,000
Ongoing Annual Expenses ARV Model	$660,500
Annual Savings	$328,500
If we build a new station every 8 years	
Capital for Engine Model per year	$231,250
Capital for ARV model per year	$46,250
If we are able to alternate every 8 years and	

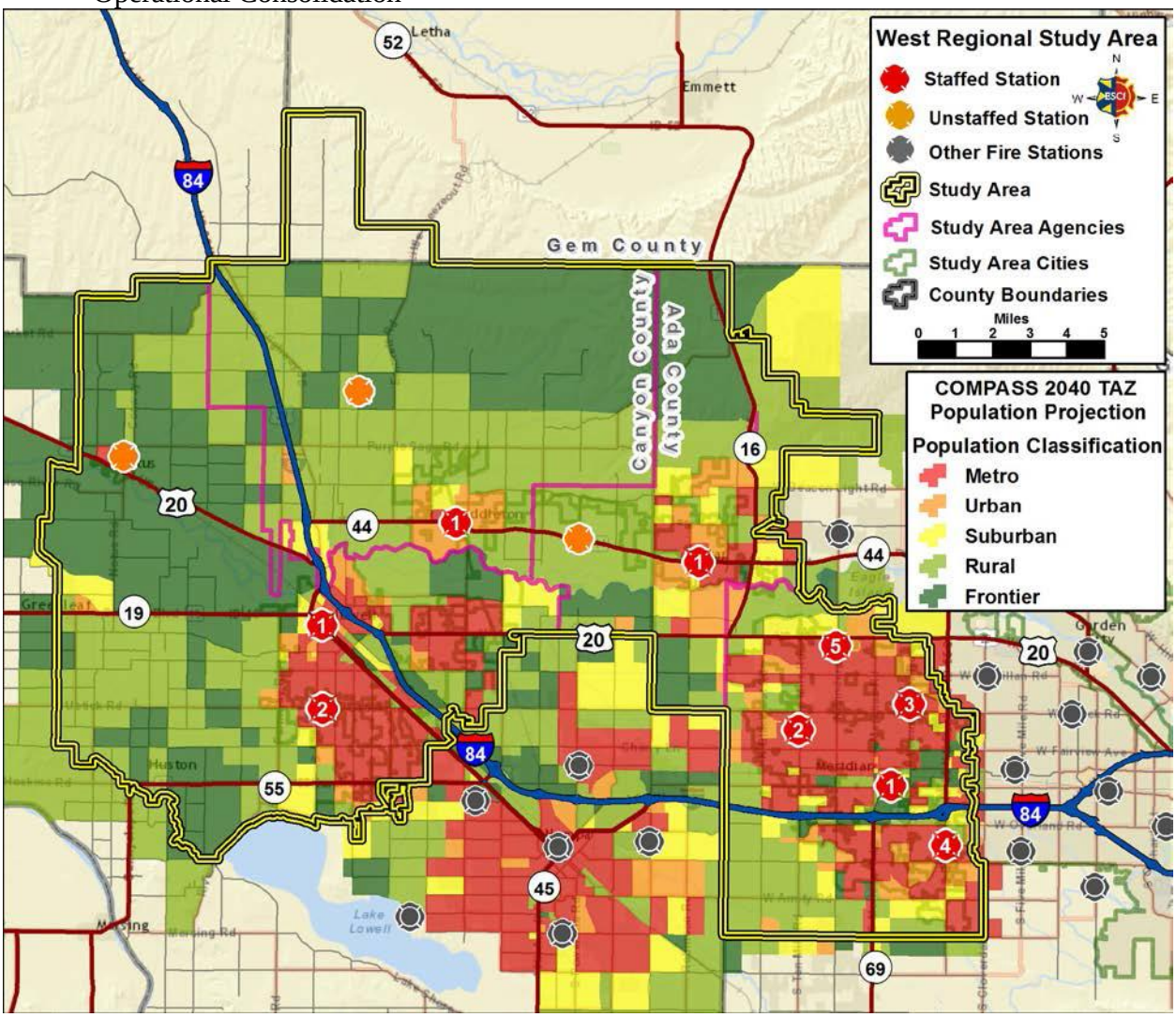
build an ARV Model and then an Engine Model per year $138,750

911 Dispatch

- Ability to dispatch the right resource to the right call
- Dispatch closest available unit regardless of jurisdictional boundaries
- CAD interface with all dispatch centers so we can see where other units are

Strategic Planning with neighboring services
(Cooperative Partnering)

- Contract for Services- Services that the City of Nampa currently provides under administrative allocation could be continued under contract.
- Administrative Consolidation- Using the administrations from neighboring departments to create efficiencies in services provided.
- Functional Consolidation-
- Operational Consolidation



Advantages in Moving to a Fire District

- Feasibility study with a citizen group to annex the City into the fire district
- Identify all areas that we can cooperate, partner, and/or merge services for increase efficiencies
- Identify and partner with dispatching agencies to meet the needs of fire and emergency services
- Develop a plan that utilizes "triggers" for expansion of service based on economic growth so growth will pay for itself

5 year historical average on valuation for City and Fire District

Year	City	District	City inc/dec	Dist. inc/dec
2011	$3,307,408,310	$723,906,970		
2012	$3,045,474,094	$719,901,303	-7.92%	-0.55%
2013	$2,949,160,669	$673,839,752	-3.16%	-6.40%
2014	$3,165,460,259	$723,407,744	7.33%	7.36%
2015	$3,674,162,061	$888,014,526	16.07%	22.75%
2016	$3,874,920,956	$932,488,114	5.46%	5.01%
		5 YR AVG	3.56%	5.63%
		Combined AVG	4.60%	

6 year projected valuation growth and tax base potential

Year	Combined Valuation Projection	.0024 Levy Applied	Other Revenue	Total Revenue
2016	$4,807,409,070	$11,537,782	$490,000	$12,027,782
2017	$4,999,705,433	$11,999,293	$499,800	$12,499,093
2018	$5,199,693,651	$12,479,265	$509,796	$12,989,061
2019	$5,407,681,397	$12,978,435	$519,992	$13,498,427
2020	$5,623,988,652	$13,497,573	$530,392	$14,027,965
2021	$5,848,948,198	$14,037,476	$541,000	$14,578,476
2022	$6,082,906,126	$14,598,975	$551,820	$15,150,795

Components of our Strategic Plan

- Feasibility study with a citizen group to annex the City into the fire district
- Identify all areas that we can cooperate, partner, and/or merge services for increase efficiencies
- Identify and partner with dispatching agencies to meet the needs of fire and emergency services

- Develop a plan that utilizes “triggers” for expansion of service based on economic growth so growth will pay for itself

The Mayor adjourned the meeting at 7:27 p.m.

PASSED this 21day of November, 2016.

_____
MAYOR

ATTEST:

_____
CITY CLERK

NAMPA AIRPORT COMMISSION
SEPTEMBER 12, 2016

The meeting was called to order at 5:30 pm by Chairman Mark Miller
Roll Call:

- Members Present: Mark Miller, Tom Howard, Brent Ross, Dr. David Beverly, Gene Clark
- Council Liaison: Randy Haverfield
- Members Absent: None

Proposed amendments to the agenda; None

MOVED by Ross and seconded by Howard to **approve the minutes** for the **Regular** meeting of August 8, 2016.

MOTION CARRIED

Staff Report:
Monte Hasl, Airport Superintendent, presented the following staff report:

- Open Units; Wait List; Fuel Report.
- Airfield Conditions; RWY/TWY & Apron in good shape; RWY/TWY lighting systems operating normally; PAPI operating normally, alignment checked/cleaned; AWOS operating normally, quarterly inspection and FAA annual certification complete.
- Miscellaneous; Fuel Island DEQ inspection recommendations completed; Café intends to open the first week of October; Cell tower, confirmed no impact to RWY 11, FAA in Helena is following up with flight procedures and who the proposal was coordinated with; Ford Tri-Motor visit, hosted by the EAA, Sept 13-18; Seal coat scheduled for Sept 27-28, east apron / taxilanes; East side hangar development - Bartlow: work is ongoing; Warhawk Warbird Round-up was a success; No recent Chihuahua sightings; Weed/rodent control is ongoing; Crane west of airfield has been removed.

The Commission discussed the cell tower. The impact is to the ultimate second runway on the Master Plan. The Airport Superintendent advised the Commission that the Helena ADO is reviewing the impact to the RNAV procedure for the proposed ultimate runway.

Grant Report:
AIP-26 *(Wildlife Hazard Assessment)* – Tom Lemenager, J.U.B. Engineers, updated the Commission on the Wildlife Hazard Assessment. The draft Wildlife Hazard Assessment report has been provided to the FAA for review. J.U.B. expects to receive comments from the FAA in early October. The next step will be to prepare the Wildlife Plan.

AIP-27 *(Phase 1 Environmental Study for Purchase of Land in the Runway 11 RPZ)* – Tom Lemenager, J.U.B. Engineers, updated the Commission on our next AIP project; Planning for the Environmental Assessment for the Land Purchase in the runway 11 RPZ (runway protection zone). The property owner has restricted access to the property. The FAA has indicated the property still needs to be evaluated for purchase and directed J.U.B. to update the scope for phase one. The updated scope needs to be approved by the Commission.

The Public Works Director indicated with the FAA deadline to have a buy/sell agreement of April 1 we will need to move the procurement back by one fiscal year in order to complete the assessments required by the FAA.

The Commission asked how onsite work will be completed in order to procure the land. Mr. Lemenager indicated there are many pieces of the evaluation that can be completed without accessing the land. The appraisal of the property is the main issue.

The Public Works Director indicated the appraisal work must be completed by FAA approved individuals. In order to access the property, to complete the appraisal, we may need to go through City Council and the Court system.

The Commission discussed options if the property owner were to sell to another party. The property is in the county and is not using city utilities. This may deter development in this location. In addition the City can protest, with the County, any change in use.

MOVED by Howard and seconded by Beverly:

The Airport Commission hereby recommends the City Council authorize the Mayor to sign the Supplemental Engineering Agreement No. 1 for AIP-27

MOTION CARRIED

AIRPORT BUSINESS

Review FY17 CPI Rate Adjustments – The Airport Superintendent presented the Resolutions for both the rental hangars and land leases adjusting the rates by 1.2%. This will affect the average renter by $2.00 per month and the typical land lease $9.00 per year. The Commission discussed the CPI rate increase for hangars and land leases.

MOVED by Howard and seconded by Ross:

The Airport Commission hereby recommends to the City Council that they authorize the Mayor to sign the Resolution authorizing a 1.2% Fee Increase for Land Lease Fees and the Resolution authorizing 1.2% Fee Increase for Hangar Rentals at The Nampa Municipal Airport Effective 10-1-2016.

MOTION CARRIED

Review the Café Lease; Nate Lindskoog – The Airport Superintendent presented the Café Lease. The City Attorney has reviewed the lease. The lease rate is based on the proposal from Mr. Lindskoog, the first four months will be $1,300 and the next eight months will be $1600. The Café will take over cleaning the restroom for a $600 per month credit towards the lease. A $2,000 construction allowance has been included as well. The lease is for one year with four one year renewal options.

MOVED by Beverly and seconded by Clark:

The Airport Commission hereby recommends to the City Council that they authorize the Mayor to sign the Café lease dated 09-19-16 with Nathan Lindskoog effective September 01, 2016.

MOTION CARRIED

Recommend the Mayor sign the Land Lease Agreement for the NDB (Non-Directional Beacon) located on the Centennial Golf Course – The Airport Superintendent presented the agreement to the Commission. The agreement has been reviewed by the State Health and Welfare Department (land

owner), the City Attorney and the City Engineer. The lease will end at the same the City's Golf Course lease ends with the State.

Councilman Haverfield clarified that the location in question is not City owned property and this is a sub-lease with the FAA. He also questioned the current lease and what kind of reimbursement is received for the sub-lease. The Airport Superintendent indicated the current lease and the new lease in question indicates specifically there is no compensation.

The Commission discussed the NDB and benefits of the NDB to the Airport. The Commission indicated the NDB technology is becoming obsolete and would like staff to begin working with the FAA on a plan to phase out this NDB.

MOVED by Howard and seconded by Clark:

> ***The Airport Commission hereby recommends to the City Council that they authorize the Mayor to sign the Land Lease Agreement for the NDB (Non-Directional Beacon) effective October 1, 2016 – December 31, 2019 with the understanding that staff will work with the FAA to remove the facility.***

MOTION CARRIED

Review MAF Lot reservation for Lot 2440 – Commissioner Howard recused himself from the Commission for this item. He then presented the request to the Commission. The lot in question is to the immediate north of MAF's hangar. MAF would like the reservation to be one that is open ended with the stipulation if another party would like to lease the lot MAF would have first right of refusal.

MAF initially reserved the lot in 2008 with the thought they would be expanding soon. Their Master Plan shows plans to expand the aviation portion of their campus.

The Commission discussed the request.

MOVED by Ross and seconded by Clark:

> ***The Airport Commission hereby instructs staff to prepare an indefinite reservation with a first right of refusal for Lot 2440 for Mission Aviation Fellowship.***

MOTION CARRIED

MOVED by Ross and seconded by Beverly to **adjourn** the meeting.

MOTION CARRIED

Chairman Mark Miller adjourned the meeting at 6:07 PM

Passed this 14th day of November, 2016

_____
COMMISSION CHAIRMAN

_____
AIRPORT SUPERINTENDENT, SECRETARY

CITY OF NAMPA
REGULAR COUNCIL
NOVEMBER 21, 2016
STAFF REPORT BY PUBLIC WORKS DEPARTMENT
MICHAEL FUSS, P.E., PUBLIC WORKS DIRECTOR

Utility Reimbursement Policy Open Houses

Two open houses are scheduled for Wednesday, November 30, 2016, at the Nampa Civic Center to provide information and gather comments for the City's proposed Utility Reimbursement Policy. The policy would provide a mechanism for developers to recoup the costs of installing utilities of a size or depth greater than needed to serve only their specific property, and for which other benefitting properties have not contributed to the cost of construction.

Postcards have been sent to Nampa builders and developers, inviting them to attend the first open house from 2:00 p.m. to 3:30 p.m. (*see Exhibit 1*) to not only provide input on the policy but also for proposed changes to the Right-of-Way Permit and Lane Closure Policy which is aimed at minimizing delays for motorists and giving developers the ability to hold contractors accountable to time. A press release was published in the local newspaper inviting Nampa citizens (*see Exhibit 2*) to the second open house, scheduled from 5:00 p.m. to 7:00 p.m. City and policy staff will be available to answer questions and receive comments at both events.

Future Budget Amendment Request

At the end of fiscal year 2016, there were a number of City infrastructure improvement projects that were not yet completed. Staff will be requesting in the next budget amendment that remaining budget amounts be rolled over to fiscal year 2017 (*see Exhibit 3*) in order to bring each project to 100% completion.

Public Works Department staff is making strides to complete infrastructure improvement projects in the same fiscal year budget to lessen the extent of potential rollover requests.

Exhibit 1

City of Nampa Policy Changes

OPEN HOUSE

WHO: Builders and Developers

WHEN: Wednesday, Nov. 30, 2:00-3:30 p.m.

WHERE: Nampa Civic Center
311 3rd Street
Nampa, Idaho 83651

WHAT: The City of Nampa is seeking input on its proposed **Utility Reimbursement Policy,** which would provide a mechanism for developers to recoup the costs of installing potable water, sanitary sewer, or irrigation utilities of a size or depth greater than needed to serve only their specific property, and for which other benefitting properties have not contributed to the cost of construction.

In addition, the City is requesting input on proposed changes to the **Right-of-Way Permit and Lane Closure Policy,** which is aimed at minimizing delays for motorists and giving developers the ability to hold contractors accountable to time.

Information about the proposed policies will be provided through a brief presentation with an opportunity for builders and developers to review and provide direct input. City and policy staff will be available to answer questions and receive comments, and refreshments will be served.

If you are unable to attend and would like to provide input, or require special accommodations for the open house, please contact Elizabeth Spaulding at **espaulding@langdongroupinc.com** or **(208) 685-9361**.

411 3rd Street
Nampa, Idaho 83651

Exhibit 2

Bob Henry
Mayor

NAMPA
IDAHO

City Hall
411 3rd Street South
Nampa ID 83651
208-468-5411

Date: Nov. 14, 2016
For: Immediate Release

The city of Nampa seeks public comment on proposed utility reimbursement policy

The city of Nampa is seeking public comment on its proposed Utility Reimbursement Policy. An open house is scheduled for **Wednesday, Nov. 30, from 5-7 p.m. at the Nampa Civic Center**, **311 3rd St., Nampa**. Refreshments will be served. City and policy staff will be available to answer questions and receive comments.

The city wants input on the draft proposed Reimbursement Policy which would provide a mechanism for developers to recoup the costs of installing potable water, sanitary sewer, or irrigation utilities of a size or depth greater than needed to serve only their specific property, and for which other benefitting properties have not contributed to the cost of construction.

Information about the policy will be provided, with an opportunity for the public to review and provide direct feedback. No formal presentation is scheduled. Members of the public are welcome to attend anytime between 5 and 7 p.m.

The purpose of the Reimbursement Policy is to develop an equitable, transparent method for distributing capital infrastructure costs. The policy would also allow for consistency amongst past and future developing properties as reimbursement methodology will no longer be situational.

If you are unable to attend and would like to provide input, or require special accommodations for the open house, please contact Elizabeth Spaulding at espaulding@langdongroupinc.com or (208) 685-9361.

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Vickie Holbrook
City of Nampa
Communications Director
(o) 468-5411 or 550-0038
holbrookv@cityofnampa.us

NAMPA Proud

Exhibit 3

FY16 ROLLOVER to FY17 (Future Budget Amendment)

Water Projects	FY16 Money Left		Reason
Well 5 Upgrades	$	468,208.85	Waiting for pump installation. 3 month lead time to obtain pumps
Southside PRV and Parallel Line	$	13,320.00	Design FY16, Construct FY17
Happy Valley Pipeline	$	19,440.00	Design FY16, Construct FY17
1st St (22nd/23rd Ave S)	$	50,520.00	Projects have merged together in FY17
2nd Street S and Chicago	$	66,360.00	Projects have merged together in FY17
River Meadows	$	150,000.00	Project on a need only basis, driven by development
Sunnyridge PRV and pipeline	$	369,157.00	Design FY16, Construct FY17
6th Street Rebuild	$	252,828.40	Est. completion first week of November
Kings/Airport Road	$	53,227.50	Work in process
	$	**1,443,061.75**	
Wastewater Projects			
Purdam Lift Station	$	229,575.96	Working on contract closeouts and LD's
LS #3 Upgrades	$	249,341.83	Work in process
Western Regional LS Parallel Force Mains	$	576,482.13	Construction beginning November.
	$	**1,055,399.92**	
Impact Fee Projects			
Roosevelt/Midland	$	347,206.70	Waiting for traffic light equipment
Transportation Master Plan	$	239,954.00	Design (Additional rollover from Northside/Stamm)
	$	**587,160.70**	
Streets Projects			
Garrity & 39th	$	218,160.00	Long design time, project completion Spring
Roosevelt/Midland	$	75,397.62	Waiting for traffic light equipment
12th Ave Access Control	$	109,475.37	Federal funded money spent, next phase is city funds
Stormwater Repair and Peppermint	$	197,245.70	Construction began end of FY
6th Rebuild	$	369,597.47	Project completion first week of November
Amity/Chestnut HAWK	$	26,421.32	Federally Funded
Greenhurst Road Signal	$	25,176.00	Federally Funded - Waiting on equipment
Wilson Pathway HAWKS	$	7,743.56	Federally Funded
Stoddard Path HAWK	$	18,122.03	Federally Funded
Nampa HS Ped Crossing	$	52,198.00	Federally Funded
16th Ave Signals	$	18,056.00	Federally Funded
	$	**1,117,593.07**	
Federal Projects			
Amity/Chestnut HAWK	$	110,889.30	Federal Funding
Skyview HS Ped Crossing	$	8,387.73	Federal Funding
Greenhurst Road Signals	$	293,048.00	Federal Funding - Waiting on equipment
16th Ave Signals	$	227,944.00	Federal Funding
	$	**640,269.03**	
Airport Projects			
AIP-26	$	16,388.51	Federal - Delayed by land owner
AIP-26	$	546.55	State - Delayed by land owner
AIP-26	$	1,275.79	City - Delayed by land owner
AIP-27	$	12,963.60	Federal - Delayed by land owner
AIP-27	$	432.62	State - Delayed by land owner
AIP-27	$	1,008.11	City - Delayed by land owner
	$	**32,615.18**	
	$	***4,876,099.65***	

New Request for City of Nampa Police Department

Agency Purchasing Representative:	Captain Brad Daniels
Email/phone contact:	danielsb@cityofnampa.us / 208-468-5660
Name of Department/Division	Police / Communications Division-PSAP
Request for purchase of:	8 each- MCC 7500 Radio Consoles and equipment
Requested Supplier of equipment:	Motorola
Cost Estimate (quote attached):	$619,346 (quote attached)

This is for a one-time purchase of equipment and related software and installation during FY17. No renewals or extensions of this purchase are anticipated. Proposed purchasing can be accomplished through the HGACBuy purchasing contract which the City of Nampa has already signed. While the use of the HGCA would normally negate the need for a Sole Source Authorization, we believe that having the Council review this information and be given the opportunity to ask questions it will demonstrate the transparency used in this process and our attempt to maximize the use of tax dollars within the bounds of the governing laws.

Sole Source History:

The current console system and the recommended upgrade are both compatible with the current Master Site in Ada County and the dispatch center at Canyon County. Implementation of an outside vendor's product other than Motorola will essentially create the need to use a Console Subsystem Interface (CSSI) to bridge the gap between the different pieces of hardware. The information below outlines the complication and expense that this option adds to the console upgrade.

This information outlines the feasibility of using the CSSI standard to deploy a console solution other than the current supported solution (Motorola). The CSSI provides a "wired" console interface to connect between multiple vendors' P25 systems. It is important to note that our current console vendor is the same vendor used for the 700 MHz RF Infrastructure throughout the city and what is commonly referred to as the "Master Site" in Ada County. The Master Site is the intelligent switch that connects all the 700 MHz radio sites and Dispatch sites within Canyon County, Ada County, the State Police and across multiple other county jurisdictions. Since it is all one vendor, the CSSI has not been needed up to this point. Our current communications system offers the highest degree of interoperability and reliability as defined by Safecom standards.

Before deciding to use a CSSI it is important to note that the Master Site we currently used to manage and connect all our Radio Frequency sites and dispatch consoles is owned and maintained by Ada County. Nampa has agreements in place to ensure a mutual benefit is realized between both agencies. The Master Site we depend on does not currently have the

CSSI option installed. The concern is that the cost to add this to the Master Site (that we don't own) along with licensing necessary to operate alternate vendor console equipment would be prohibitive. The approximate cost could be an additional amount somewhere between $500,000 and $750,000. This would be in addition to the cost of the dispatching consoles themselves at approximately $600,000. We also must persuade Ada County to agree to add this CSSI along with the added costs to maintain it. This is unlikely to occur. Since we are part of a larger network, this can affect all who utilize the Master Site. Also, in addition to those increased costs would be a decreased functionality within our dispatch center than what we currently enjoy.

Choosing an alternate vendor without the use of a CSSI would mean operating as we do in our current backup mode. This would force adding many new radio resources that would no longer be available via the wired connection to the Master Site. Again, this means added costs to both procure new radio resources and then also maintain them. This too would result in decreased functionality within the center.

All the components that make up your communications system are standards based and · non-proprietary. This ensures that multiple vendors can interoperate and that you have flexibility in choosing who you want as a vendor. Keep in mind that the standard exists as a floor rather than a ceiling when it comes to capabilities etc. Most vendors go beyond the standard to differentiate themselves from others. This generally means that you will have the greatest flexibility in your communication networks when a single suitable vendor is utilized. Additional benefits include lower maintenance costs and the reliability gained from a single core network of certified components.

IDAPA 38.05.01.045 provides that a Sole Source purchase shall be used only if a requirement is reasonable available from a single supplier.

Idaho Code 67-2808

(2) Sole source expenditures.

(a) The governing board of a political subdivision may declare that there is only one (1) vendor if there is only one (1) vendor for the public works construction, services, or personal property to be acquired. For purposes of this subsection, only one (1) vendor shall refer to situations where there is only one (1) source reasonably available and shall include, but not be limited to, the following situations:

(i) Where public works construction, services or personal property is required to respond to a life-threatening situation or a situation which is immediately detrimental to the public welfare or property;

(ii) Where the compatibility of equipment, components, accessories, computer software, and replacement parts or service is the paramount consideration;

(iii) Where a sole supplier's item is needed for trial use or testing;

(iv) The purchase of mass-produced movies, videos, books, or other copyrighted materials;

(v) The purchase of public works construction, services, or personal property for which it is determined there is no functional equivalent;

(vi) The purchase of public utility services;

(vii) The purchase of products, merchandise, or trademarked goods for resale at a political subdivision facility; or

(viii) Where competitive solicitation is impractical, disadvantageous, or unreasonable under the circumstances.

(b) Upon making the declaration that there is only one (1) vendor for public works construction, services or personal property, unless the public works construction, services or personal property is required for a life-threatening situation or a situation that is immediately detrimental to the public welfare or property, notice of a sole source procurement shall be published in the official newspaper of the political subdivision at least fourteen (14) calendar days prior to the award of the contract.

Requested Products:

The Nampa Police Department is requesting authorization to proceed with a sole source purchase of Motorola Dispatch Console upgrades from the Gold Elite series to the MCC 7500 series with the following minimum requirements:

- 100% compatible with the Ada County Motorola Astro 25 trunked radio management system (Master Site).
- Not require a Console Subsystem Interface (CSSI) to connect to the Master Site.
- Be compatible with the Canyon County Sheriff's MCC 7500 consoles to allow for redundancy in case of a catastrophic failure at either dispatch center.
- Can facilitate Talk Group Patching, conventional to trunked radio group patching and multiselect.
- Can accommodate radio encryption for both incoming and outgoing transmissions from the dispatch center.
- Support agency partitioning.
- Can facilitate Dynamic Regrouping as part of the patching function.
- Be compatible with ADP, AES, and DES encryption functionalities at the console level.
- Accommodate cross system interoperability the Canyon County Sheriff's Office and agencies connected to the Master Site.
- Provide for trunking configuration information (radio unit ID's and their aliases, talk group ID's and their aliases) to be maintained in a single system.
- Can allow Nampa PD and the Canyon County Sheriff's Office to back each other up for all radio connections including trunking and conventional radio systems.
- Can alert the dispatcher of incoming radio traffic from any channel regardless of selected or hidden channels.
- Provide a vendor owned integrated phone system not third party.
- Can communicate with either a telephone caller or radio call from a single headset.
- Can automatically switch headset microphone audio between the radio system and the phone system via either the push to talk (PTT) or the foot pedal without placing the caller on hold and without allowing the telephone caller to hear radio traffic.

- Provide a radio system that can be upgraded to display Automatic Number Identification/ Automatic Location Information (ANI/ALI) when it becomes available without a system change out, but with only minor upgrades or configuration changes.
- Have separate volume controls for telephone and radio.
- Can accommodate a minimum of eighteen (18) VoIP phone lines and forty-six (46) analog phone lines.

Product Justification:

This request is for the approaching FY17 upgrade of the Radio System Consoles at the Nampa Police Department's 911 center, or Public Safety Answering Point (PSAP). These consoles are used in a coordinated effort to dispatch calls for service, medical assistance, and emergency police response upon receipt of radio transmissions, general phone lines and the 911 phone system. These radio consoles are a vital piece of the PSAP process and must be upgraded to enable the function of the center. The current system is old technology and must be replaced in FY17 as they have exceeded the end of their useful life range. The current product used, and the proposed product upgrade are the only items currently available that are compatible with existing equipment including the Ada County Master Site. Our solution must be compatible with the Ada County Master Site.

Agency Certifications:

☐ I certify that the Agency has sufficient appropriation balances for payment of the requested product/service. (Checking this box takes the place of a DA-I or IPRO request.)

☐ I am aware that Idaho Code and IDAPA require procurements to be competitively bid unless specifically exempt; that the statements contained in this Request are complete and accurate, based on my professional judgment and independent investigation; that no personal advantage will accrue to me or any member of my immediate family as a result of this direct procurement; and that based on my analysis of my agency's business need and research into available products or services, no other vendor can provide the same or similar product or service to meet my agency's need.

Sole Source Requestor: _____ _____

Signature Date

Agency Purchasing representative: _____ _____

Signature Date

5-7-1: STATEMENT OF PURPOSE AND FINDINGS; DEFINITIONS:

~~The council finds that the public health, safety, and welfare require safe vehicles, trustworthy drivers, and insurance on vehicles involved in commercial transportation. The public is justifiably concerned about, and requires protection from, pricing that is arbitrary, unfair, or imposed under inequality of bargaining power or duress. The council further finds that opportunities for passenger transport within the city are increasing, and hereby declares that commercial ventures attempting to enter this market should not be restrained or overregulated except to afford basic protections to the public and ensure a level playing field with respect to government regulation.~~

For the purposes of this chapter, the following terms, phrases, words, and derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

The following terms as used in this chapter mean:

APPLICANT: A person making an application for a license, or the renewal thereof, under this chapter.

AUTO TRANSPORTATION SERVICE: Any business operating one or more commercial transportation vehicles for hire by prearranged appointment only, at hourly, daily, or weekly rates, or as agreed upon by the passenger and business, and which is conducted or maintained for the purpose of providing transportation with services carrying passengers for hire, and which transports passengers between points and over such routes as may be directed by a passenger, and not on a regular route.

BUS: A motor vehicle used for the purpose of transporting people with a minimum capacity of sixteen (16) passengers which is hired to provide services for a passenger or group of passengers traveling from one location to another for a common purpose or which provides regular route service from one location to another and which is subject to the federal motor carrier safety regulations under the jurisdiction of the Idaho state police and Idaho transportation department.

COMMERCIAL TRANSPORTATION SERVICES BUSINESS DRIVER'S LICENSE: A license to drive, operate, or have charge of a commercial transportation vehicle pursuant to, and in conjunction with, a valid commercial transportation service business license.

COMMERCIAL TRANSPORTATION SERVICES BUSINESS LICENSE: A license to engage in a business operating one or more commercial transportation vehicles for the purpose of an auto transportation service, limousine service, shuttle service, touring vehicle service, or any other service for the purpose of transporting passengers between specified points on either a regular route or at the direction of the passenger at fares agreed upon by the passenger and business. Such a service does not include taxicabs, which are regulated separately under this chapter. Such service does not include buses or courtesy vehicle services as defined herein.

COMMERCIAL TRANSPORTATION VEHICLE: Any vehicle, powered by gasoline engine, electric motor, horsedrawn, human powered, or by any other means, used to transport passengers for hire or any other consideration. This definition includes vehicles used by an auto transportation service, limousine service, touring vehicle service, shuttle service, pedicabs, rickshaw, and any other vehicle other than taxicabs, buses, and those operated by a courtesy vehicle service which transports passengers. This definition does not include the use of taxicabs operated pursuant to this chapter, courtesy vehicle service vehicles, or vehicles operated as part of a governmentally sponsored program. A commercial transportation vehicle shall only be operated by a driver possessing a

commercial transportation service driver's license pursuant to a commercial transportation service business license.

COURTESY VEHICLES SERVICE: Any service operating one or more commercial transportation vehicles on behalf of a business such as a hotel, convention center, or other business entity for the purpose of transporting passengers who are patronizing that business, to or from the business. Such vehicles are not for hire by the general public at any time, and shall be clearly marked with the business' name or logo, owned by, leased by, or contracted for by the business, and exclusively dedicated to serve the business and patrons of the business, at no charge to the patron. Courtesy vehicles may not provide transportation to any passenger for a charge. Tips or gratuities may be offered to the driver at the conclusion of the service, at the sole discretion of the passenger, but may not be solicited or negotiated by the driver at any time.

DRIVER: Any person who drives or who is in actual physical control of any taxicab or commercial transportation vehicle. "Actual physical control" as used in this chapter shall be defined as being in the driver's position of the taxicab or commercial transportation vehicle with the motor running or, if no motor exists in the vehicle, with the vehicle moving.

FARE: Money or other value given in exchange for transporting a person or passenger pursuant to a commercial transportation business license, based upon agreement between the passenger and business.

LICENSING OFFICE: The city clerk or his/her designee.

LIMOUSINE SERVICE: Any business operating one or more commercial transportation vehicles for hire by prearranged appointment only, at hourly, daily, or weekly rates as agreed upon between the passenger and business, which is conducted or maintained for the purpose of providing luxury transportation with services carrying passengers for hire, and which transports passengers between points and over such routes as may be directed by a passenger, and not a fixed route. Such vehicles, include, but are not limited to, limousines, luxury town cars, "party buses", and stretch sport utility vehicles.

PERSONS: Any person, firm, partnership, association, corporation, company or any organization of any kind.

PREARRANGED APPOINTMENT: Transportation for a passenger or group of passengers that is arranged in advance, or pursuant to a regular route between specified points, and is provided in a commercial transportation vehicle.

SCHEDULE OF FLAT RATE FARES: A posting inside of a taxicab clearly indicating the amount to be charged one-way, per passenger, from the point of origin to the destination. A taximeter is the alternative to a schedule of flat rate fares.

SHUTTLE SERVICES: Any business operating one or more commercial transportation vehicles for hire by prearranged appointment and not on a regular route and charged on a per passenger basis, which may make multiple stops, picking up one or more fare paying passengers, on the way to one or more destination.

TAXICAB: Any motor vehicle regularly used for the purpose of transporting persons for hire, which receives or discharges passengers within the city limits, or advertises for such use, whether or not such vehicle or vehicles are engaged in carrying passengers entirely within the city limits; providing that "taxicab" as defined in this section does not include a school bus or other motor vehicle used exclusively for the transportation of children to and from school, nor a motor bus operated by a

public transit system, nor a motor bus with a seating capacity of over seven (7) passengers operated on a regular schedule over regularly designated streets, nor courtesy cars provided free of charge to the hotel/motel guests for transport to and from the airport, nor transportation network companies and their drivers as defined by Title 49, Chapter 37, Idaho Code, nor vehicles operating for the purpose of carrying United States mail or other United States property.

TAXIMETER: An instrument attached to a taxicab by means of which the charge authorized for hire of such vehicle is mechanically calculated in dollars and cents either on a basis of distance traveled or for waiting time, or a combination thereof. A schedule of flat rate fares is the alternative to a taximeter.

TOURING VEHICLE SERVICES: Any business operating one or more commercial transportation vehicles, other than one rented without a driver, or a taxicab, bus, or limousine, or incident to a governmentally sponsored program, used for the transportation of more than four (4) passengers for hire for sightseeing, educational tours or other such similar excursions, the charges for which are determined by the length of time for which the vehicle is engaged, the distance traveled, a fixed fee, or any combination of such methods of determining such charges. (Ord. 3985, 10-3-2011)

5-7-2: LICENSE REQUIRED; TAXICAB BUSINESS OR COMMERCIAL TRANSPORTATION BUSINESS:

It is unlawful to operate any taxicab business or commercial transportation business without first having obtained a license from the city clerk. (Ord. 3985, 10-3-2011)

5-7-3: FEES:

A. Except as provided in section 5-7-4 of this chapter at the time of filing an application an investigation fee shall be paid and is nonrefundable.

B. The license fee is payable upon filing of the application and the fee is nonrefundable. (Ord. 3985, 10-3-2011)

5-7-4: INVESTIGATION:

Upon receipt of an application for any license under this chapter, the application shall be referred to the Nampa police department which shall conduct an investigation to determine the suitability of the applicant to be licensed. The investigation shall require an applicant to provide information and fingerprints necessary to obtain criminal history information from the Idaho state police and the federal bureau of investigation pursuant to Idaho Code section 67-3008 and congressional enactment public law 92544. The Nampa police department shall submit a set of fingerprints obtained from the applicant and the required fees to the Idaho state police bureau of criminal identification for a criminal records check of state and national databases. The submission of fingerprints and information required by this section shall be on forms prescribed by the Idaho state police. The Nampa police department is authorized to receive criminal history information from the Idaho state police and from the federal bureau of investigation for the purpose of evaluating the fitness of an applicant for licensure. As required by state and federal law, further dissemination or other use of the criminal history information is prohibited. The applicant shall pay, in advance, the fees required by the Idaho state police bureau of criminal identification for the criminal records check.

No persons shall be issued any business license when that person:

A. Is under the age of eighteen (18) years.

B. Is required to register as a sex offender, pursuant to the sexual offender registration notification and community right-to-know act, Idaho Code section 18-8301 et seq., and the juvenile sex offender registration notification and community right-to-know act, Idaho Code section 18-8401 et seq.

C. Has been, within five (5) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation or is currently on probation or parole, received a deferred sentence, received a withheld judgment, sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for a felony involving the use or threat of violence against the person of another, or any felony involving the sexual enticement of minors.

D. Has been, within five (5) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation or currently is on probation or parole, received a deferred sentence, received a withheld judgment, or sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for any misdemeanor, involving:

1. Driving under the influence of alcohol (DUI) and/or drugs or reckless driving;

2. The use of force against the persons or property of another;

3. The threat of force against the persons of another;

4. Theft or larceny;

5. Stalking, telephone harassment, or violations of protection orders or no contact orders;

6. The use, possession or sale of illicit drugs or possession of paraphernalia;

7. Contributing to the delinquency of a minor;

~~8. Possession of a concealed weapon; or~~

9. Illicit sexual activity.

E. Has an outstanding warrant at the time of such application.

F. Has had a similar license revoked by the city or any other city of this state or of the United States within the preceding five (5) years.

No license shall be granted to any applicant nor may a licensee maintain an existing license in good standing where satisfactory proof is submitted that such applicant operates motor vehicles in an unskilled, dangerous or reckless manner, or habitually uses intoxicating liquor or drugs, or who repeatedly violates the laws of the city relating to traffic or to this chapter, or who violates the laws of the city while engaged in the business activity regulated by this chapter.

G. A taxicab or a commercial transportation service driver's license shall not be issued to a person who, at the time of application for renewal of a license issued hereunder would not be eligible or qualified for such license upon a first application, and a licensee must continue to have and maintain all the qualifications and none of the disqualifications provided herein throughout the license period. It shall be the duty of the licensee to immediately notify the clerk's office if any event, subsequent to the issuance of a taxicab or a commercial transportation service driver's license, renders the licensee ineligible or unqualified for such a license. Failure to continually maintain said requirements throughout the duration of the license may result in revocation of the driver's license.

H. Fails or refuses to provide the information or fingerprints requested during the investigative portion of the process conducted by the Nampa police department.

I. Fails the investigative portion of the process conducted by the Nampa police department. (Ord. 3985, 10-3-2011)

5-7-5: VEHICLE INSPECTION:

No vehicle shall be used as a taxicab or a commercial transportation vehicle until that vehicle has been inspected in accordance with the following requirements, and found to be in acceptable condition. Any use by a licensed taxicab business or commercial transportation business of a vehicle as a taxicab or commercial vehicle prior to its having been inspected and approved in accordance with these requirements shall constitute grounds for revocation of the license of said taxicab business or commercial transportation business. It shall be unlawful to substitute equipment or parts subsequent to inspection unless such substituted equipment or parts are in equal or better condition than the equipment or parts being substituted or replaced.

A. Mechanical:

1. Tires: Tires must not have cuts, breaks, or show excessive uneven wear. Tire wear bars must not be showing. Tire tread depth shall not be less than two thirty-seconds ($^{2}/_{32}$) of an inch of an original tire. The vehicle must have a spare tire, fully inflated, and in the same condition as required above. Tires must all be of the same type (either radial or bias).

2. Body Condition: The body must be in good condition, free of holes and torn metal. Both a front and a rear bumper must be firmly attached. No extensive unrepaired body damage will be allowed. Vehicle shall be completely painted.

3. Lights: Headlights shall be intact and operable on both high and low beam. Taillights, parking lights, brake lights, top light, and signal lights shall be intact and operable. An interior light capable of illuminating the interior shall be operable.

4. Wipers: Both windshield wipers shall be in good condition and operable.

5. Brakes: Both the parking brake and all four (4) wheel brakes must be in good condition and operable. Brake shoes or pads must have a safe amount of wear left. Brake pedal travel shall be no more than two and one-half inches ($2^1/_2$").

6. Steering: There shall not be more than three inches (3") of free play when turning the steering wheel from one side to the other.

7. Exhaust System: Mufflers shall not have any holes, and shall be firmly attached to the exhaust and tail pipes. Exhaust pipes shall be firmly attached to the engine, and free of leaks. Tailpipes shall extend beyond the passenger compartment, fully to the rear of the vehicle. All emission control devices shall be attached and in proper working order.

8. Windows: The windshield shall be free of cracks or chips that interfere with the driver's vision. Door windows shall be free of cracks and operable as they were intended by the manufacturer.

9. Door Handles: All door handles and latches shall be operable from both the inside and outside of the vehicle.

10. Seat Belts: The vehicle shall be equipped with sufficient seat belts to provide safety to each passenger, and be in accordance with Idaho law.

11. Suspension: The suspension system shall be maintained so that there are no broken or weak springs, or weak or defective shock absorbers.

B. Appearance:

1. Engine Compartment: The engine compartment shall be kept reasonably clean and free of uncontained combustible material.

2. Exterior: The exterior shall be kept clean and well maintained.

3. Interior: The interior shall be kept clean and free of litter. The seats and upholstery shall be kept clean and free of holes and tears.

C. Inspection:

1. The inspection and approval required herein of all vehicles intended to be used by the applicant as taxicabs shall be performed by a certified mechanic with a current certification from the National Institute For Automotive Service Excellence ("ASE certified"), prior to the issuance of a taxicab license, and annually thereafter, though compliance with the requirements of this section shall be maintained throughout the year. Upon completion of the inspection, the ASE certified mechanic who performed the inspection shall complete and sign a form created for that purpose and obtained from the office of the city clerk, a copy of which shall be maintained within the approved vehicle at all times said vehicle is used for taxicab services.

2. Any time an additional or replacement vehicle is acquired by any taxicab business previously licensed hereunder, said vehicle shall not be used as a taxicab until an inspection of the vehicle has been performed and the vehicle has been found to be in acceptable condition.

3. No more than three (3) months prior to submittal of an application for renewal of a taxicab business license, each taxicab business licensed hereunder shall obtain new inspections and approvals for all taxicab vehicles in continued use. (Ord. 3985, 10-3-2011)

5-7-6: COUNCIL APPROVAL:

Upon completion of the investigation and all other requirements for any business license under this chapter the city clerk shall present to the council the application for their approval or disapproval. (Ord. 3985, 10-3-2011)

5-7-7: INSURANCE REQUIRED:

Before issuing any person a license as a taxicab business or commercial transportation business, such person shall file with the city clerk liability and property damage insurance on each taxicab or commercial transportation vehicle as designated by council resolution. (Ord. 3985, 10-3-2011)

5-7-8: UNLAWFUL PRACTICES:

It shall be unlawful for any person to:

A. Permit or allow any person to ride on the fenders, hood or any place on the outside of a taxicab or commercial transportation vehicle;

B. Permit more persons to be carried in a taxicab or commercial transportation vehicle as passengers than the rated seated capacity of the taxicab or commercial vehicle;

C. Verbally attempt to divert patronage from one hotel, motel or business to another;

D. Violate any parking laws, rules, regulations, or management practices authorized by law regulating parking within the city;

E. Permit any person other than a person licensed by this chapter, to operate or drive a taxicab or commercial transportation vehicle while in service;

F. Solicit any person, assist in the solicitation of any person, or participate in any illicit, immoral, or unlawful sex act;

G. Operate or drive a taxicab or commercial transportation vehicle while consuming, or affected in any way by, any alcoholic beverage, illegal drug, or legal drug which impairs the ability to operate a motor vehicle, or to sell, provide or buy for, any alcoholic beverage or illegal drug to a passenger;

H. Fail or neglect to visually display in the vehicle his/her taxicab or commercial transportation vehicle business license, taxicab or commercial transportation driver's license and Idaho driver's

license while driving, operating or having charge of a taxicab or commercial transportation vehicle within the city limits, or to permit use or possession of his license by another or fail or refuse upon demand of any city officer, police officer, peace officer, sheriff, sheriff deputy or passenger to exhibit his license for inspection;

I. Solicit passengers or business for the taxicabs, limousine service, shuttle service, touring vehicle service or a particular commercial transportation vehicle except by lawful advertisement, handheld signs seeking to establish contact with a prearranged passenger or passengers, or some other lawful means;

J. Accept hails from prospective passengers upon or along the streets of the city;

K. Loiter upon or about any premises within the city for the purpose of seeking or soliciting prospective passengers who have not engaged the taxicab or commercial transportation service by previous appointment;

L. Accept passengers other than by prearranged appointment initiated by a prospective passenger or such passenger's authorized agent or representative;

M. Charge any passenger a fare, fee, or rate in excess of the fare, fee or rates agreed upon between the passenger and business;

N. Misrepresent the nature or purpose of the service being provided. (Ord. 3985, 10-3-2011)

~~5-7-9: TWENTY FOUR HOUR SERVICE:~~

~~It is the duty of taxicab business license holders to keep on duty and make available for the use of the public at least one taxicab during each and every hour of each and every day. When more than one license is granted, it is permissible for the cab companies to reach an agreement between themselves providing an alternating of service so that cab service is provided twenty four (24) hours a day, the agreement to be in writing, with a copy supplied to the office of the mayor and the city clerk. Failure on the part of such cab company to provide twenty four (24) hour service by at least one taxicab shall be just and sufficient cause for the revocation of the license of the cab company in violation. (Ord. 3985, 10-3-2011)~~

5-7-10: SIGNS, DESIGNATION AND INSPECTION:

All vehicles licensed and used by any taxicab business or commercial transportation business shall be designated as such and identifiable by a sign on both sides of the vehicle or by a top light stating that the vehicle is a taxicab or commercial transportation service. ~~The vehicles shall be subject to periodic inspections by the police department in order to ensure that the vehicles and equipment are being maintained in a proper manner for the safety of the public. Failure to meet the minimum reasonable standards of safety will cause the vehicle to be ordered out of service until repaired or replaced. (Ord. 3985, 10-3-2011)~~

5-7-11: INACCURATE TAXIMETERS PROHIBITED:

The use of any inaccurate taximeter is prohibited. It is the duty of the taxicab business licensee to keep taximeters accurate, and taximeters are subject to inspection at all times by the chief of police or his authorized representative. (Ord. 3985, 10-3-2011)

5-7-12: TAXIMETERS OPTIONAL; SCHEDULE OF FLAT RATE FARES; EXCEPTION:

It is unlawful for any driver or operator of any taxicab to present his vehicle as a taxicab unless it is either equipped with a taximeter in working order duly inspected and approved as in this chapter provided, or posted with a schedule of flat rate fares which signify the fare charged per person for a one-way ride. Taxicabs may have both taximeters and a schedule of flat rate fares and it shall be the duty of the driver or operator to clearly indicate to the passenger(s) at the beginning of the ride whether he is being charged by using the taximeter or by a flat rate fare. Each passenger in the taxicab may be charged the flat rate fare. It is not necessary for children's vehicles to be equipped with either taximeters or posted with a schedule of flat rate fares. (Ord. 3985, 10-3-2011)

5-7-13: FARE:

Fares charged by a person receiving a commercial transportation services business license to operate an auto transportation service shall be no greater than those agreed upon by the passenger and the business. Fares, rates, and fees must be specified in sufficient detail to allow the passenger to make an informed decision about the total fare, rate, or fee to be paid prior to or following service. Any additional fares, rates, or fees and the circumstances under which such fees or fares may be assessed must be made known and available to the passenger prior to service.

~~All drivers of commercial transportation vehicles employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination, and no other method or means of measuring or computing distance or time shall be used or employed except as in this chapter. (Ord. 3985, 10-3-2011)~~

5-7-14: REVOCATION OF TAXICAB OR COMMERCIAL TRANSPORTATION BUSINESS LICENSE:

Failure upon the part of any person operating a taxicab or commercial transportation business to comply with the provisions of this chapter, the traffic rules and regulations of the city and the state and the laws of the city and state, shall be just and sufficient cause for revoking the license. A report by the chief of police shall be submitted to the mayor and council setting forth violations that have occurred. (Ord. 3985, 10-3-2011)

5-7-15: DRIVERS TO BE LICENSED:

It is unlawful for the owner of any taxicab or commercial transportation to permit any taxicab or commercial transportation vehicle to be driven upon the streets of the city by any person without such person being licensed as a taxicab driver or commercial transportation driver. (Ord. 3985, 10-3-2011)

5-7-16: LICENSE REQUIRED; TAXI OR COMMERCIAL TRANSPORTATION DRIVER'S LICENSE:

It is unlawful for any person to drive any taxicab or commercial transportation vehicle upon the streets of the city without first complying with the following requirements and obtaining a taxicab or commercial transportation vehicle driver's license. No person shall be issued a license to drive, operate or have charge of a taxicab or commercial transportation vehicle when that person:

A. Is under the age of eighteen (18) years;

B. Is required to register as a sex offender, pursuant to the sexual offender registration notification and community right-to-know act, Idaho Code section 18-8301 et seq., and the juvenile sex offender registration notification and community right-to-know act, Idaho Code section 18-8401 et seq.;

C. Has been, within five (5) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for a felony involving the use or threat of violence against the person of another, or any felony involving the sexual enticement of minors;

D. Has been, within five (5) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, or sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for any misdemeanor, involving:

1. Driving under the influence of alcohol (DUI) and/or drugs or reckless driving;

2. The use of force against the persons or property of another;

3. The threat of force against the persons of another;

4. Theft or larceny;

5. Stalking, telephone harassment, or violations of protection orders or no contact orders;

6. The use, possession or sale of illicit drugs, or possession of paraphernalia;

7. Contributing to the delinquency of a minor;

~~8. Possession of a concealed weapon; or~~

9. Illicit sexual activity.

E. Has an outstanding warrant at the time of such application;

F. Has had a similar license revoked by the city or any other city of this state or of the United States within the preceding five (5) years;

No license shall be granted to any applicant nor may a licensee maintain an existing license in

good standing where satisfactory proof is submitted that such applicant operates motor vehicles in an unskilled, dangerous or reckless manner, or habitually uses intoxicating liquor or drugs, or who repeatedly violates the laws of the city relating to traffic or to this chapter, or who violates the laws of the city while engaged in the business activity regulated by this chapter;

G. A taxicab or a commercial transportation service driver's license shall not be issued to a person who, at the time of application for renewal of a license issued hereunder would not be eligible or qualified for such license upon a first application, and a licensee must continue to have and maintain all the qualifications and none of the disqualifications provided herein throughout the license period. It shall be the duty of the licensee to immediately notify the clerk's office if any event, subsequent to the issuance of a taxicab or a commercial transportation service driver's license, renders the licensee ineligible or unqualified for such a license. Failure to continually maintain said requirements throughout the duration of the license may result in revocation of the driver's license. (Ord. 3985, 10-3-2011)

5-7-17: COLORED COPY OF DRIVER'S LICENSE TO ACCOMPANY DRIVER'S APPLICATION:

Each applicant for a driver's license must file with his application a colored copy of his/her driver's license. The photograph shall be so attached that it cannot be removed and another photograph substituted without detection. Each licensed driver shall at all times have his driver's license with him/her and shall exhibit the same upon request. (Ord. 3985, 10-3-2011)

5-7-18: TAXICAB OR COMMERCIAL TRANSPORTATION DRIVER'S LICENSE AND RENEWAL:

Upon compliance with the foregoing provisions, a license shall be issued in such form as to contain the photograph and also the signature of the licensee. Such license shall be issued as of the issuance date and shall be valid to and including December 31 of the year issued; once a license has been obtained, license will be from January 1 to December 31 of each and every year unless sooner revoked by the city or surrendered by the holder. (Ord. 3985, 10-3-2011)

5-7-19: REVOCATION OF DRIVER'S LICENSE:

A driver's license may be revoked by the city clerk upon recommendation of the chief of police and upon violation of traffic rules and regulations, including, but not limited to, suspension of state driver's license, conviction of a DUI or any grounds specified in section 5-7-16 of this chapter. (Ord. 3985, 10-3-2011)

5-7-20: APPEALS:

Appeals of any decision of the city clerk pursuant to this chapter shall be submitted in writing to the city clerk's office within ten (10) days of said decision, and shall be heard by the city council. (Ord. 3985, 10-3-2011)

BID AWARD
WELL 1 & 2 ABANDONMENT AND DEMOLITION

- The project will abandon Well 1 and 2 facilities including the cistern and pump house structure and underground piping.

- The goal is to restore the property to a 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.

- The Well 1 & 2 Abandonment and Demolition project funding for both phases is from FY-17 Waterworks budget in the amount of $192,988

- The City Council authorized the bidding process for the project on October 17, 2016.

- The City received two (2) bids for the proposed project. The apparent low bidder, Qualitree Inc. submitted a bid of $44,700 (see exhibit "A").

- Engineering Division staff and the consulting design engineer, SPF Water Engineering, LLC recommend award to the low bidder

REQUEST: Award bid to Qualitree Inc. and authorize the Mayor to sign contract for the Well 1 & 2 Abandonment and Demolition project in the amount of $44,700.

Exhibit A

Well 1 & 2 Abandonment and Demolition

Bid Opening November 9, 3:00 p.m.

Item No.	Description	Quantity	Unit	Irminger Construction Inc. Unit Price	Irminger Construction Inc. Amount	Qualitree Inc. Unit Price	Qualitree Inc. Amount
1	Mobilization/Demobilization	1	LS	$ 11,545.00	$ 11,545.00	$ 1,500.00	$ 1,500.00
2	Site Clearing and Grubbing	1	LS	$ 5,275.00	$ 5,275.00	$ 1,200.00	$ 1,200.00
3	Artesian Well By-Pass Piping	1	LS	$ 13,301.00	$ 13,301.00	$ 4,000.00	$ 4,000.00
4	Demolition and Removal of Pump House structure and all contents, including removal and disposal of asbestos roofing materials	1	LS	$ 21,742.00	$ 21,742.00	$ 7,500.00	$ 7,500.00
5	Demolish, remove, and dispose of all existing yard piping both above and below grade.	1	LS	$ 28,252.00	$ 28,252.00	$ 2,000.00	$ 2,000.00
6	Demolish, remove and dispose of Existing 70,000 gallon Concrete Cistern and all incidentals.	1	LS	$ 73,368.00	$ 73,368.00	$ 12,000.00	$ 12,000.00
7	Earthwork including importing, backfilling, and compacting of all open exacated areas and trenches from demolition to existing ground levels.	1	LS	$ 70,283.00	$ 70,283.00	$ 9,000.00	$ 9,000.00
8	Remove, salvage and re-erect existing chain link fencing on south property line.	1	LS	$ 16,858.00	$ 16,858.00	$ 1,500.00	$ 1,500.00
9	Asbestos removal and disposal of roofing materials	1	LS	$ 5,464.00	$ 5,464.00	$ 3,000.00	$ 3,000.00
10	Miscellaneous Site Work	1	LS	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
	TOTAL FOR BID SCHEDULE				**$ 249,088.00**		**$ 44,700.00**

Planning & Zoning Department

Before the Mayor & City Council

November 21, 2016

STAFF REPORT – PUBLIC HEARING

Vacation of the 60' Wide Future Street Right-of-Way Easement adjacent the NE side of Lot 5, Block 1, Shopko Commercial Center Subdivision for Jeff Huber.

To: Mayor & City Council
Applicant: Jeff Huber Representing Nampa Shopping Center Associates
File No: VAC 010-16

Prepared By: Norman L. Holm
Date: November 9, 2016

Requested Action: Vacation of the 60' Wide Future Street Right-of-Way, Public Utilities, Drainage & Irrigation Easement adjacent the NE side of Lot 5, Block 1, Shopko Commercial Center Subdivision.

Purpose: To abandon the future right-of-way, etc. originally required by the City as a condition of plat approval for the Shopko Commercial Center Subdivision.

GENERAL INFORMATION

Status of Applicant: Owner Representative

Existing Zoning: BC (Community Business)

Location: Adjacent the south side of the northeast boundary of Lot 5, Block 1 of the Shopko Commercial Center Subdivision.

Size of Vacation Area: 60' x 1,241' or approximately 1.71 acres or 74,460 square feet

Surrounding Land Use and Zoning:
North- Union Pacific railroad, IL (Light Industrial)
South- Undeveloped commercial, BC (Community Business)
East- Undeveloped commercial, BC (Community Business)
West- Undeveloped industrial, IL (Light Industrial)

Comprehensive Plan Designation: General Commercial

Applicable Regulations: State law does not require the consent of adjoining property owners for the vacation of easements.

Description of Existing Uses: Vacant land, no use.

SPECIAL INFORMATION

Planning & Zoning History: The 60' wide future street right-of-way, public utilities, drainage and irrigation easement was a condition of plat approval by the City of Nampa. The original plan was to build a one way street parallel to the railroad. This plan was subsequently abandoned by the City.

Public Utilities: A 21" and 8" sewer main, an 8" water main, is situated in a portion of the proposed easement vacation area. A prescriptive easement will be retained for these facilities. (A prescriptive easement is the right to use property for the water mains, without any title to the land.)

Environmental: Approval of the vacation will have no effect on the immediate neighborhood, other than allowing right-of-way to the ownership of the adjacent land owner, Nampa Medical Properties, LLP per the attached agreement.

Correspondence: As of the date of this staff report no objections have been raised by any utility companies or surrounding property owners. Fire, Building, and Engineering Departments do not oppose the vacation of the future street right-of-way, public utilities, drainage and irrigation easement.

STAFF FINDINGS AND DISCUSSION

Planning staff sees no reason why the requested vacation of the future street right-of-way, public utilities, drainage and irrigation easement should not be approved. The City of Nampa has abandoned the plan to build the future one-way street parallel to the Union Pacific Railroad.

RECOMMENDED APPROVAL CONDITIONS

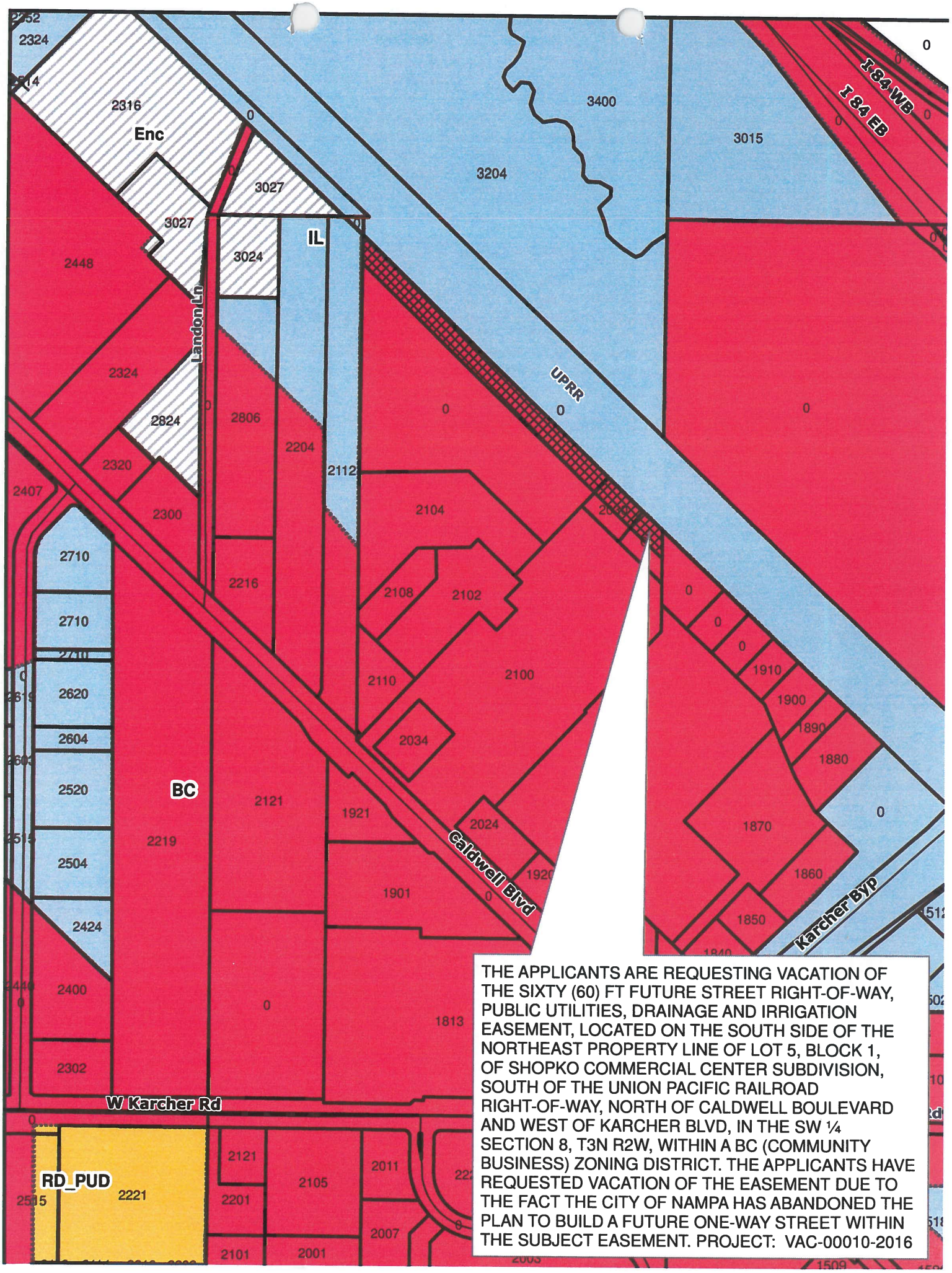
The Planning Department and Engineering Division has no concerns with the granting of the vacation request with the following condition(s):

1) That easements be retained for any and all existing utilities of record residing within the right-of-way.

2) Applicant participates with City to craft and enter into an agreement regarding the operation and maintenance of the co-mingled storm water treatment facilities.

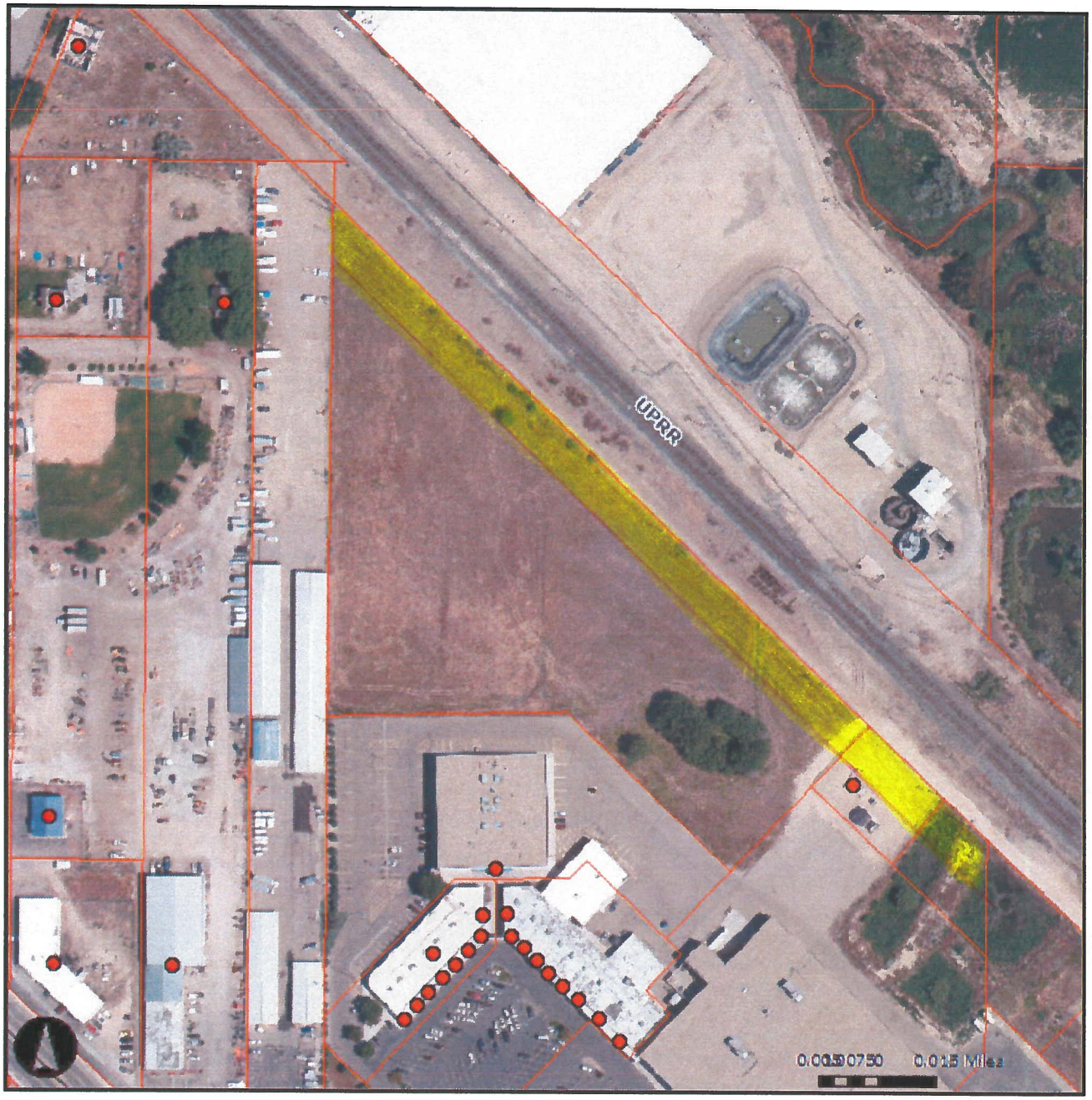
ATTACHMENTS

Vicinity/zoning map
Aerial map
Shopko Commercial Center Sub Plat
Application
Easement legal description
Agency and other correspondence



THE APPLICANTS ARE REQUESTING VACATION OF THE SIXTY (60) FT FUTURE STREET RIGHT-OF-WAY, PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT, LOCATED ON THE SOUTH SIDE OF THE NORTHEAST PROPERTY LINE OF LOT 5, BLOCK 1, OF SHOPKO COMMERCIAL CENTER SUBDIVISION, SOUTH OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, NORTH OF CALDWELL BOULEVARD AND WEST OF KARCHER BLVD, IN THE SW ¼ SECTION 8, T3N R2W, WITHIN A BC (COMMUNITY BUSINESS) ZONING DISTRICT. THE APPLICANTS HAVE REQUESTED VACATION OF THE EASEMENT DUE TO THE FACT THE CITY OF NAMPA HAS ABANDONED THE PLAN TO BUILD A FUTURE ONE-WAY STREET WITHIN THE SUBJECT EASEMENT. PROJECT: VAC-00010-2016

Map



Address Points

- Active
- Hold
- Proposed
- Retired
- Other

County Parcels

Copyright

Basemap_wAerial

9016885
9016885

RECORDED AT THE REQUEST OF
J-U-B ENGINEERS, INC.
FILING FEE: $11.00

RECORDED
90 SEP 13 AM 11 40
NED J KERR
CANYON CNTY RECORDER
BY C Beavers
11.00

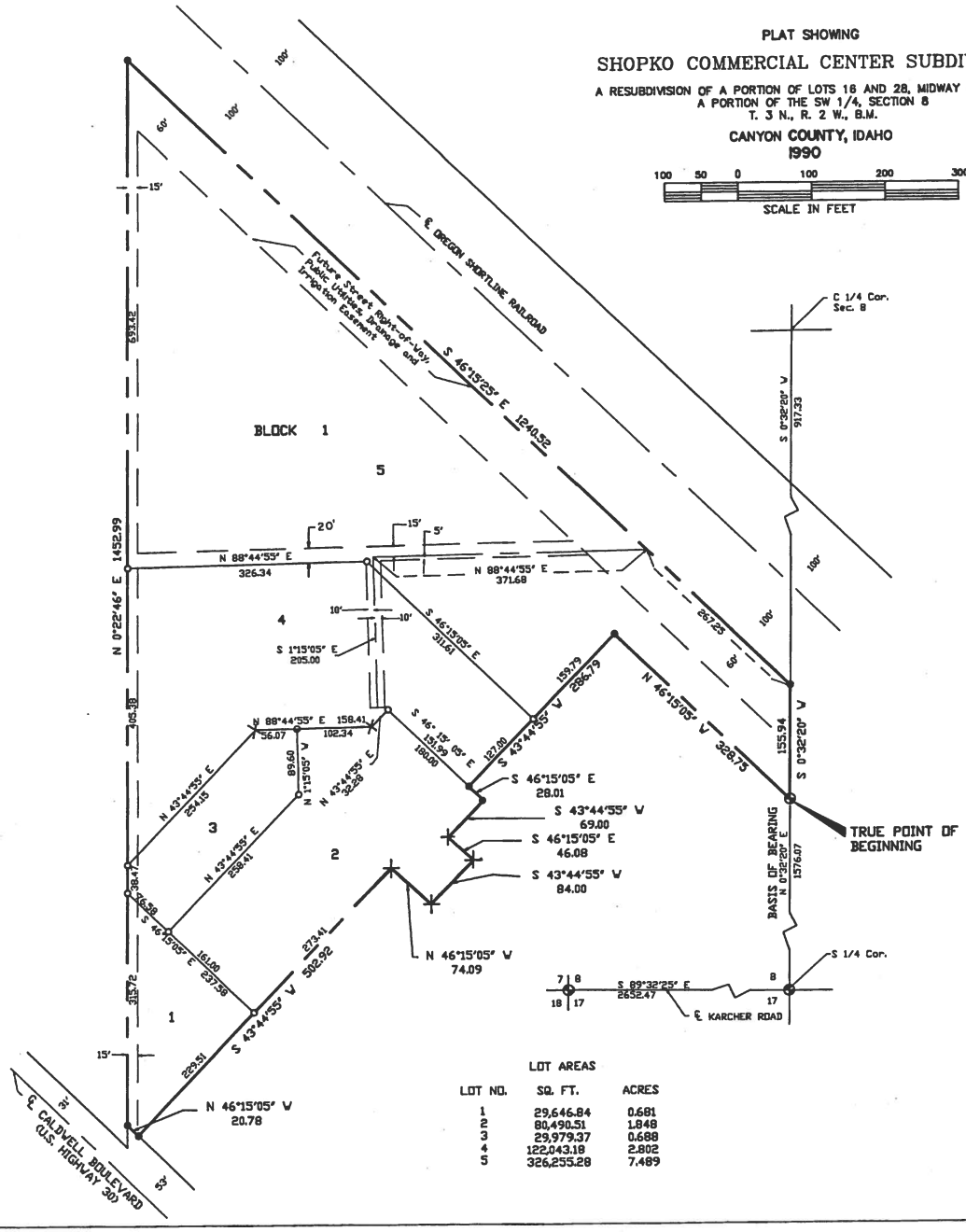
PLAT SHOWING

SHOPKO COMMERCIAL CENTER SUBDIVISION

A RESUBDIVISION OF A PORTION OF LOTS 16 AND 28, MIDWAY SUBDIVISON
A PORTION OF THE SW 1/4, SECTION 8
T. 3 N., R. 2 W., B.M.

CANYON COUNTY, IDAHO
1990

100 50 0 100 200 300
SCALE IN FEET



LOT AREAS

LOT NO.	SQ. FT.	ACRES
1	29,646.84	0.681
2	80,490.51	1.848
3	29,979.37	0.688
4	122,043.18	2.802
5	326,255.28	7.489

N.

LEGEND

- Brass Cap
- Set 5/8" x 30" Iron Pin W/Plastic Cap
- Set 1/2" x 24" Iron Pin W/Plastic Cap
- Public Utility, Drainage and Irrigation Easement, 10' Wide Unless otherwise dimensioned.
- Subdivision Boundary
- X Cross chiseled in Concrete Slab
- P.K. Nail in Concrete Joint

NOTE:
The lands included in this plat are subject to that certain Restated Cross-Easement and Use Restriction Agreement recorded as Instrument No. 8530323, Records of Canyon County, Idaho and Amendment of Restated Cross Easement and Use Restriction Agreement recorded as Instrument No. 8825243, Records of Canyon County, Idaho.

J-U-B ENGINEERS, INC.
Engineers, Surveyors, Planners
Nampa, Idaho

SHEET 1 of 2

PLAT BOOK 19 PAGE 7

NAMPA

11/2/16 cc Norm

APPLICATION FOR VACATION OF EASEMENT, PUBLIC RIGHT-OF-WAY OR PLAT

PLANNING AND ZONING DEPARTMENT

411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 F: (208) 465-2261

Nonrefundable Fee: $505.00

Applicant Name: NAMPA SHOPPING CENTER ASSOCIATES	Home Number: 208-345-1842
Street Address: 8385 W. EMERALD ST.	Mobile Number: 208-724-1315
City: BOISE State: IDAHO Zip code: 83704	Email: JHUBER@WHITE-LEASURE.COM
Property Owner Name: NAMPA SHOPPING CENTER ASSOCIATES	Home Number: 208-345-1842
Street Address: 8385 W. EMERALD ST.	Mobile Number: 208-724-1315
City: BOISE State: IDAHO Zip Code: 83704	Email: JHUBER@WHITE-LEASURE.COM
Applicant's interest in property: (X) Own ( ) Rent ( ) Other	
ADDRESS OF SUBJECT PROPERTY: N/A PARCEL # R1484550400	

Subject Property Information

Please provide the following REQUIRED DOCUMENTATION to complete the Vacation

- ☐ A copy of one of the following: ☒ Warranty Deed ☐ Proof Of Option ☐ Earnest Money Agreement
- ☐ **List of names, addresses AND written consent** of the owners and contract purchasers of all property adjoining the vacated portion
- ☐ 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.
- ☐ Sketch drawing of the portion proposed to be vacated

Project Description

- State (or attach a letter stating) the reason you desire the easement, public right-of-way, plat or part thereof to be vacated: 60' FUTURE ROW WAS A CONDITION OF PLAT APPROVAL BY CITY OF NAMPA. PLAN TO BUILD ONE WAY STREET PARALLEL TO RAILROAD HAS BEEN ABANDONED BY CITY.

Dated this 30TH **day of** SEPTEMBER, **20** 16

Jeff Huber

Applicant Signature

PLEASE NOTE

This application will be referred to the Nampa City Council. If the Council desires, it may refer the application to the Planning Commission for its recommendation. If the application is recommended for approval the City Council shall hold a public hearing.

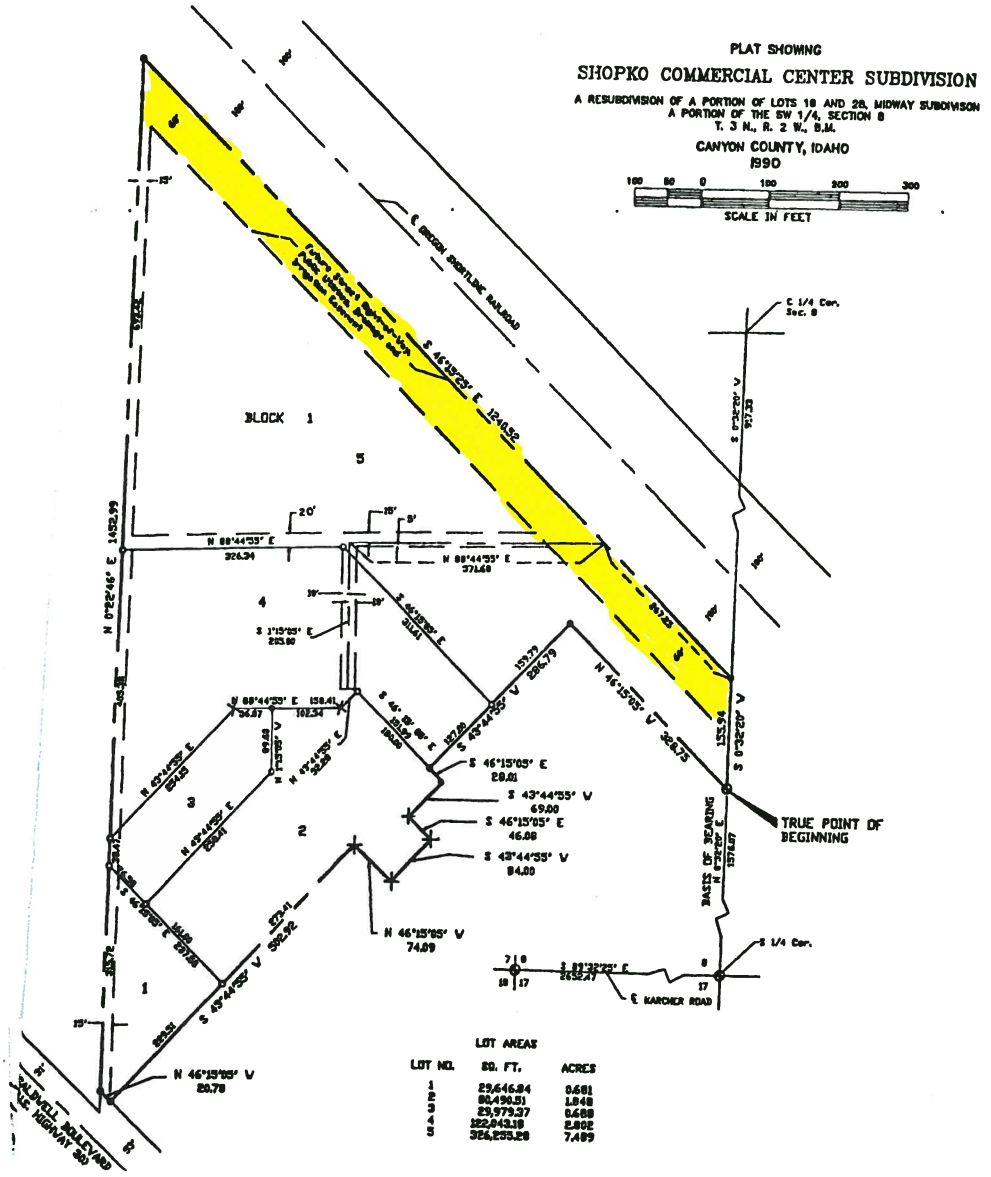
Written notice of the public hearing shall be sent to all property owners within 300 feet of the boundaries of the proposed vacation by certified mail with return receipt, at least 10 days prior to the date of the public hearing. Notice shall also be published once a week for 2 successive weeks in the Idaho Press-Tribune, with the last publication at least 7 days prior to the hearing. You will be given notice of the public hearings and should be present to answer any questions.

OFFICE USE ONLY

FILE NUMBER: **VAC** - 010 - 2016 PROJECT NAME Vacate 60 ft ROW

Description of Future Right-of-Way to be Vacated

A strip of land sixty (60') feet in width and twelve hundred and forty-one (1241') feet in length located on the Northeast boundary of the Lot 5 Block 1 of the Shopko Commercial Center Subdivision containing approximately seventy-four thousand four hundred and sixty (74,460') square feet and recorded on September 13, 1990, within Instrument No. 9016885 in the records of Canyon County, Idaho, as a part of the official plat of Shopko Commercial Subdivision.



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: November 9, 2016

Revised: November 14, 2016

Applicant: Nampa Shopping Center Associates-Jeff Huber

Address: 8385 W. Emerald Street, Boise, Idaho 83704

Parcel Address: Caldwell Boulevard (ShopKo Center)

Re: Vacation of 60' right-of-way dedicated by ShopKo Commercial Center Plat

VAC 010-16 for the November 21, 2016 City Council Meeting

Applicant is desirous to vacate the 60' right-of-way dedicated for a future one-way street to be constructed parallel to the Union Pacific Railroad. Plan has been abandoned.

Therefore, the Engineering Division has no concerns with the granting of this request with the following condition(s):

1. That easements be retained for any and all existing utilities of record residing within the right-of-way.
2. Applicant participates with City to craft and enter into an agreement regarding the operation and maintenance of the co-mingled storm water treatment facilities.

Norm Holm

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Monday, November 07, 2016 3:17 PM
To: Norm Holm
Subject: VAC-00010-2016

Good Afternoon Norman,

The Nampa Highway District #1 has no objection to the vacation of the 60' future street right-of-way, utility, drainage, & irrigation easement on the south side of the northeast property line of Lot 5, Block 1, of Shopko Commercial Center Subdivision 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

From: Neil Jones
Sent: Wednesday, October 12, 2016 9:10 AM
To: Shellie Lopez
Subject: RE: Vacation of the 60' Wide Future Street Right-of-Way/VAC 010 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: Wednesday, October 12, 2016 8:25 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 <brooksj@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: Vacation of the 60' Wide Future Street Right-of-Way/VAC 010 16

Good Morning!

VAC 010-16:

Jeff Huber, representing Shopko Commercial Center Associates has requested a Vacation of the 60' Wide Future Street Right-of-Way, Public Utilities, Drainage and Irrigation Easement adjacent the northeast side of Lot 5, Block 1, Shopko Commercial Center Subdivision.

The Vacation application is scheduled as a public hearing item on the City Council agenda of November 21, 2016.

Please find attached the VAC 010-16 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) prior to November 09, 2016.

Thank you & Have a great day!

Norm Holm

From: Alandt, Mary <MAlandt@idahopower.com>
Sent: Thursday, November 10, 2016 8:33 AM
To: Norm Holm
Subject: VAC-00010-2016
Attachments: LTR VAC 00010 2016.pdf; CRE013 IPC Application for Release of Easement (September 2016).pdf

Hello Norm,

Please see attached letter of comment in response to a public hearing notice recently received by this office. This particular request involves an area near a transmission line; as you probably know, IPC generally does not support releases of transmission rights.

If you have questions, please do not hesitate to contact me.

Thanks!
Mary

Mary K. Alandt
Easement Specialist
Idaho Power | Corporate Real Estate | Land Mgmt. & Permitting
PO Box 70 | Boise, ID | 83707

Ofc: (208) 388-2699
Fax: (208) 433-2842
Email: malandt@idahopower.com

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IDAHO POWER®
An IDACORP Company

November 10, 2016

City of Nampa, Idaho
Attn: Norman L. Holm, Planning Director
411 3rd Street South
Nampa, Idaho 83651

Re: Project VAC-00010-2016

Dear Mr. Holm:

This is in response to your letter to Idaho Power Company dated November 1, 2016, regarding the possible vacation of the sixty (60) foot Future Street Right-of-Way, Public Utilities, Drainage and Irrigation Easement, located on the south side of the northeast property line of Lot 5, Block 1, of Shopko Commercial Center Subdivision, south of the Union Pacific Railroad right-of-way, north of Caldwell Boulevard and west of Karcher Boulevard, in the SW ¼ of Section 8, Township 3 North, Range 2 West, within a Community Business zoning district.

Our records and a physical inventory indicate that there are Idaho Power Company facilities within the Utility Easement Area. As such, further review is required. It is requested that the applicants, Nampa Shopping Center Associates, submit an Idaho Power Application for Release of Easement Form (copy enclosed) to the Corporate Real Estate Department for further review.

In addition, Idaho Power requires that any vacation of the Right-of-Way by the City of Nampa reserve to Idaho Power the continued right to operate, maintain, repair, replace, or otherwise modify or add to Idaho Power's facilities within the Right-of-Way, including the right of ingress and egress thereto.

In the event City of Nampa approves the vacation and abandonment of the Right-of-Way, please mail to my attention a copy of the recorded resolution and any other instrument pertaining to the conveyance of the Right-of-Way.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

Sincerely,

Mary K. Alandt

Mary K. Alandt
Associate Real Estate Specialist
Land Management and Permitting
(208) 388-2699
malandt@idahopower.com

1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707

Norm Holm

From: Norm Holm
Sent: Thursday, November 10, 2016 12:01 PM
To: 'jhuber@white-leasure.com'
Subject: Vacation of the 60' Future Street Right-of-Way Easement - Shopko Commercial Center Sub
Attachments: IP VAC 010-16 Letter.pdf; LTR VAC 00010 2016.pdf; CRE013 IPC Application for Release of Easement (September 2016).pdf

Jeff:

Please see the attached information from Idaho Power concerning the above. They are asking that you submit an Idaho Power Application for Release of Easement Form (copy attached) to their Corporate Real Estate Department for further review.

Thanks,

Norman L. Holm, Director
O: 208.468.5446, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
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