

REGULAR COUNCIL

March 7, 2016

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

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

Mayor Henry amended the agenda by tabling public hearing #5 Increase in Wastewater, Domestic & Irrigation Water Utility Hook-Up Rates & Fees and items #4 thru 7 under unfinished business which are resolution to do with hookup fees.

MOVED by Haverfield and **SECONDED** by White to **approve the Consent Agenda with the above mentioned amendments; Regular Council Minutes of February 16, 2016 and Special Council Minutes of February 11, 2016 and February 16, 2016; and Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; and 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) Modification of annexation and zoning development agreement between Timbercreek Development, LLC and the City of Nampa recorded 08/07/2014 as instrument number 2014028508 – amending the original approved conceptual layout and common areas with no increase in the number of structures or four-plexes for Timbercreek Subdivision on 11.01 acres for Horrocks Engineers/Wendy Shrief/Evans Trust; **Authorization to Proceed with the Bidding Process:** 1) 6th Street North Roadway and Waterline Improvements Project; 2) Irrigation Water Quality Upgrades Project; 3) Request for Qualification (RFQ) process for Transportation Master Plan Update and **2015-2016 Licenses:** (all licenses subject to police approval): **Shari's**, 1807 Caldwell Boulevard, on-premise beer and wine; **Shadow Hills LLC**, 112/114 13th Avenue South, on-premise beer, wine and liquor; **Friendly Fred's**, 507 16th Avenue North, off-premise beer and wine; **Brick 29 LLC**, 320 11th Avenue South, on-premise beer, wine and liquor; **Red Robin**, 222 Cassia Road, on-premise beer, wine and liquor; **Starbuck's**, 1324 12th Avenue Road, on-premise beer and wine; **Smokey Mountain Pizza & Pasta**, 2007 North Cassia, on-premise beer, wine and liquor; **Hong Kong Restaurant**, 117 12th Avenue South, on-premise beer, wine and liquor; **Texas Roadhouse**, 1830 Caldwell Boulevard, on-premise beer, wine and liquor; and **Monthly Cash Reports; approval of the agenda.** The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Paul Panther, Chief of the Criminal Law Division of the Attorney Generals Office two and half year ago I was here to talk about our offices –The Internet Crimes Against Children Unit because Nampa assigned someone to that unit and that was Nampa Police Detective Brice King and he was with the unit for two years. Officer King has been a very valuable member of our team and we wanted to recognize him tonight. Mike Steen is our Chief Investigator, Casey Hemmer is Head of the Internet Crimes Against Children (ICAC unit) and Steve Benkula is the Operational Coordinator.

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Steve Benkula thanked the Nampa Police Department for letting Brice work in the Unit. Brice is unique and one of a kind and fits well with the team. Steve told us little bit about working with Brice and his habits. His talents were utilized in many different ways, as a lead case agent, interviewer, forensic examiner and support he was a huge help with the back log of forensic exams that our department has been able to clear. I have been impressed with his tenacity in completing his cases. He has had many cases that he has been able to rescue children, but one that comes to mind happened about one year ago. Detective King received a tip that a predator was soliciting images of children that were being victimized via twitter. The investigation found that the predator was looking into images that had the same characteristics as his own children. He also learned that the house that he lived in looked into the play ground of a local elementary school. Due to his diligence we believe we were able to pick this suspect up prior to him victimizing his children or children of the elementary school. A plaque was given to Brice King.

Margaret Harvey service planner with VRT presented a staff report on the route restructures for Canyon County and intercounty. (Develop potential service changes to ValleyRide fixed route system that will be sustainable and reliable for customers based on available financial resources.)

Current Conditions

- Canyon County Local Service: Monday-Friday
 - Five Local Fixed Routes
 - One Flex Route (Demand response)
- Inter County Service: Monday-Friday
 - Five Routes

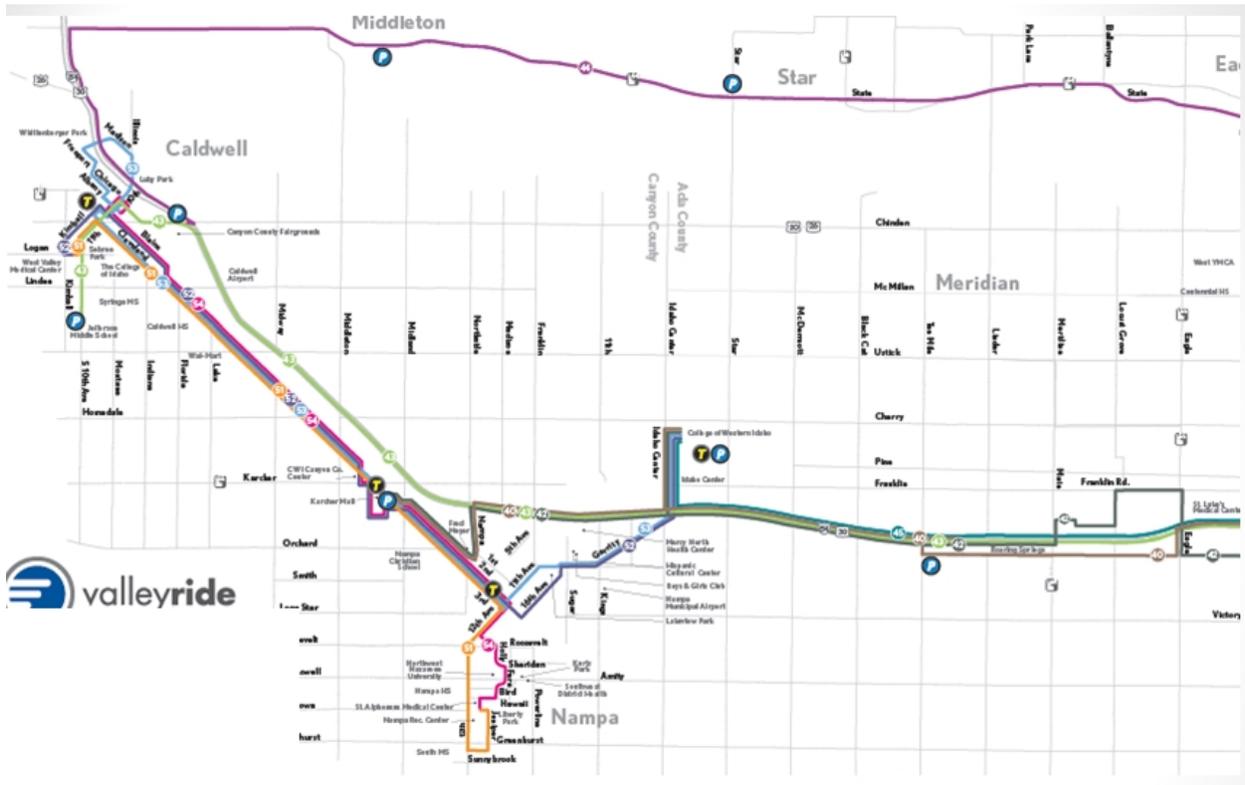
On-time performance

Limited resources

Limited frequency in neighborhoods

Duplication of service on Nampa-Caldwell Boulevard

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Scenario Development

- Stakeholder interviews both public & private
- Technical Committee with city & county staff
- Operations staff input

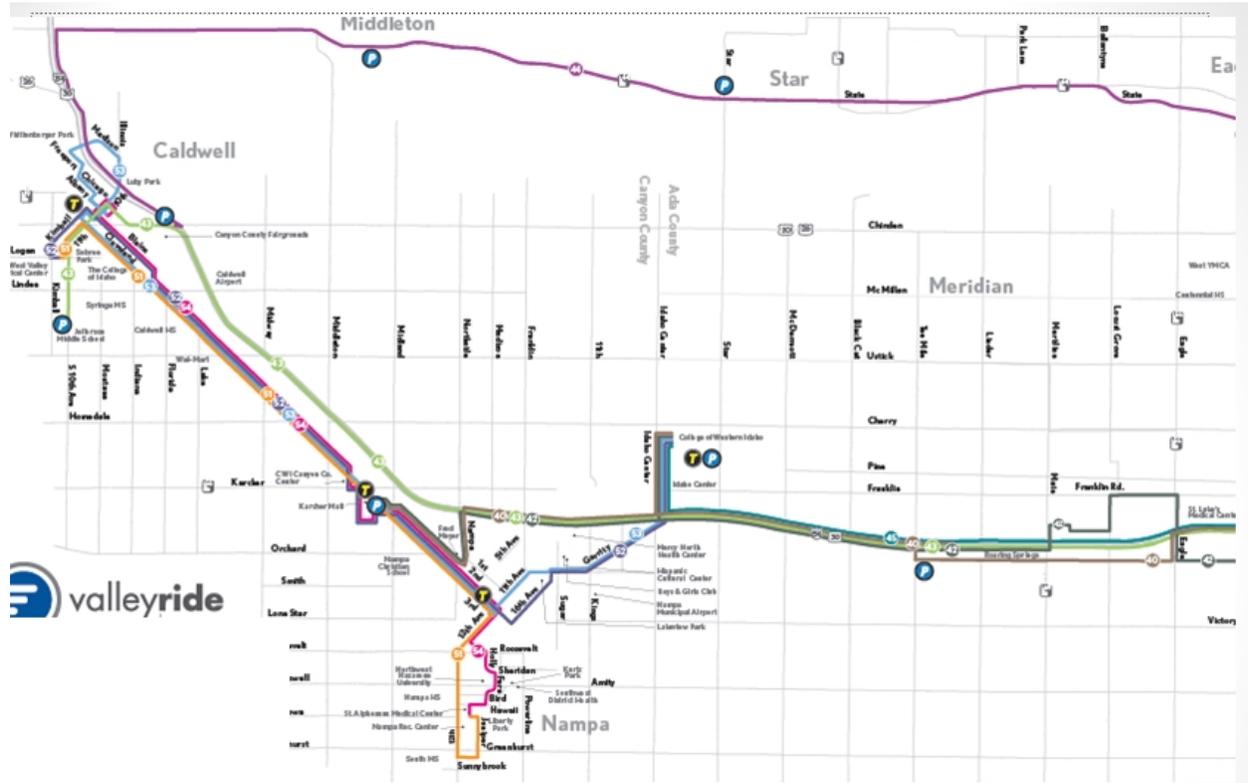
Public Outreach

- Began February 22nd
- Webpage and online survey in English and Spanish
- Three open houses/public hearings
- Widespread Email and flyer distribution
- Display ads and Spanish radio ads
- City council and county commission Presentations
- Comment period closes March 13th

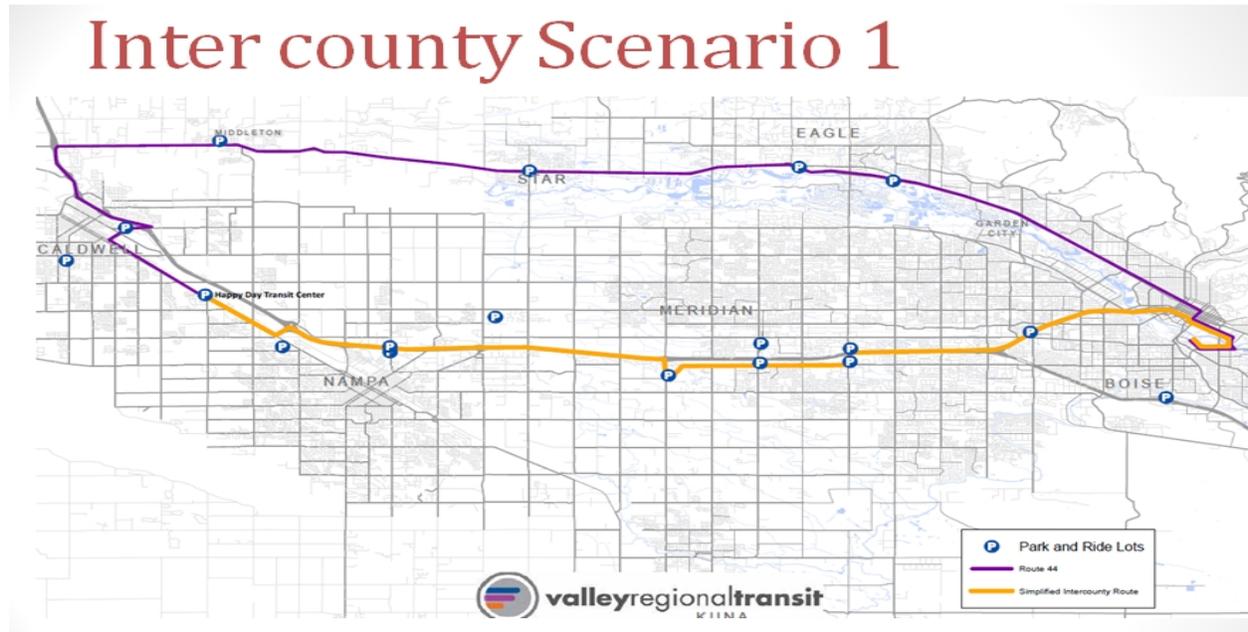
Intercounty Routes

- Five routes
- Limited midday service

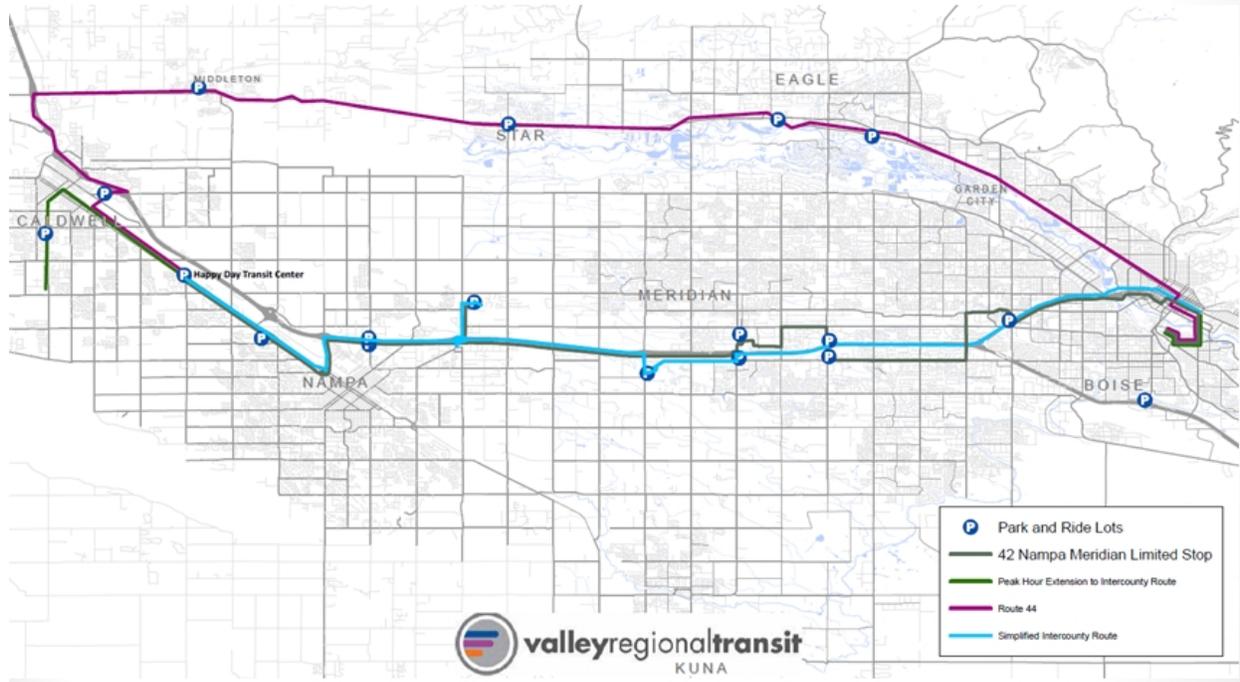
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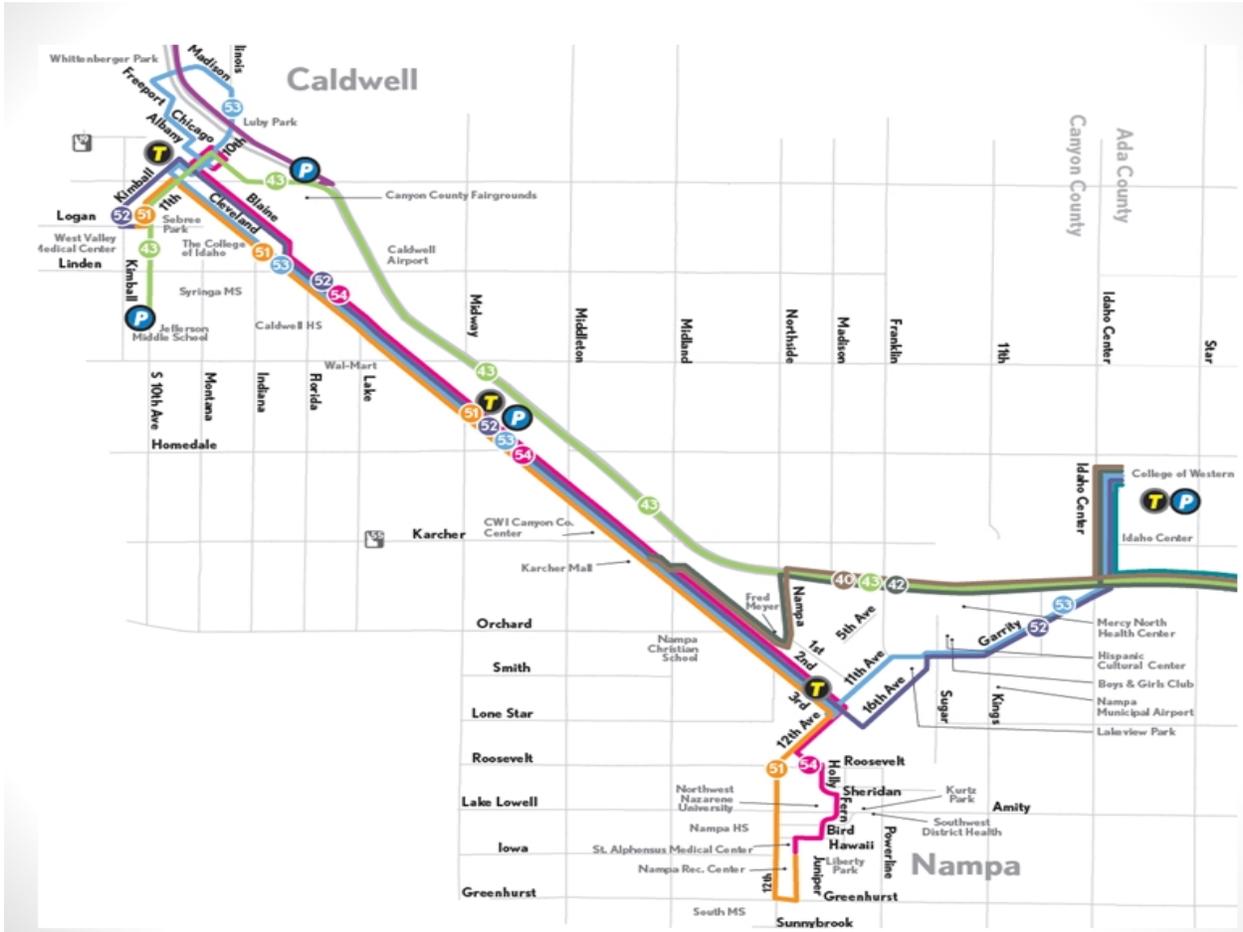
Inter county Scenario 1



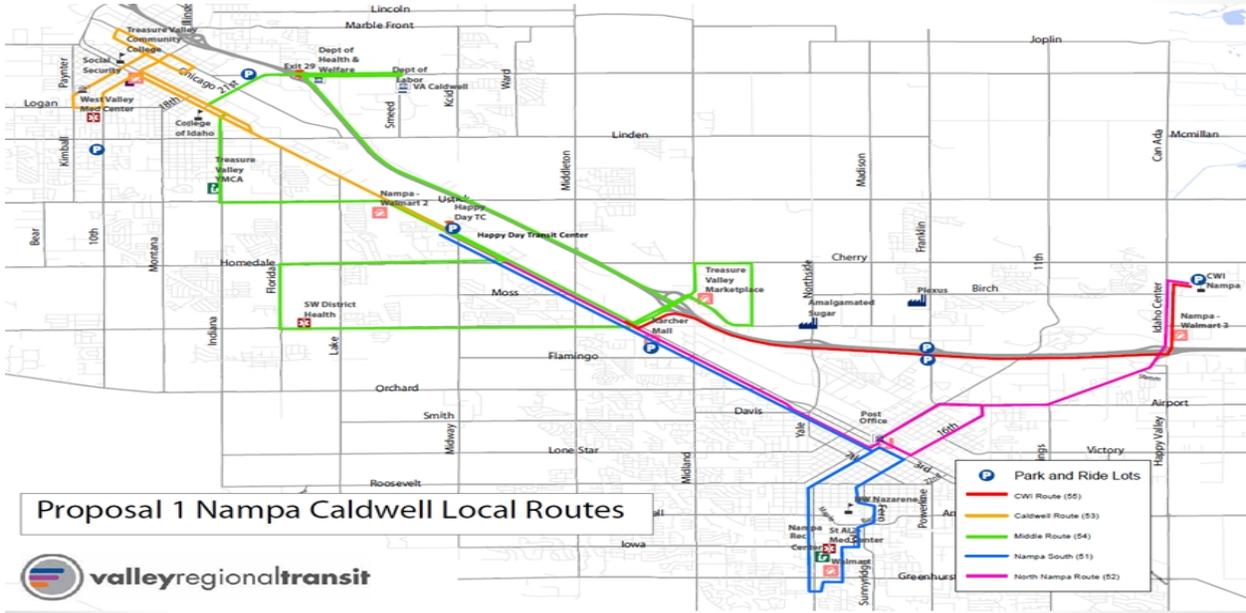
Inter county Scenario 2



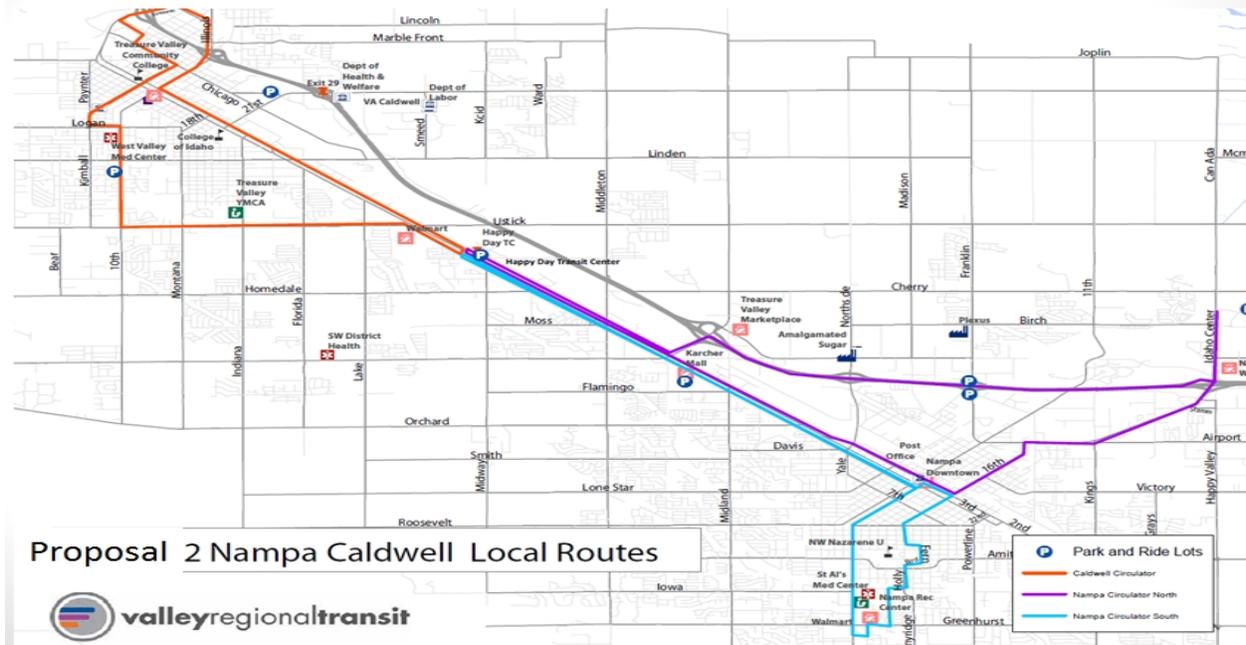
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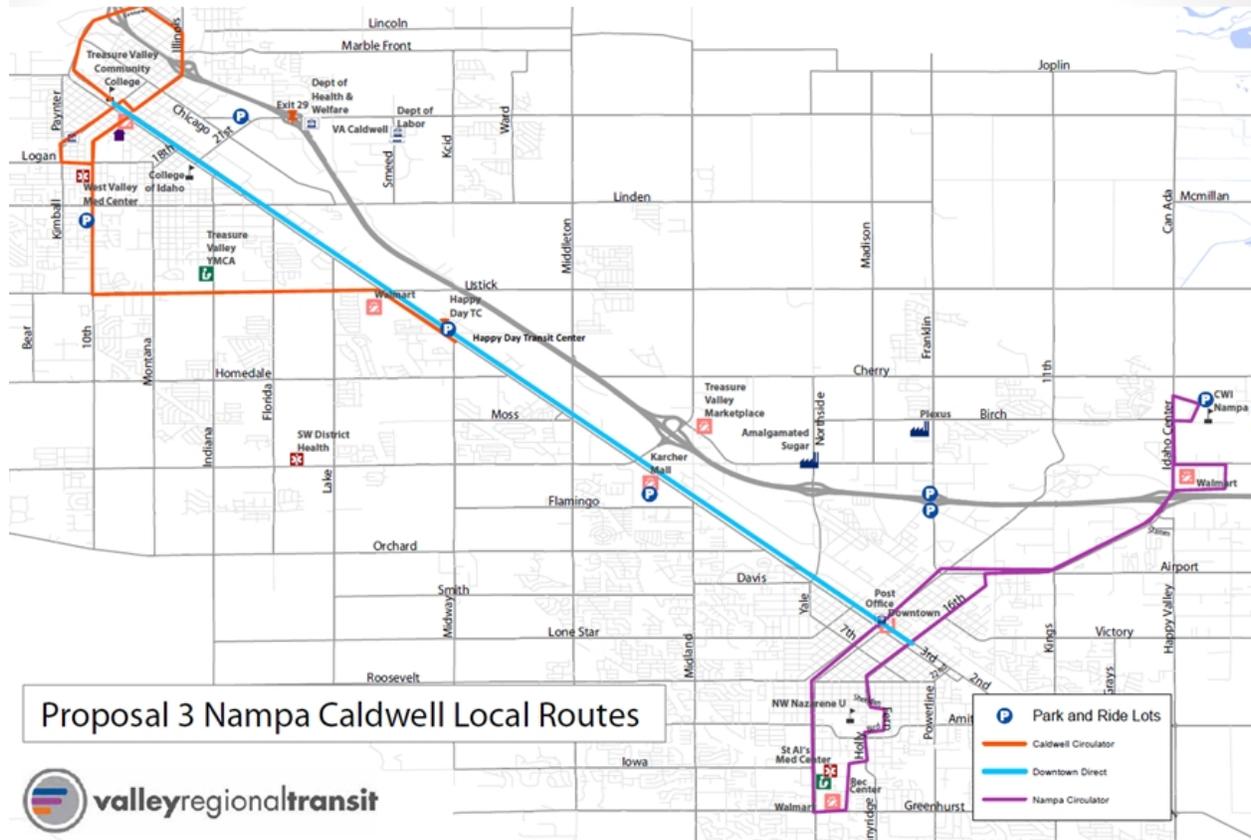
Nampa Caldwell Proposal 1



Nampa Caldwell Proposal 2



Nampa Caldwell Proposal 3



Project Schedule

October-
November

November-
December

January

January-April

April

- Analyze current Canyon County and intercounty transit services
- Interview stakeholders
- Develop options for Canyon and Western Ada Counties based on available financial resources
- Draft a public outreach plan
- Scenarios presented to VRT board as information item
- Public outreach and hearing: one in Ada County, two in Canyon County
- Paratransit and Title VI Analysis
- **Final scenario presented to board for decision**

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August 2016 • **Implement Service Changes**

Brad Burrows, Senior Manager with Eide Bailly presented the following staff report:

Report on the Financial Statements - We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Nampa, Idaho (the City), as of and for the year ended September 30, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements - Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility - Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions - In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Nampa,

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Idaho, as of September 30, 2015, and the respective changes in financial position and, where, applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

Change in Accounting Principle - As described in Note 1 and Note 15 to the financial statements, the City adopted the provisions of GASB Statement No. 68, Accounting and Financial Reporting for Pensions and GASB Statement No. 71, Pension Transition for Contributions Made Subsequent to the Measurement Date, which has resulted in a restatement of the net position as of October 1, 2014. Our opinions are not modified with respect to this matter.

Other Matters

Required Supplementary Information - Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the budgetary comparison information, the schedules of employer's share of net pension liability and employer contributions as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information - Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the City of Nampa, Idaho's financial statements. The introductory section, the combining statements of the nonmajor governmental funds and the internal service funds, the individual fund schedules of revenues, expenditures, and changes in fund balance-budget and actual for nonmajor governmental funds, and the statistical section are presented for purposes of additional analysis and are not a required part of the financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and is also not a required part of the financial statements.

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The combining statements, the individual fund schedules, and the schedule of federal expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining statements, the individual fund schedules, and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by Government Auditing Standards - In accordance with Government Auditing Standards, we have also issued a report dated February 25, 2016, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City's internal control over financial reporting and compliance.

Jason Williams with Moreton & Company presented a staff report explaining the City's investments. I am the lead portfolio manager for the City of Nampa. I will give a investments report and I will break this into a couple of sections. The first is a brief background in terms of interest rates have been like most recently in the last year or so. I also have a score card, report card that I will report on over the last 18 or 20 months in terms of the results.



Treasury Curve*						Selected Rates*				
Maturity	Yield	Change	Week Ago	Month Ago	Year Ago	Index	Rate	Week Ago	Month Ago	Year Ago
3 Month	0.330%	0.070%	0.260%	0.030%	0.070%	Fed Funds ³	0.380%	0.380%	0.080%	0.360%
6 Month	0.470%	0.070%	0.400%	0.050%	0.110%	PRIME	3.250%	3.250%	3.250%	3.250%
1 Year	0.670%	0.200%	0.470%	0.330%	0.120%	11 Dist COF	0.783%	0.783%	0.783%	1.000%
2 Year	0.853%	0.176%	0.677%	0.990%	0.550%	1 Mth LIBOR	0.427%	0.171%	0.164%	0.198%
5 Year	1.346%	0.163%	1.183%	1.710%	1.370%	3 Mth LIBOR	0.634%	0.613%	0.492%	0.233%
10 Year	1.855%	0.127%	1.728%	2.200%	1.880%	6 Mth LIBOR	0.871%	0.846%	0.735%	0.467%
30 Year	2.702%	0.119%	2.583%	2.950%	2.460%	1 Year CMT	0.640%	0.690%	0.490%	0.210%

Economic Forecasts										
Country	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Economic Activity										
Real GDP (YoY%)	-0.30	-2.80	2.50	1.60	2.30	1.50	2.40	2.40	2.40	2.30
CPI (YoY%)	3.85	-0.35	1.63	3.17	2.08	1.48	1.63	0.10	1.60	2.20
Core PCE (YoY%)	2.06	1.19	1.29	1.44	1.83	1.34	1.41	1.30	1.60	1.80
Unemployment (%)	5.80	9.30	9.60	8.90	8.07	7.37	6.15	5.30	4.90	4.70
External Balance										
Curr. Acct. (% of GDP)	-4.93	-4.63	-2.65	-3.00	-2.95	-2.71	-2.39	-2.30	-2.40	-2.60
Fiscal Budget										
Budget (% of GDP)	-1.20	-3.20	-10.10	-9.00	-8.70	-7.00	-4.10	-2.90	-2.60	-2.60

³ Effective Rate
*Source: Bloomberg
**All products are spread to treasuries unless otherwise noted

The information contained herein is based on sources considered to be reliable but is not represented to be complete and its accuracy is not guaranteed. Neither the information nor any opinion expressed herein constitutes a solicitation for the purchase or sale of any security. Moreton Asset Management makes no representation as to the legal, tax, credit, or accounting treatment of any securities or transactions mentioned herein, or any other effects such transactions may have on you.

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City of Nampa

Approximate Earned Interest Comparison

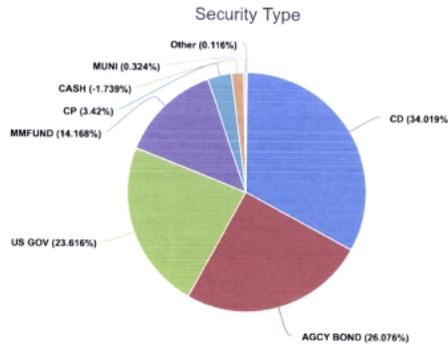
DATE	Idaho LGIP	Approx. Int Rate	Avg. Funds Invested	Net Income	Approx. Diff. Interest
05/31/14	0.11%	0.28%	\$22,966,621	\$5,436.16	\$3,290.51
06/30/14	0.13%	0.39%	\$22,963,804	\$7,418.44	\$4,964.77
07/31/14	0.12%	0.54%	\$22,970,141	\$10,501.13	\$8,160.06
08/31/14	0.12%	0.64%	\$22,987,252	\$12,419.06	\$10,076.25
09/30/14	0.12%	0.42%	\$23,651,411	\$8,168.50	\$5,835.76
10/31/14	0.12%	0.41%	\$43,018,482	\$14,922.93	\$10,538.58
11/30/14	0.14%	0.50%	\$43,032,309	\$17,691.20	\$12,739.54
12/31/14	0.13%	0.53%	\$43,023,825	\$19,373.71	\$14,623.41
01/31/15	0.14%	0.57%	\$43,079,575	\$20,777.65	\$15,655.31
02/28/15	0.18%	0.62%	\$43,085,725	\$20,427.19	\$14,477.82
03/31/15	0.16%	0.56%	\$43,110,385	\$20,387.07	\$14,528.78
04/30/15	0.17%	0.62%	\$43,170,695	\$21,916.70	\$15,884.63
05/31/15	0.26%	0.62%	\$43,175,022	\$22,562.10	\$13,028.11
06/30/15	0.19%	0.67%	\$43,180,286	\$23,646.80	\$16,903.58
07/31/15	0.19%	0.65%	\$43,239,685	\$23,879.98	\$16,902.40
08/31/15	0.21%	0.70%	\$43,266,863	\$25,889.17	\$18,172.26
09/30/15	0.21%	0.69%	\$43,372,744	\$24,749.32	\$17,263.07
10/31/15	0.21%	0.75%	\$43,352,842	\$27,725.95	\$19,993.70
11/30/15	0.21%	0.80%	\$43,354,751	\$28,584.82	\$21,101.67
12/31/15	0.26%	0.77%	\$43,348,626	\$28,270.58	\$18,698.25
01/31/16	0.37%	0.84%	\$43,411,166	\$31,045.06	\$17,403.25
02/29/16	0.30%	0.77%	\$52,794,085	\$32,394.26	\$19,810.46
				\$448,187.78	\$177,609.51

Idaho LGIP	Local Government Investment Pool, monthly rates quoted on sto.idaho.gov
Approx. Int. Rate	The approximate 365-day yield, net of fees, based on Net Income number from MoretonAdvisors.com monthly statements
Avg. Funds Invested	Average daily balance in the account for the month reported
Net Income	Net Income after fees, per financials on www.MoretonAdvisors.com . Cash flows are approximate and should not be used for tax or accounting purposes
Approx. Diff. Int.	Approximate differential in interest earned in the Moreton client account versus the benchmark for the month reported. Cash flows are approximate and should not be used for tax or accounting purposes

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Past performance is not indicative of future results.



Security Type	Account	Identifier	Description	Current Units	Currency	Final Maturity	Market Value + Accrued
CD	Moreton-Nampa US Bank	---	---	19,869,000.00	USD	07/16/2017	19,886,465.60
AGCY BOND	Moreton-Nampa US Bank	---	---	15,225,000.00	USD	04/19/2018	15,243,109.79
US GOV	Moreton-Nampa US Bank	---	UNITED STATES TREASURY	13,559,000.00	USD	09/15/2017	13,805,450.60
MMFUND	Moreton-Nampa US Bank	31846V203	FIRST AMERICAN FUNDS CL INST GOV MMF	8,282,220.88	USD	03/01/2016	8,282,222.25
CP	Moreton-Nampa US Bank	---	---	2,000,000.00	USD	03/01/2016	1,999,388.06
MUNI	Moreton-Nampa US Bank	629869AF5	NAMPA DEV CORP IDAHO REV ALLOCATION	185,000.00	USD	03/01/2017	189,579.47
CORP	Moreton-Nampa US Bank	925369AA8	VESEY STREET INVESTMENT TRUST I	67,000.00	USD	09/01/2016	67,963.62
CASH	Moreton-Nampa US Bank	CCYUSD	---	-1,016,826.44	USD	03/01/2016	-1,016,826.44
---	Moreton-Nampa US Bank	---	---	58,152,394.44	USD	07/23/2017	58,457,052.94

Grouped By: Security Type. * Groups Sorted By: Market Value + Accrued. * Weighted By: Market Value + Accrued.

Mayor Henry opened a **public hearing** for **de-annexation** of a **narrow strip of land** to correct an encroachment at **24 South Jarom Lane** for **Donald and Darla Larson**.

Don Larson presented the request.

Planning and Zoning Director Norm Holm presented a staff report explaining that the requested action is for de-annexation from the City of Nampa for a narrow strip of land to correct an encroachment following a lot line adjustment at 24 South Jarom Lane for Donald and Darla Larson.

Zoning & Planning History: Approximately 3.35 acres of the subject property owned by the applicant is situated outside the City in Canyon County. The 6.362 acre RA zoned parcel to the east is situated in the City of Nampa. There was a lot line adjustment between the parcels due to an encroachment. De-annexation of the .15 acre strip would put the entire lot back into the county resulting in an increase in parcel size of 3.53 acres from the original parcel size of 3.38 acres.

From a land use standpoint the location of the strip is shown on the comprehensive plan “future land use map” as being compatible with the current city zoning and that proposed by the applicant upon de-annexation back into the County. This narrow strip constitutes an approximate .15 acre area that was previously part of the adjacent annexed parcel.

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If the Planning & Zoning Commission votes to recommend to the City Council approval of this request the following findings are suggested:

1. The requested de-annexation area is comprised of a .15 acre strip of land proposed to be de-annexed and continue as part of an established rural residential home site.
2. The area as developed can continue to exist as a portion of a viable rural residential lot situated in the county.
3. The planned County zoning following de-annexation will conform to the city's comprehensive plan future land use map for medium density residential land use and is reasonably compatible with existing and land uses in the area.
4. The property owner desires de-annexation to put the adjusted strip back into the county as a part of the existing rural residential lot.

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

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

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bruner to **approve** the **de-annexation** of a narrow strip of land to **correct an encroachment** at **24 South Jarom Lane** for **Donald and Darla Larson** and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers voting **YES**. The Mayor declared the

MOTION CARRIED

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

Update to Public Works Staffing – Jacob “Jake” Allen has been selected for Public Works Administration’s Senior Budget Analyst position. Jake holds two bachelor’s degrees from Northwest Nazarene University; one in accounting and the other in business administration. He has held the positions of accountant and accounting associate in the private sector. With Jake’s business background and education, Public Works staff is excited to have him as part of the team

The search continues for a new City Engineer for the Engineering Division.

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Public Works staff is pleased to announce that Leslea Basterrechea has been selected as the new Superintendent for the Environmental Compliance Division. Leslea holds a Bachelor of Science in Chemistry from the College of Idaho. She has 18 years of experience in the environmental field, including extensive knowledge in water quality and data quality control procedures. Leslea will be an immediate asset to the Public Works Department.

Railroad Quiet Zone Investigation – Minimum Requirements – The Engineering Division was asked by a citizen to look into the requirements of establishing a Railroad Quiet Zone (QZ) in the City. A QZ is a defined length of track or area, assumed to be all mainline crossings in the City, where railroads cease the routine sounding of their horn when approaching rail crossings. Locomotive engineers must begin to sound train horns at least 15 seconds, and no more than 25 seconds, in advance of all public grade crossings. The horn must be sounded until the lead unit occupies the grade crossing.

To establish a QZ the increased risk caused by the absence of a horn must be mitigated. At a minimum, flashing lights and automatic four-quadrant gates must be in place at each public crossing in the QZ (see Exhibit A). These must also be equipped with constant warning time devices where reasonably practical, and power outage indicators.

There are currently 17 active railroad crossings within City limits. Of those, five (5) are currently equipped with flashing lights and gates. The five (5) crossing with flashing lights and gates are on the main line that runs through the City. The remaining 12 passive crossings are on spurs from the main line.

From a cursory overview of the requirements to establish a QZ, it may be feasible to form a QZ for the main line only. The 12 remaining crossings likely do not warrant active crossing devices based on accident potential, vehicle traffic volume and number of train trips. All crossings in any proposed QZ must meet current standards before an application can be submitted.

The current two-gate configuration at each crossing does not meet risk reduction criteria to establish a new QZ. As this would be a City request, the City would be required to pay for all capital and operational costs associated the risk mitigation. It is staff's estimate, that at a minimum, the City would have to install a four-quadrant gate system at each crossing to lower the risk to an acceptable level. The Union Pacific Railroad (UPRR) estimates a range from \$2.5M to \$4.6M with annual maintenance costs of \$20k to \$50k. The estimated capital, and operational and maintenance costs do not include additional permitting and legal costs to create and maintain the QZ.

The first step to establishing a QZ is to submit a Notice of Intent and Establishment to both UPRR and the Federal Railroad Administrations (FRA). Then all crossings must be engineered and constructed by UPRR (owner of the crossing) with full reimbursement from the City. After

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all work is complete the City needs to update the FRA's crossing registry and may designate the area a QZ. The FRA must be updated on the status of each crossing every 4.5 to 5 years.

The Engineering Division has only performed a brief investigation into the establishment of a Railroad QZ. The next steps include identifying funding for crossing upgrades and notifying UPRR and FRA of the City's intent to establish a QZ. It is Staff's assumption that given the cost and time to create a QZ, the QZ will not be pursued.

Fleet Services Division Vehicle Disposal Update - On October 5 and December 21, 2015, City Council approved the disposal of three Fleet Services Division vehicles via Resolutions 28-2015 and 46-2015 (see Exhibits B and C). The original requests were to use the trade-in values to offset the purchase price of one new call-out service truck. However, it has been determined by the asset disposal team that the trade-in values offered by the dealer are not acceptable. The team believes a higher dollar amount is likely if the vehicles are sold at a public auction. Monies received will be used toward the purchase price of the new service truck.

Special City Council Meeting – Wastewater Phase II Business Case Evaluation - City staff and the Wastewater Program Management Team (WPMT) are continuing to identify the best approach for long-term wastewater discharge to meet increasingly stringent National Pollutant Discharge Elimination System (NPDES) permit limits. Since the completion of the original analysis in 2012, there have been updates to a number of the key inputs including:

- Completion of the Lower Boise River Total Phosphorus, Total Maximum Daily Load (TMDL)
- Receiving a draft NPDES permit
- Further investigations at the infiltration property.

To account for these changes, the analysis of potential options has been updated to guide future actions related to the wastewater program. City staff and the WPMT will present an updated analysis at a Special City Council meeting scheduled for Wednesday, March 30, from 3:00 p.m. to 5:00 p.m. in Council Chambers. Additional background information will be provided prior to the meeting.

Well No. 9 Occupiers - On February 24 the City received a complaint from a resident in Karcher Estates Subdivision about residents taking occupation of the City's Domestic Water Well No. 9 property. The City's GIS mapping program was utilized to verify property boundaries (see Exhibit D). A site visit revealed the north half of the City lot has been developed and fenced off to provide an extended backyard for the residents at 2511 and 2505 Leo Drive. Improvements on the Well No. 9 site include storage sheds, two travel trailers, landscaping and garden beds. City records for Well No. 9 show:

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- Well was drilled in 1977
- Platted in 1979 as part of the Karcher Estates No. 2 Subdivision
- In 1991 the City leased Richard Mottram, 2501 Leo Drive, the land for “yard or garden” on an annual renewal basis
- In 2005 the lease was terminated at the Mottram’s request

Also, the land occupied by the residents is within 50 feet of the well and creates a potential violation of the Idaho Well Head Protection requirements (50 ft. minimum setback). A notice of eviction has been prepared by the City attorney and will be sent to the two residents on March 8, with instruction to vacate City property.

Library Square Couplet Traffic Improvements Update - City staff contracted with Paragon Consulting, Inc., city consultant, to review traffic performance of the Library Square Couplet. Recommended modifications to improve efficiencies were submitted to the Idaho Transportation Department (ITD) for review and permitting (see Exhibit E). The city received approval from ITD to implement the proposed modifications to update striping and signal features around the Library Square Couplet. ITD also issued a right-of-way permit for the work to be completed on 12th Avenue South (SH-45). A request for quote has been sent to potential contractors. Construction is anticipated to begin in late March or early April, depending on the weather. Contract values are not anticipated to exceed \$25,000.

Mayor Henry opened a **public hearing** for **annexation and zoning to RS 7 at 8142 West Ustick Road, 17535 Star Road, 17547 Star Road**, and three parcels addressed as 0 Star Road for **Engineering Solutions, LLP** representing **Star Development, Inc.**

Becky McKay with Engineering Solutions, 1029 North Razario, Meridian presented the request.

Councilmembers asked the applicant questions.

Norm Holm presented a staff report explaining that the requested action was for annexation and zoning for 190.36 acres of land located at 8142 West Ustick Road, 17535 Star Road, 17547 Star Road and three (3) parcels addressed mutually as 0 Star Road (hereinafter, collectively, the "Property") from Canyon County to City RS 7 (Single-Family Residential 7,000 sq. ft. min. bldg. lot size).

History: Applicant's representative's project narrative correctly notes the history of the Property. "The [A]pplicant previously submitted requests for a comprehensive plan amendment, rezone and preliminary plat to Canyon County, which were approved on May 11, 2015. Canyon County Resolution No. 15-096 changed the designation from Agricultural to Residential, with a rezoning to R-1 approved as Canyon County Ordinance No. 15-012. The [A]pplicant has since determined

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it would be more desirable to be within the city limits of Nampa for the development. As the preliminary plat portion of the property is not currently adjacent to the city limits of Nampa, the annexation application includes the adjacent Van Beek properties to provide contiguity. A conceptual site plan consisting of 300 single-family lots has been provided for the 105.29 acre Van Beek property." The subdivision is proposed in conjunction with the annexation is 85.07 acres. The balance of 105.29 acres of land is to be left undeveloped for the time being.

The Planning and Zoning Commission, during their regularly scheduled public hearing of January 12, 2016, voted to recommend to the City Council that the requested annexation and zoning assignment be approved as presented. The Commission then approved the plat for Silver Star Subdivision (which approval -- in this instance -- is of course necessarily predicated on the annexation and zoning request being proposed as presented). (A copy of a portion of the Commission's report as it relates to the subdivision proposed in conjunction with this annexation request is hereafter. A copy of the hearing minutes from the Commission's meeting is also hereto attached.)

1. Surrounding Zoning: That City RS 8.5 zoned properties and County parcels most immediately adjoin and/or surround the Property (see attached Vicinity Map); and,
2. Surrounding Land Uses: That single-family detached residences and open land surround the Property; and,
3. Reasonable: That it may be variously argued that annexation of the Property is reasonable given that the Property is already located within the City of Nampa Impact Area in an area expanding with or expected to contain residential subdivisions; that City utility and emergency services are, or may be made, available to the Property; that the Property is a large section of relatively flat open ground located in such a way as to be readily developed into a housing development and given other factors bearing on the Property, not easily made marketable for commercial or industrial uses; and,
4. Public Interest: That Nampa has determined that it is in the public interest to provide a variety of housing products for its citizens and acknowledges the marketing attempts and studies conducted by developers of housing suggesting demand for the same as well as suitable locations for such development - in accordance with City endorsed locations and densities. Expressions of that policy are made in Nampa's adopted Comprehensive/Master Plan as well as embodied in its decisions to date regarding similar applications; and,
5. Promotion of Zoning Purpose(s): That one of the multiple purposes of zoning strives to preserve and protect single-family home property values. Another aims to ensure orderly, systematic development and patterns thereof which promote public health, safety and welfare. Included in the regulations therefore governing subdivision development are standards appertaining to housing density, building setbacks, building heights, provision of parking for housing, yard landscaping maintenance, street dimensions and composition

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standards, street lighting regulations, etc. We find that the Project proposes an orderly development plan - some details of the same to be iterated hereafter; and,

6. That the currently adopted (Feb. 2012) Comprehensive Plan Future Land Use Map designates the Property as being within, and suitable for, "Medium Density Residential" (4-9 du/a) development. An area of "High Density Residential" is overlaid on land west of, and abutting to, the Property. The "Medium Density Residential" setting has been deemed as supporting of, and harmonious with, single-family residential zones' allowed land uses and directly with City RS 6, RS 7 and RS 8.5 Zones' allowed densities (i.e., dwelling units per acre [du/a]); The Project proposes detached single-family houses, one per lot, in a multi-lot subdivision arrangement at a density of approximately 2.82 du/a (gross density) or 3.68 du/a (net density - excludes area devoted to rights-of-way); and,

In summary, the Property may be zoned RS 7, but nothing will [ultimately] force the Council to do as it acts in its quasi-judicial capacity to decide on the proper land use zone/district to assign to the Property. Given the findings noted above, however, RS 7 zoning is certainly an "entertainable" zone ...

Any correspondence from agencies or the citizenry regarding this application package [received by noon March 02, 2016] is hereafter attached to this report. Synopsis of principal comments from agencies, departments or the public that responded to this application and the public hearing notice(s) associated therewith are as follows:

- a. (City Engineering will have comments concerning the proposal to be distributed in conjunction with the packets); and,
- b. The City Forester has no objection(s) to the Project and has provided recommended requirements in the event Silver Star is approved; and,
- c. The City Parks and Recreation Department has no objection(s) to the Project; and,
- d. The Planning and Zoning Department, long term planning section, has no objection(s) to the requested Project; and,
- e. The Community Planning Association of Southwest Idaho has provided comments appertaining to the Project; and,
- f. The Nampa & Meridian Irrigation District has no objection(s) to the Project; and,
- g. One letter of opposition has been received from Mr. Matt Davison; no other written correspondence either supporting or opposing the Project has been received from citizenry, including neighbors surrounding the Property ...

Note: The recommended requirements alluded to above will be manifest in the recommended Conditions of Approval presented by Staff in this report hereafter as requisite (some may be more appropriately associated with the proposed subdivision plat made a part of this application package and therefore addressed via the plat approval

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Should the City Council vote to approve the requested Annexation and Zoning Assignment of RS 7 for/on the Property, as desired by the Applicant, then Staff would recommend that the Council consider imposing the following Conditions of Approval against their approval:

Generally:

1. Applicant(s) shall comply with all applicable requirements [including obtaining proper permits - like a Building Permit, etc.] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlements granted by virtue of the City's approvals of the requested Annexation, Zoning and Preliminary Plat do not, and shall not have, the affect of abrogating requirements from those agencies in connection with entitlement of the Property; and,
2. That the Applicant, as Owner/Developer, [shall] enter into a Development Agreement set with the City of Nampa. The Agreement(s) shall contain such conditions (e.g., Project perimeter fencing) and 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 for entitlement approval to develop the Property as proposed by said Applicant(s). Inclusively, the Agreement shall contain any/the concept development plans proposed by virtue of this application submittal as accepted, or accepted with required changes, by the City's Council...

Those appearing in favor of the request were: Lee Centers, Developer.

Those appearing in opposition of the request were: Matt Davidson, 4960 Golden Spur Drive; Xenon Long, 17392 Cooper Spur; Keith Tippets, 4966 Bronze Spur; Chris Waldrum, 4806 Golden Spur; Robin Long, 17392 Copper Spur; Matt Travis, 17381 Copper Spur; Loren Mart, 17358 Copper Spur; Joel Whitt, 4844 Golden Spur; Shawn Birch, 4809 Bronze Spur; Douglas Franolich, 4868 Golden Spur; Jacqueline Franolich, 4868 Golden Spur; Connie Turnbull, 4924 Golden Spur; Paul Turnbull, 4924 Golden Spur; Lucia & Travis Dirkes, 4859 Golden Spur; Albert & Jessica Sorenson, 4982 Golden Spur; Karl Keeler, 4905 Bronze Spur; Merle Keller, 4854 Bronze Spur; Kimberly Davidson, 4960 Golden Spur; Tina Ellison Keller, 4854 Bronze Spur; Richard Allen, 17568 Star Road; Jim Naccarato, 4917 Golden Spur; Hubert Osborne, 4199 East Switzer Way.

Becky McKay presented a rebuttal to questions.

Councilmembers asked questions of the applicant representative.

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Questions were asked about if this annexation was denied how would the water and sewer be delivered to the subdivision – there is a agreement in place for the sewer but for the water there would be a need to go to council for authorization.

Questions were asked about the RS-22 zone and how many dwellings per acre. The average lot size is 10,361 sq ft in the subdivision.

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

MOTION CARRIED

Councilmember Raymond said that he would like to see higher square lot average.

Mayor Henry asked about the agreement that the City has with the applicant for sewer. (in the agreement the applicant did participate)

Councilmember Skaug asked who paid for the pipe for the sewer. (the developer has to pay for the lines the agreement was for maintenance for the lift station)

Councilmember Bruner did not believe the infrastructure is equipped to handle the traffic on the streets and that an RS-7 is not what needs to be out there.

Councilmember Skaug said that both sides had good points. I am not for bringing in more subdivision.

Councilmember White said that the safety on Star Road is a big concern.

Councilmember Levi has cocerns on the safety and compatability.

MOVED by Skaug and **SECONDED** by Bruner to **deny the annexation and zoning to RS 7 at 8142 West Ustick Road, 17535 Star Road, 17547 Star Road, and three parcels addressed as 0 Star Road for Engineering Solutions, LLP representing Star Development, Inc.** The Mayor asked for a roll call vote with all Councilmembers voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry opened a **public hearing** for **vacation** of a portion of the Right-of-Way of East Comstock Avenue Bordering **4104, 4108, 4114, and East Comstock Avenue** for **Alan Jacobsen** Representing Joe Kane/St. Alphonsus Medical Center.

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Alan Jacobsen presented the request.

Norm Holm presented a staff report explaining that requested action is for a vacation of a portion of the right of way of East Comstock Avenue bordering 4104, 4108, 4114, and 4118 E Comstock Avenue. To accommodate construction of a new hospital, clinic and associated site improvements including a new public road. New right-of-ways will be constructed and dedicated to the City upon their completion to re-connect the public roads.

Planning & Zoning History: This portion of East Comstock Avenue has been utilized as a developed right-of-way for many years. As stated in the vacation application letter St Alphonsus is seeking the vacation of a portion of East Comstock Avenue to support the development of their new hospital campus. The partial vacation of this right-of-way, in addition to the construction of a new public connector road and intersection to Garrity Boulevard will simplify many of the existing access points to Garrity Boulevard. That portion of the East Comstock right-of-way to be vacated will start at the east boundary of the proposed future public road, which will be dedicated upon the roads completion.

Public Utilities: No sewer mains located in or near the proposed vacation area. 8” & 12” water mains adjacent 4118 East Comstock; No irrigation mains located in or near the proposed vacation area.

Environmental: Approval of the vacation will have no direct affect on properties other than those adjacent the vacation area owned by St. Alphonsus. Other properties further west on E Comstock Avenue will be able to access Garrity Boulevard down North 39th Street or down the new public connector road to be constructed by St. Alphonsus.

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

Planning staff sees no reason why the requested portion of the East Comstock Avenue right-of-way should not be approved as requested.

If the City Council following the public hearing determines to approve the requested vacation of a portion of the right-of-way of East Comstock Avenue the following conditions of approval are recommended:

- 1) As required by the City Engineering Division the applicant shall dedicate right-of-way for and construct the new collector roadway as shown in the attached exhibit.
- 2) The Applicant shall submit an “Idaho Power Application for Release of Easement” form to Idaho Powers’ Corporate Real Estate Department for further review.

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- 3) As required by Idaho Power the vacation of the requested portion of East Comstock Avenue right-of-way shall reserve an easement to Idaho Power for the continued right to operate, maintain, repair, replace, or otherwise modify or add to their facilities within the easement, including the right of ingress and egress thereto.

Those appearing in favor of the request were: John Klopsch, 12635 Woodmat, Colorado Springs; Jeffery Larson, 234 East Ryegate Drive, Meridian.

Those appearing in opposition to the request were: Tim Tyler, 1106 North 39th Street.

Alan Jacobsen presented a rebuttal to the questions.

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

MOTION CARRIED

Councilmember White recused herself from the vote.

MOVED by Raymond and **SECONDED** by Skaug to **approve the vacation** of a portion of the **right-of-way of East Comstock Avenue** bordering **4104, 4108, 4114, East Comstock Avenue** for Alan Jacobsen Representing Joe Kane/St. Alphonsus Medical Center and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with Councilmembers Haverfield, Levi, Bruner, Skaug, Raymond voting **YES**. Councilmember White recused herself. The Mayor declared the

MOTION CARRIED

Mayor Henry opened a **public hearing** for **vacation** of alley and right-of-way **adjacent to 1220 South Ivy Street** for **Zenith Homes**.

The applicant was not in attendance of the meeting.

Norm Holm presented a staff report explaining that the requested action is vacation of the westerly ten feet (10') of the platted [non-developed] alley adjacent to the easterly boundary lines of Lots 5 & 6, Block 160 of Kurtz Addition and adjacent the north half (1/2) of the eighty foot (80') right-of-way of the vacated portion of California Avenue; and, of the easterly ten feet (10') of the eighty foot (80') right-of-way of South Ivy Street adjacent to the westerly boundary of Lots 5 & 6, Block 160 of Kurtz Addition and adjacent the north half (1/2) of the vacated eighty foot (80') right-of-way of California Avenue. In order to "allow more room on the lot" per the Applicant, who further notes that, "The same thing was done on the lot to the south and we would like to continue that" ...

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In order for a private party to convert publicly held [dedicated] right-of-way into "buildable" ground and cause the same to be[come] a part of that party's fee-simple privately owned/controlled land, approval/consent from property owners with land adjoining the right-of-way section proposed for vacation must be obtained as they have a vested interest in the access it provides to their land. At this juncture, the Applicant is understood to be the sole owner of land juxtaposed between the two sections of right-of-way they have applied to the City to have vacated. By virtue then of their applying for said vacation, the Applicant has thus obviously provided de facto consent to vacate.

No set criteria govern the appropriateness of a right-of-way vacation request, the decision being left to the discretionary judgment of the authority (in this case the City of Nampa) hearing the request. A need to protect or serve a public or other vital or prevailing interest (e.g., land access) may serve as rationale to reject a vacation proposal.

Opposition to the endeavor of the Applicant has not been raised by neighbors, City departments or outside agencies (see attached correspondence). Staff has no concerns about this request. We note the comments and requirements of City Engineering respecting this request (a copy of which are hereafter attached).

Should the City Council vote to vacate the land(s) associated with this application as described in certain documents and by exhibit(s) hereafter attached and made a part of this record, then Staff recommends that the Council condition their approval to vacate on Applicant/application compliance with the following Conditions of Approval:

1. That the City of Nampa be provided a perpetual utility easement over, across and through the vacated portion of the alley for the entire 10' width vacated, and, by association;
2. That provision be made to provide City maintenance crews unimpeded access to the alley (including the vacated portion) during development of the Property -- and in perpetuity thereafter ...

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

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

MOTION CARRIED

MOVED by Bruner and **SECONDED** by Levi to **approve** the **vacation** of **alley** and **right-of-way** adjacent to **1220 South Ivy Street** for **Zenith Homes** and condition and authorize the City

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Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry said that the **public hearing** for a increase in wastewater, domestic & irrigation water utility hook-up rates & fees has been tabled.

Mayor Henry opened a **public hearing** for **Intent to Create Local Improvement District 161** for City Utility Extensions and Connections.

Michael Fuss presented a staff report explaining that this LID is voluntary and provides a mechanism to assist individuals pay their pressurized irrigation, domestic water, and or sewer hookup fees through a property assessment with a long-term payment plan and relatively low interest rates.

This LID is voluntary and is implemented upon homeowner's request, at which time an agreement is executed.

The LID is for the cost of extensions and connection fees for City irrigation, domestic water, and sewer hookup fees.

Property owners will be assessed the cost of extensions and connection fees in accordance with standard City irrigation, water, and sewer hookup fees.

\$100,000 is the total estimated cost for the creation of the LID.

Council adopted Resolution 5-2016 to declare the intention to create the LID February 1, 2016 and authorized a public hearing.

Notice of the Public Hearing was published in the Idaho Press Tribune February 8, 9 and 10, 2016.

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

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

MOTION CARRIED

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MOVED by Raymond and **SECONDED** by Skaug to **approve Intent to Create Local Improvement District 161** for City Utility Extensions and Connections and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers voting **YES**. The Mayor declared the

MOTION CARRIED

The following Ordinance was ready by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, TO **MODIFY THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT** TO WHICH THAT CERTAIN REAL PROPERTY COMMONLY KNOWN AS FRANKLIN VILLAGE SUBDIVISION, COMPRISING APPROXIMATELY 129.80 ACRES, MORE OR LESS, IS SUBJECT, DESCRIBED IN ORDINANCE NO. 3280 AND RECORDED ON DECEMBER 17, 2003, AS INSTRUMENT NO. 200377065, RECORDS OF CANYON COUNTY, IDAHO, TO INCORPORATE A NEW PRELIMINARY PLAT AND A MEMORANDUM OF UNDERSTANDING PERTAINING TO THE DONATION AND DEVELOPMENT OF A PARK WITHIN SAID PROPERTY AND AGREED UPON SITE SPECIFIC CONDITIONS; 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 Taunton Group Representing Franklin Village Development, LLC)

The Mayor declared this the first reading.

The Mayor presented a request to pass this ordinance under suspension of rules.

MOVED by Skaug and **SECONDED** by Haverfield to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4230** and directed the clerk to record it as required.

The following Ordinance was ready by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **2214 SUNNY RIDGE ROAD**, NAMPA, IDAHO, COMPRISING APPROXIMATELY .275 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE **ANNEXED** INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE **RS 6** (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 6,000 SQUARE FEET) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA,

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CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215.
(Applicant Charles Collier)

The Mayor declared this the first reading.

The Mayor presented a request to pass this ordinance under suspension of rules.

MOVED by White and **SECONDED** by Skaug to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4231** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **4305, 0, AND 4321 AIRPORT ROAD**, NAMPA, IDAHO, COMPRISING APPROXIMATELY 5.003 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE **ANNEXED** INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE **IL** (LIGHT INDUSTRIAL) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Lanco, Inc. Representing Mission Aviation Fellowship)

The Mayor declared this the first reading.

Mayor Henry said that the resolutions for the hookup fees had been tabled.

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The following Resolution was presented:

Michael Fuss said that this was a house cleaning that in the initial resolution that was passed that it failed to cover the domestic water residential 3" and 4" and larger meter base charge so this resolutions does that.

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

MOVED by Skaug and **SECONDED** by Raymond to pass the **resolution** as presented. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **12-2016** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry a request for **approval** of an **on-premise beer and wine license** for **Pacific Sushi, 624 12th Avenue South** which is within 300 feet of a church.

MOVED by Haverfield and **SECONDED** by Bruner to **approve** the **on-premise beer and wine license** for **Pacific Sushi, 624 12th Avenue South** which is within 300 feet of a church as requested. The Mayor asked for a roll call vote with Councilmembers Skaug, Levi, White, Bruner, Haverfield voting **YES**. Councilmember Raymond voted **NO**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request for notification of a change from **ENTA to ICT** for the Civic Center ticketing.

Civic Center Director John Cantlon presented the following staff report:

ISSUE: ENTA ticketing discontinued their operation on February 29, 2016 and has sold the rights to Best Union and transferred USA license to OMNI leaving NCC without a ticketing venue.

SITUATION:

1. NCC's ticket run is 26,000 tickets per year.
2. We have accepted Idaho Center Ticketing offer merging with the current City RFP.
3. We have IT's approval.
4. We have Legal approval and guidance to notify Council

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PATH:

1. We will add the following fees customary to the ticketing offer per ICT's set up:
 - a. Tax (6%)
 - b. Ticketing fees tiered previously approved.
 - c. Credit card fee (3%)

ACTION FOR COUNCIL:

1. Notification of change with ICT.

Mayor Henry presented a request to **authorize the Mayor to sign a new event booking contract** for the Civic Center.

John Cantlon presented presented the following staff report:

ISSUE: NCC's event booking is the single most business critical element to the operation of the Nampa Civic Center. The current 13 year old Concentrics® software (CS) is having performance restraints with technical issues creating contract delays and adding unwarranted labor.

SITUATION (Based on 900 events):

1. Booking takes 2 hours on average PLUS software crashes occur roughly once per week.
 - a. Yearly labor cost savings of EB over CS is roughly \$36,000.
2. IT Department is frustrated with CS software:
 - a. CS support is limited; one person on the east coast is the support offer.
3. CS does not provide record keeping, invoicing or reporting necessary to business needs.
4. CS does not have common industry booking tools or contact management features.
5. CS is charging a \$1,136 annual fee plus time & labor; about \$5,000 total per year.

PATH:

1. Event Booking has an annual fee of \$6,250 (delta of \$1,250).
2. EB has 24/7 support with real time employee sharing.
3. EB has free software updating inclusive of 500+ venues.
4. EB is web based program.
5. Report tracking and report generation will import into our GL reports.
6. EB allows for forecast projections for all event details including open dates and revenue gaps.

ACTION REQUESTED:

1. Approve a one-time \$8,325 start-up fee for NCC to be operational April 1.
2. Approve EB's \$6,250 annual fee.

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3. Mayor to sign a three year contract by March 8, 2016.

MOVED by Skaug and **SECONDED** by Levi to **authorize** the **Mayor** to **sign** a **3 contract** with **EB** and approve a **one time startup fee** of **\$8,325** to be operational April first and to approve a **\$6,250 annual fee**. The Mayor asked for a roll call vote with all Councilmembers voting **YES**. The Mayor declared the

MOTION CARRIED

The following Resolution was presented:

AN AMENDED ESTIMATE OF EXPENSES AND REVENUES OF THE CITY OF NAMPA, IDAHO FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2015 TO AND INCLUSIVE OF SEPTEMBER 30, 2016, AND NOTICE OF PUBLIC HEARING ON THE PROPOSED AMENDED BUDGET BY THE CITY COUNCIL

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

WHEREAS, a proposed amendment to the budget has been prepared that includes an estimate of expenses and revenues for the fiscal year October 1, 2015 through and including September 30, 2016;

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

ESTIMATED EXPENDITURES			ENTERPRISE & SPECIAL REVENUE FUNDS		
GENERAL FUND					
City Clerk	267,270		911 Fees	987,669	
Code Enforcement	466,759		Airport	570,644	—568,044
Economic Development	456,748		Cemetery	304,042	
Engineering	1,707,306		Civic Center	1,166,963	—1,003,400
Facilities Development	1,153,973		Development Services	1,989,210	—1,691,356
Finance	1,129,989		Downtown Renewal/Electric Franchise Fees	-	
Fire	11,585,241		Family Justice Center	251,011	
General Government	803,528	651,765	Idaho Center	5,071,390	
Tfr to Family Justice Center	224,883		Library	2,123,930	—2,082,553
Tfr to Civic Center	494,588	—345,600	Nampa Recreation Center	3,707,360	—3,349,273
Tfr to Idaho Center	870,351		Parks & Recreation	3,477,914	—3,325,264
			Golf	2,355,146	

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Tfr to Parks & Rec	627,282	618,507	Sanitation Collection	8,685,969	
Human Resource	378,528		Street	10,808,059	10,149,457
Information Technology	2,151,486	2,052,084	Utility Billing	854,037	838,706
Legal	881,000		Wastewater	13,931,578	12,103,629
Mayor & Council	528,466		Water	11,563,547	11,083,947
Parks & Rec Admin	365,786		Workers Comp Fund	63,663	-
Planning & Zoning	487,559		SUBTOTAL	\$67,912,132	\$ 63,914,519
Police	19,408,089				
Public Works Admin	353,929		CAPITAL & DEBT SERVICE FUNDS		
Fleet Management	1,054,443	1,048,443	Capital Projects	1,450,922	896,951
SUBTOTAL	45,397,204	44,982,276	Library Major Capital Campaign	-	
			Development Impact Fees	4,802,142	2,820,400
GRANT FUNDS			GO Bond Debt Service	2,696,900	-
FAA	141,846	108,450	SUBTOTAL	8,949,964	\$ 6,414,251
Federal DOT	266,288	30,664			
Federal HUD	1,342,919	1,196,959	GRAND TOTAL	143,552,781	136,062,433
Other Federal Grants	14,865,553				
State of Idaho & Local Grants	3,778,921	3,777,807			
Private Grants	897,954	771,954			
SUBTOTAL	21,293,481	\$20,751,387			

CITY OF NAMPA, IDAHO

FISCAL YEAR 2016 AMENDED BUDGET

FUND	2014 Actual	2014 Actual	AMENDED	AMENDED	PROPOSED	PROPOSED
	Expenses	Revenue*	2015 Budget	2015 Budget	2016 Budget	2016 Budget
GENERAL FUND			Expenses	Revenue*	Expenses	Revenue*
City Clerk	238,459		251,960		267,270	
Code Enforcement	448,029		361,604		466,759	
Economic Development	707,729		453,027		456,748	
Engineering	1,453,913		1,709,499		1,707,306	
Facilities Development	851,522		1,081,851		1,153,973	
Finance	682,758		710,457		1,129,989	
Fire	12,187,306		11,381,190		11,585,241	
General Government	3,729,485		3,102,869		3,020,632	
Human Resource	328,242		327,107		378,528	
Information Technology	1,129,775		1,289,512		2,151,486	
Legal	876,660		901,000		881,000	
Mayor & Council	480,703		511,123		528,466	

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Parks & Rec Admin	312,471		363,726		365,786	
Planning & Zoning	586,333		447,325		487,559	
Police	18,004,352		19,047,617		19,408,089	
Public Works	553,705		332,949		353,929	
Fleet Management	853,483		824,577		1,054,443	
SUBTOTAL	\$43,424,925	\$43,775,115	\$43,097,393	\$43,098,410	\$45,397,204	\$45,397,204

ENTERPRISE & SPECIAL REVENUE FUNDS

911 Fees	1,313,742	973,867	1,090,896	1,090,903	987,669	987,669
Airport	510,870	549,975	599,202	599,208	570,644	570,644
Cemetery	292,487	280,508	290,763	290,769	304,042	304,042
Civic Center	861,478	921,677	1,063,359	1,063,374	1,166,963	1,166,963
Development Services	1,269,583	1,872,667	1,821,456	1,821,491	1,989,210	1,989,210
Downtown Electric Franchise	407,175	149,988	164,249	164,245		
Family Justice Center	250,670	253,988	246,951	246,955	251,011	251,011
Idaho Center	4,540,011	4,814,352	5,053,201	5,053,201	5,071,390	5,071,390
Library	1,927,475	1,991,350	2,655,521	2,655,575	2,123,930	2,123,930
Nampa Development Corp	16,894,384	3,492,910				
Nampa Recreation Center	2,614,469	3,258,105	4,165,086	4,165,129	3,707,360	3,707,360
Parks & Recreation	2,785,452	3,006,319	3,009,242	3,009,299	3,477,914	3,477,914
Golf	2,124,985	2,393,860	2,402,894	2,402,923	2,355,146	2,355,146
Sanitation Collection	8,012,005	8,024,005	8,050,000	8,050,000	8,685,969	8,685,969
Stormwater Utility						
Street & Traffic	6,751,075	6,200,627	9,620,415	9,620,487	10,808,059	10,808,059
Utility Billing	899,463	973,741	820,406	820,424	854,037	854,037
Wastewater	9,112,773	13,395,871	17,454,271	17,454,391	13,931,578	13,931,578
Water	6,954,591	7,870,684	12,273,345	12,273,439	11,563,547	11,563,547
Workers Comp	243,476	920,664	61,236	61,238	63,663	63,663
SUBTOTAL	\$ 67,766,164	\$ 61,345,158	\$70,842,493	\$ 70,843,051	\$ 67,912,132	\$ 67,912,132

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GRANTS & DONATIONS

FAA Grants	78,787	78,787	915,765	915,765	141,846	141,846
Federal DHS-Homeland Security	30,059	30,059	55,950	55,950	308,250	308,250
Federal DHHS						
Federal DOE						
Federal DOI	9,150	9,150	5,654	5,654		

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Federal DOJ Grants	440,686	426,875	466,864	466,866	236,233	236,233
Federal DOT Grants	295,495	295,495	286,225	286,225	266,288	266,288
Federal EPA Grants	1,233	1,233	2,800,000	2,800,000	14,321,070	14,321,070
Federal Corporation For National & Community Service	3,844	3,844				
Federal HUD Grants	856,251	856,251	1,150,696	1,150,710	1,342,919	1,342,919
Federal USDA						
Federal Dept of Education						
Federal National Endowment						
Institute of Museums & Library	2,858	2,858				
Private Grant/Contributions	77,402	24,600	300,300	300,300	897,954	897,954
State Grants	2,268,329	2,268,329	9,420,142	9,420,142	2,083,842	2,083,842
Local Municipalities Grants	142,460	142,460	1,168,792	1,168,792	1,695,079	1,695,079
SUBTOTAL	\$ 4,206,554	\$ 4,139,941	\$16,570,388	\$ 16,570,404	\$ 21,293,481	\$ 21,293,481
CAPITAL PROJECTS & DEBT SERVICE FUNDS						
Capital Projects	616,322	965,026	1,132,235	1,132,235	\$ 1,450,922	\$ 1,450,922
Library Major Capital Campaign	293,554	492,678	455,235	455,235		
Development Impact Fees	633,104	1,251,758	3,865,000	3,865,000	\$ 4,802,142	4,802,142
GO Bond Debt Service	2,743,481	2,755,976	2,798,575	2,798,575	\$ 2,696,900	2,696,900
SUBTOTAL	\$ 4,286,461	\$ 5,465,438	\$ 8,251,045	\$ 8,251,045	\$ 8,949,964	\$ 8,949,964
TOTAL	\$119,684,104	\$114,725,652	\$138,761,319	\$ 138,762,910	\$143,552,781	\$ 143,552,781
*Amount from property tax		38,454,080		34,903,674		36,201,477

I, Deborah L. Bishop, City Clerk of the City of Nampa, Idaho do hereby certify that this is a true and correct statement of the amended expenditures and revenues for the fiscal year 2015-2016. Citizens are invited to attend the budget hearing on March 21, 2016 at 7:00 p.m. and have the right to provide written or oral comments concerning the entire City Budget. A copy of the proposed City amended budget in detail is available in the Nampa Finance Office at City Hall for inspection during regular office hours, Monday through Friday from 8:00 a.m. to 5:00 p.m.

MOVED by Skaug and **SECONDED** by Haverfield to pass the **resolution** as presented. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **13-2016** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request for **approval** and **authorize** the **Mayor** to **sign a contract** for **11370 Smith Avenue** property purchase for a dog park.

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Parks and Recreation Director Darrin Johnson presented a staff report explaining that in the FY 2016 Budget, City Council approved funding for the purchase of land for a second City of Nampa Dog Park. Nampa Parks and Recreation staff have identified property to purchase for a future Dog Park. The proposed property is 9.58 acres and it is located in the west part of Nampa within the city limits. The property address is 11370 Smith Avenue Nampa Idaho. Attached are vicinity maps giving detail to the location.

Nampa's current dog park, developed and opened to the public in 2009, is located in east Nampa off of Amity Road. The park has been such a success that it is overused and the turf is difficult to maintain because of the high traffic. An additional dog park in our City will offer a convenience to residents in the west part of our City as well as help us plan for a growing population.

Nampa Parks and Recreation staff feel it is important to secure land for a future dog park. No start date for construction is planned but the park will be built when funding is available.

Staff request that the Purchase and Sale Agreement be signed over from Lanco, Inc. to the City of Nampa. It is also requested Nampa City Council take action and approve the purchase and closing on the property described for the amount of \$147,000.

Councilmembers asked questions of staff.

David Bills assisted the staff member in the answering the questions that were asked.

MOVED by Bruner and **SECONDED** by Haverfield to **accept the purchase of the sale agreement** and be assigned over to the City of Nampa from Lanco Inc. in the amount of \$147,000 **authorize the Mayor to sign the purchase sale agreement.** 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 **approve the district budget factor determination for contract services** for the year **2017** from the **Nampa Fire Protection District**.

Nampa Fire Chief Karl Malott presented a staff report explaining that each year, prior to February 28th, the calculation is established and is then transmitted to the City Council. In the mid 1990's the city and the rural district came to an agreement to contract services for fire and EMS coverage. The formula is calculated by averaging the Assessed Valuation for 2015, the 2015 population, and the 3 year call volume. Those three averages are then averaged to come up with the Budget factor. The population is established by Intermountain Demographics. This factor seems to be an equitable way to calculate the budget factor with a very tangible formulation which is something we often times lack when justifying cost share of services.

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2017 Fire District Budget Factor Calculations			
	City	Fire District	2017
Assessed Valuation	\$3,874,920,956	\$932,488,114	19.40 %
Population	89,211	19,209	17.72%
3 Year Call Volume	22,730	2,756	10.81%
		Budget Factor	15.98%

2016 Fire District Budget Factor Calculations			
	City	Fire District	2016
Assessed Valuation	\$3,674,162,061.00	\$888,014,526.00	19.46%
Population	85,976	19,061	18.15%
3 Year Call Volume	21,682	2,709	11.11%
		Budget Factor	16.24%

Assessed Value Change	5.46%	5.01%	
Population Change	3.76%	0.78%	
Call Volume Change	4.83%	1.73%	
	City	Fire District	Totals
2013 calls	7,173	848	8,021
2014 calls	7,284	908	8,192
2015 calls	8,273	1,000	9,273
Total	22,730	2,756	

MOVED by Haverfield and **SECONDED** by White to **accept** the **budget factor** as presented. The Mayor 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 **Mayor** to **sign** the **contract** with **West Valley Humane Society**.

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Police Chief Joe Huff presented a staff report explaining that in January 2016, I met with the Director of the West Valley Humane Society (WVHS) reference the City of Nampa and WVHS . Agreement Regarding the Animal Shelter.

The following are the proposed changes for the contract:

Section 2. Term and Termination: Term date changed from January 2017 to December 2016.

Section 6. Compensation: Fee changed from twenty-five dollars (\$25.00) per day per animal to twenty dollars (\$20.00) per day per animal.

Section 7. Licensing: City will pay WVHS six dollars (\$6.00) for each initial license issued and may charge a fee to two dollars to the customer for licensing.

Section 13. City Representative on WVHS Board of Directors: City shall be entitled to have a representative chosen and appointed by the Mayor to serve on the WVHS Board of Directors.

City of Nampa currently does not have a representative serving on the WVHS Board of Directors. It is my suggestion that Captain Brad Daniels be appointed to serve on this board.

If these changes to the contract are approved, the City of Nampa and the City of Caldwell will have identical contracts with WVHS. Having identical contracts would add clarity and uniformity to our departments.

MOVED by White and **SECONDED** by Haverfield to **authorize** the **Mayor** to **sign** the **contract** with **West Valley Humane Society** as requested. The Mayor asked for a roll call vote with all Councilmembers voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** a **consulting contract** with **EIDE Bailly**.

Finance Director Vikki Chandler presented a staff report explaining that the proposal from Shelley Earsley with Eide Bailly for reviewing our business processes prior to requirements gathering for the request for proposal in our software search. This is the initial phase of determining what can or should be changed in our business processes that may relate to several factors:

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- It's been too much work to change.
- We haven't known how to change for the better.
- Our current software hasn't allowed for change.
- We thought it had to be done this way.
- We can't find the information without this duplicative method.

It is crucial to proceed with this analysis in order to avoid carrying with us the burden of old, inefficient habits or duplicative work simply due to a lack of review. It is entirely possible that without this review we would move forward and require new software to replicate these inefficiencies or to spend time with a new vendor identifying how to make them work when we should simply eliminate them.

We have chosen Ms. Earsley because she did the analysis of the software last summer and included several astute observations in her work that illustrated the value of proceeding now with this additional analysis by her and her team. She works in a timely, efficient fashion and will help us proceed to the next phase of our RFP process without delays and help us gain efficiencies for the step.

MOVED by Haverfield and **SECONDED** by Skaug to **authorize** the **Mayor** to **sign** the **consulting contract** with **EIDE Bailly** as requested. The Mayor asked for a roll call vote with Councilmembers Levi, White, Raymond, Skaug, Haverfield voting **YES**. Councilmember Bruner **ABSTAINED**. The Mayor declared the

MOTION CARRIED

The following Resolution was presented:

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**. (Police)

MOVED by Levi and **SECONDED** by Haverfield to pass the **resolution** as presented. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **14-2016** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **award** the **bid** and **authorize** the **Mayor** to **sign** the **contract** for the **Police body cameras**.

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Brandon Chaney presented a staff report explaining that the Reward of RFP for 50 additional/replacement body worn cameras for the Police Department in support of the City of Nampa.

Executive Summary: Many of the existing body worn cameras are broken and nearing the end of their usable life, having been in use for more than 5 years. The Police Department published an RFP for 50 additional cameras, and received 4 responses. Of those, two were disqualified due to not meeting the RFP specifications. Attached is the rating sheet of the 4 RFP respondents from the Selection Committee. If you have any questions, we would be happy to answer them at your convenience.

Recommendation: Based on the responses provided, feedback from the officers, and our analysis of the products those vendors can provide to our unique enterprise infrastructure, the IT Director and Chief of Police recommend that we proceed with notice of award to Watch Guard Technologies and begin negotiations on final pricing and contract terms and conditions.

Legal Disclaimer: The IT Department consulted with the City Attorney to ensure that the our evaluation and rating criteria were in line with all procurement regulations and best practices.

MOVED by Haverfield and **SECONDED** by Skaug to **award the bid and authorize staff to begin contract negotiations** as requested. The Mayor asked all in favor say aye with all Councilmembers voting **AYE**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request **authorize** the **Mayor** to **sign** a **task order** for the **design** of the **Indian Creek Maintenance Project** with **TO Engineers** for the Amount of **\$32,066** for Parks and Recreation.

Parks and Recreation Director Darrin Johnson presented a staff report explaining that a segment (see attached illustration) of the Indian Creek pathway has been significantly damaged by erosion. Stormwater does not drain properly and the pathway has become flooded in heavy rain causing ongoing damage. Without repairs the stability and safety of the existing trail is threatened.

The City of Nampa received a Recreation Trails Program Grant. The grant funding will allow us to move forward with a project that will repair the trail issues. The project is estimated to cost \$177,903 and the grant will cover \$97,903 of the project. Construction is expected to begin in the fall of 2016 or spring of 2017.

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Included in the grant application was the design and project management for the project. Attached is detail and scope of design work. We request action from Nampa City Council to approve the task order with TO Engineers for the amount of \$32,066.

MOVED by Haverfield and **SECONDED** by Skaug to **authorize** the **Mayor** to **sign** the a **task order** for **design** of the **Indian Creek Maintenance Project** with **TO Engineers** in the amount of **\$32,066** for Parks and Recreation Department as requested. The Mayor asked for a roll call vote with all Councilmembers voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign** a **task order** and **contract** for the **Storm Water Repairs – Taffy Drive** and **67 Peppermint Project** with **Mason and Stanfield, Inc.**

Michael Fuss presented a staff report explaining that in the major storm of 2013 29 stormwater locations were flooded or washed out. All emergency/imminent life safety repairs were made. The remaining repairs are addressed in the annual Asset Management cycle.

For FY2016 two projects were identified at Taffy Drive and 67 Peppermint.

The collection swale on Taffy Drive was constructed in 2003 to handle storm water from the Sugar Manor Subdivision No. 6 development. The swale was designed to allow storm water to infiltrate into the ground. Any excess storm water that cannot be infiltrated is discharged directly into Indian Creek. Over time the swale has filled in and eroded and can no longer function as intended. Additionally the swale is causing erosion damage to the adjacent pathway along Indian Creek.

The Peppermint Drive storm water detention pond was constructed in 1993 to maintain pre-development discharge to Indian Creek with the Sugar Manor Subdivision No. 3 development. The pond is designed to collect storm water from the area and discharge it at a constant rate to Indian Creek. Over time the pond has filled in and it cannot contain an adequate volume of storm water. Additionally the collection system is deficient and prone to clogging which can cause flooding in the street.

Mason and Stanfield Inc. have been selected by interview to design the project and assist the City with bid and construction requests for information.

The Culvert Repairs projects have an approved FY16 Streets Division budget of \$350,000.

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Design & Inspection	\$	40,958
<i>Construction Services Estimate</i>	\$	<i>25,000</i>
<i>Construction Estimate</i>	\$	<i>284,000</i>
Total	\$	349,958

Mason and Stanfield Inc. has provided an initial Scope of Work and Labor Estimate to provide design and construction support services for \$40,958 (Exhibit B).

Construction services are expected to be provided by HDR.

MOVED by Haverfield and **SECONDED** by Bruner to **authorize** the **Mayor** and **Public Works Director** to **sign** a **Task Order** and **Contract** to provide *design and construction support services* for the **Storm Water Repairs** – Taffy Drive and 67 Peppermint project in the amount of **\$40,958** (T&M N.T.E.). The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** a **citywide fuel professional services contract agreement** with **Gem Stop Co.**

Micheal Fuss presented a staff report explaining that the goal is to establish a citywide fueling contract with a vendor that offers multiple points of sale to be used by all city vehicles.

Fleet Services estimates an annual citywide fuel purchasing cost of approximately \$500,000.00.

Fuel will be purchased by various divisions using current budget lines.

On August 3, 2015 Council authorized Fleet Services Division to proceed with Request for Proposals (RFP) for a Citywide Fuel contract.

The RFP was sent to four (4) potential fuel vendors:

- Gem Stop Company
- Jackson's Food Stores, Inc.
- Maverik
- Stinker Stores

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2 proposal packets were received from Gem Stop Company and Maverik.

The Evaluation Committee (Michael Fuss, Douglas Adams, Brad Daniels and Karl Malott) completed the evaluation process.

- The committee recommended final selection of Gem Stop Company.

Both proposals were for discounts of \$0.10 per gallon. The primary determining factor was Gem Stop provided significantly more fueling locations.

On November 16, 2015 Council accepted the final selection and authorized staff to proceed with negotiations.

A contract (exhibit A) has been agreed upon and the City Attorney and staff recommend authorization.

MOVED by Haverfield and **SECONDED** by Levi to **approve** and **authorize** the **Mayor** to **sign** a **Citywide Fuel Professional Services Contract Agreement** with **Gem Stop Co.** The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

Mayor Henry presented a request to **authorize** the **Mayor** to **sign** a **Public Highway At-Grade Crossing Improvement Agreement** with **UPRR** for the **6th Street North** and **Waterline Improvements**.

Michael Fuss presented a staff report explaining that Engineering, as part of the FY16 Public Works Asset Management Program, identified 6th Street North from 16th Avenue North to 1st Avenue North as a failed roadway and in need of rehab or reconstruction.

6th Street North has two UPRR crossings between 3rd and 4th Avenue North. The east crossing near 4th Avenue North is deteriorated and in need of full reconstruction (see Vicinity Map, exhibit A)

A standard form UPRR Public Highway At-Grade Crossing Improvement Agreement must be authorized by the City in order for the improvements to move forward (see exhibit B). The Agreement includes the following key provisions:

- The design and construction work is to be completed by UPRR and paid for by the City of Nampa.
- The estimated construction cost to replace the ballast section, concrete, rails and asphalt is \$204,990.
- The City must pay an administrative handling charge of \$1,000 upon execution of the agreement.

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- o Total estimated cost of the Agreement is \$205,990.

The Agreement cost will be paid out of FY16 Streets. The estimated project costs are as follows:

Roadway Reconstruction (includes UPRR Agreement)	\$ 1,444,000.00
Water & Pressure Irrigation Replacement	\$ 660,000.00
T.O. Engineering Design Services	\$ 224,219.00
HDR Engineering CE&I Services	<u>\$ 148,744.48</u>
<i>Total</i>	<i>\$ 2,476,963.48</i>

Construction is anticipated in the summer of FY16, concurrently with the 6th Street North Reconstruction.

T.O. Engineers, staff, and the City Attorney recommend authorization.

MOVED by Skaug and **SECONDED** by Haverfield to **authorize** the **Mayor** to **sign** the **Public Highway At-Grade Crossing Improvement Agreement** with **UPRR** for the **6th Street North Roadway** and **Waterline Improvements** (16th Avenue North to 1st Avenue North) in the amount of **\$205,990**. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **award bid** and **authorize** the **Mayor** to **sign** a **contract** for the **FY 16 Storm Drain Inspection Project** with **Pipeline Inspection Services, Inc.**

Michael Fuss presented a staff report explaining that the Environmental Compliance Division has an approved budget of \$150,000 for the FY 16 Storm Drain Inspection project.

The project will include inspection of city storm drain lines in asset management zone C in order to identify the condition of the lines and prioritize repairs.

On February 1, 2016 Council gave consent for staff to proceed with the bid process for the FY 16 Storm Drain Inspection project.

The bid was written so that inspection of the lines is based on size, starting with the largest. Staff do not anticipate that the currently approved budget will allow for inspection of all lines within the zone.

The City received one (1) bid in the amount of \$194,344.15 from Pipeline Inspection Services.

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The Engineering and Environmental Compliance Divisions will manage the contract to only spend the budgeted amount.

Due to the unknown amount of heavy cleaning and root cutting that will be necessary, staff is unable to prepare an accurate change order at this point. A deductive change order will be executed at the end of the project to bring the contract value down to no more than \$150,000.00.

The Engineering Division recommends award of the contract.

Councilmembers had questions on the amount.

MOVED by White and **SECONDED** by Raymond to **award the bid and authorize the Mayor to sign a contract** for the **FY 16 Storm Drain Inspection Project with Pipeline Inspection Services, Inc.** in the amount of **\$194,344.15** with the understanding that no more than \$150,000.00 will be spent on the project. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **award the bid and authorize the Mayor to sign a contract** for the **FY 16 Zone A** residential chip/crack seal maintenance project with **Emery, Inc.**

Michael Fuss presented a staff report explaining that the Public Works Department implemented the Pavement Management Program, part of the overall Asset Management Plan, in 2008 to strategically preserve the city's transportation infrastructure.

The goal is to extend the life of roadways using lower cost maintenance treatments before they fall below a critical Pavement Condition Index (PCI) level. Costs increase steeply when maintenance is deferred below this threshold.

Streets and Engineering Divisions assessed the condition of roadways in FY16 Zone A and identified appropriate maintenance treatments.

Based on PCI data and other criteria, staff selected roadways within Kensington Place and Lyonsdale Park Subdivisions (See Exhibit A).

City Council authorized \$300,000 to fund residential roadway maintenance from the FY16 Streets Pavement Management budget.

A design services contract was approved with Paragon Consulting Inc. for \$24,975 for design, bid preparation and inspection services.

On January 19, 2016, City Council authorized the bidding process for the project.

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The City received two (2) bids (Exhibit B) from:

- Emery, Inc.
- C&A Paving Company, Inc.

Emery Inc. was the apparent low bidder at \$224,970.00. All necessary public bidding requirements appear to be satisfied.

Total project cost estimate:

Engineering and Construction Services	\$24,975
Construction Costs	<u>\$224,970</u>
Total	\$249,945

Construction will start in the summer 2016.

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

Paragon Consulting and Engineering Division staff have reviewed the bids and recommend award to Emery, Inc.

MOVED by Haverfield and **SECONDED** by Levi to **award the bid**, and **authorize the Mayor to sign a contract** for the **FY16 Zone A Residential Chip/Crack Seal Maintenance Project** with **Emery, Inc.** in the amount of **\$224,970.00**. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **award the bid** and **authorize the Mayor to sign a contract** for the **Pump Maintenance Projects (FY16)**.

Michael Fuss presented a staff report explaining that each year as part of the City's Asset Management Program, the Water Division identifies pumps and motors for preventative maintenance. For fiscal year 2016 (FY16) the Water Division has identified ten (10) irrigation pumps and one (1) domestic water pump for preventative maintenance (see Exhibit A).

Three of the stations need electrical upgrades to alleviate overheating of various components. Additionally, the Idaho Power meters at all three stations are obsolete and need to be replaced. In addition to construction costs, a portion of the work must be provided by Idaho Power.

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The electrical work will be bid as added alternates due to budget limitations. Any electrical work that cannot be accommodated by the available budget will be held off until fiscal year 2017.

The City solicited formal bids for the project in accordance with I.C. §67-2805(3). Two (2) contractors responded with the following bids:

- | | |
|------------------------|--------------|
| ○ Layne of Idaho, Inc. | \$106,163.90 |
| ○ Riverside, Inc. | \$126,369.12 |

The apparent low bid from Layne of Idaho, Inc., (Layne) was deficient in the following respects:

- Failure to return completed Bid Form. The Bid Form submitted by Layne was missing the first two pages.
- Failure to complete all blanks on the Bid Form. Of particular significance is that the Bid Form contained blanks on the first page, one of the pages missing from Layne's submittal. That page required Layne to acknowledge a careful study of the Bid Documents and associated information relevant to the Project as a precedent to submitting a bid. Layne also failed to provide subtotals for alternate bid items within the project.
- Failure to acknowledge a careful study of all Bid Documents.
- Failure to acknowledge a careful study of all data identified in the Bid Documents.
- Failure to acknowledge receipt of an Addendum to the Bid Documents.
- Failure to qualify as the "successful bidder" as that term is defined at Section 1.01C of the Instructions to Bidders. This Section provides that the successful bidder must submit a conforming bid.

Pursuant to Section 19.03 of the Instructions to Bidders, Nampa must consider whether or not the bid received from Layne complies with the prescribed requirements of the Bid Documents. Pursuant to Section 19.01, Nampa reserves the right to reject nonconforming and nonresponsive bids. While Nampa may waive "informalities not involving price, time, or changes in the Work," City staff does not feel that the number and scope of the foregoing bid deficiencies can be characterized as informalities.

The failure to acknowledge a careful study of relevant Project documents and data may very well affect Layne's ability to complete the work within the required time frame and without modifying the scope of work or contract price through change orders.

Several items in the Layne bid have been deemed by Nampa staff to be nonconforming, nonresponsive, and furthermore, not the kind of informalities that Nampa can or should waive.

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For this reason, staff recommends rejection of the Layne bid and award of the contract to Riverside, Inc. for \$126,369.12.

The Pump Maintenance Projects (FY16) is funded by the Water Division out of operational funds. There is approximately \$160,000 available to accomplish the projects.

Engineering	\$ 28,700
Observation Estimate	\$ 12,000
Construction Base Bid	\$ 105,309
Idaho Power	\$ 8,881
Priority One Work	\$ 12,179
Total	\$ 167,069

Notice of this decision was delivered to Layne and Riverside on March 2, 2016, pursuant to Idaho Code §67-2805(3)(a)(ix).

Councilmembers asked about the costs.

City Attorney Mark Hilty explained that the statute that is applicable here requires that if you do not go with the apparent low bidder then you have to articulate the reasons why on the record and what I would ask you to is simply adopt the reasoning set forth in the Engineering departments memo. Then that decision is communicated to all of the bidders and the low bidder would have a period of 7 day of which to file and objection. If they do file and objection then they would have to be heard before City Council and we would not be able to go forward on the contract until that hearing takes place.

MOVED by Skaug and **SECONDED** by Haverfield to and **authorize** the **Mayor** and **Public Works Director** to **sign** a **contract** with **Riverside, Inc.**, to construct the **Pump Maintenance Projects** (FY16) for **\$126,369.12** **adopt the following finding** - the apparent low bid from Layne of Idaho, Inc., (Layne) was deficient in the following respects: Failure to return completed Bid Form. The Bid Form submitted by Layne was missing the first two pages. Failure to complete all blanks on the Bid Form. Of particular significance is that the Bid Form contained blanks on the first page, one of the pages missing from Layne's submittal. That page required Layne to acknowledge a careful study of the Bid Documents and associated information relevant to the Project as a precedent to submitting a bid. Layne also failed to provide subtotals for alternate bid items within the project. Failure to acknowledge a careful study of all Bid Documents. Failure to acknowledge a careful study of all data identified in the Bid Documents. Failure to acknowledge receipt of an Addendum to the Bid Documents. Failure to qualify as the "successful bidder" as that term is defined at Section 1.01C of the Instructions to Bidders. This

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Section provides that the successful bidder must submit a conforming bid. Pursuant to Section 19.03 of the Instructions to Bidders, Nampa must consider whether or not the bid received from Layne complies with the prescribed requirements of the Bid Documents. Pursuant to Section 19.01, Nampa reserves the right to reject nonconforming and nonresponsive bids. While Nampa may waive "informalities not involving price, time, or changes in the Work," City staff does not feel that the number and scope of the foregoing bid deficiencies can be characterized as informalities. The failure to acknowledge a careful study of relevant Project documents and data may very well affect Layne's ability to complete the work within the required time frame and without modifying the scope of work or contract price through change orders. Several items in the Layne bid have been deemed by Nampa staff to be nonconforming, nonresponsive, and furthermore, not the kind of informalities that Nampa can or should waive . The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

The following three Ordinance were presented by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, CORRECTING ORDINANCE 3081 BY ANNEXING A PORTION OF THE NAMPA MERIDIAN IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION DISTRICT OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND CHANGING THE BOUNDARIES THEREOF; AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY. (4232)

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, CORRECTING ORDINANCE 4219 BY ANNEXING A PORTION OF THE PIONEER IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION DISTRICT OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND CHANGING THE BOUNDARIES THEREOF; AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY. (4233)

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, CORRECTING ORDINANCE 4222 BY ANNEXING A PORTION OF THE PIONEER IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION DISTRICT OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND CHANGING THE BOUNDARIES THEREOF; AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY. (4234)

MOVED by White and **SECONDED** by Haverfield to **pass** the preceding three ordinance under suspension of rules and approve the Summary of Publication for all. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered them **4232, 4233 and 4234** and directed the clerk to record it as required.

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The following Ordinance was read by title:

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

The Mayor declared this the first reading.

The Mayor presented a request to pass this ordinance under suspension of rules.

MOVED by White and **SECONDED** by Haverfield to **pass** the preceding ordinance under suspension of rules and approve the Summary of Publication. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4235** and directed the clerk to record it as required.

Mayor Henry presented a request to **authorize** the **Mayor** and **Public Works Director** to **sign** a **Task Order** with **Advanced Control Systems, LLC** for **Consultant Software Support Services** for **Ignition SCADA Upgrade** at **Water Division**.

Michael Fuss presented a staff report explaining that the Public Works Water Division is converting its Supervisory Control and Data Acquisition (SCADA) system operating software from Wonderware to Ignition.

The conversion will reduce overall software costs and create common software between Wastewater operations, Wastewater collections, Water and Irrigation utilities.

Currently, Water Division's software support services is contracted with Advanced Control Systems, LLC (ACS).

City Staff and ACS have agreed upon a scope of work and fee to provide consultant software support services for the Water Division's Ignition SCADA upgrade in the amount of \$34,006.00. Funding will be provided by Water Division's fiscal year 2016 budget.

MOVED by Haverfield and **SECONDED** by Skaug to **authorize** the **Mayor** and **Public Works Director** to **sign** a **Task Order** (see Exhibit A) with **Advanced Control Systems, LLC** in the amount of **\$34,006.00** (T&M NTE), for consultant software support services for **Ignition SCADA upgrade** for the **Water Division**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

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The following resolution was presented:

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.** (WWTP)

MOVED by Haverfield and **SECONDED** by Bruner to pass the **resolution** as presented. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **15-2016** and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **authorize the Parks & Recreation Department to purchase an Inclusive Playground Equipment for Lions Park.**

Darrin Johnson presented a staff report explaining that in the FY 2016 Budget City Council approved the purchase and construction of an Inclusive Design Playground structure at Lions Park. The Inclusive Design Playground goes beyond the minimum ADA requirements and allows all children the opportunity to participate. This proposed playground replaces equipment that is old and outdated.

The cost of the playground structure is \$380,794.41. The funding for the playground comes from three sources that include the City of Nampa FY 2016 Budget, a Community Development Block Grant and a donation from Republic Services of Idaho. Itemized funding is listed below.

City of Nampa FY 2016 Budget	\$213,846.41
Community Development Block Grant	\$151,337.00
Republic Services of Idaho	\$15,611.00
Total	\$380,794.41

The Playground is purchased through the GSA, a Cooperative Competitive purchasing program, and the supplier is Recreation Today of Idaho. Recreation Today of Idaho is a local Nampa company that supplies and constructs playgrounds throughout the region.

Nampa Parks and Recreation staff request action from City Council to approve the purchase and installation of an inclusive playground for the amount of \$380,794.41.

MOVED by White and **SECONDED** by Haverfield to **authorize Parks and Recreation staff** to purchase and install the inclusive playground for the amount of \$380,794.41. The Mayor asked all in favor say aye with all councilmembers voting **AYE**. The Mayor declared the

MOTION CARRIED

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The following Ordinance was read by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAMPA, IDAHO, TO **CREATE LOCAL IMPROVEMENT DISTRICT NO. 161** FOR NAMPA, IDAHO, FOR **CITY UTILITY EXTENSIONS AND CONNECTIONS**; PROVIDING FOR THE LEVYING OF ASSESSMENTS UPON THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS AND FOR THE BASIS OF MAKING SAID ASSESSMENTS; SETTING FORTH THE PROPERTIES TO BE INCLUDED IN SAID DISTRICT; AND PROVIDING FOR MAKING THE ASSESSMENT ROLL.

The Mayor declared this the first reading.

The Mayor presented a request to pass this ordinance under suspension of rules.

MOVED by Raymond and **SECONDED** by Levi to **pass** the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4236** and directed the clerk to record it as required.

Mayor Henry presented a request to **authorize the Ford Idaho Center General Manager to sign a lease renewal agreement on three copiers.**

Vikki Chandler presented a staff report explaining that this proposal is for the replacement of the current lease on three Xerox Copiers at the Ford Idaho Center, with equipment of similar size and capability. Expected cost is a Five year Lease at \$540.20 for 60 months, with a \$1 buyout at the end of the term. Annually, this equates to a cost of \$6,480 or \$180 per month per piece of equipment.

The arrangement being renewed is with Boise Office Equipment, who offer as sponsorship, free maintenance and supplies on these three pieces of equipment. The current lease is at the same cost, so the equipment is holding steady in terms of price (and has been budgeted for in the past three Operating Budgets.) The sponsorship includes a lighted sign in the Arena, as well as a large banner. Trade value for the service and supplies equals \$3,800 annually.

Capitalized Requested: \$32,400.

MOVED by Haverfield and **SECONDED** by Levi to **authorize the General Manager to sign a lease renewal agreement for three copiers for the Ford Idaho Center.** The Mayor asked all in favor say aye with all councilmembers voting **AYE**. The Mayor declared the

MOTION CARRIED

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MOVED by Haverfield and **SECONDED** by Skaug to **adjourn** into **Executive Session** at 10:34 p.m. pursuant **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 Skaug to **conclude** the **Executive Session** at 10:50 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

The Mayor adjourned the meeting at 10:51 p.m.

Passed this 21st day of March, 2016.

MAYOR

ATTEST:

CITY CLERK