

REGULAR COUNCIL

July 5, 2016

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

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

Mayor Henry amended the agenda by removing item #3 under new business - Authorize the Rejection of all Bids and Republish an RFP for the Acquisition of Body Worn Cameras; and by adding item #13 Approval of New Contract with Neurlink for the Nampa Fire Department under New Business.

**MOVED** by Haverfield and **SECONDED** by Skaug to **approve the Consent Agenda with the above mentioned amendments; Regular Council Minutes of June 20, 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) River Meadows Subdivision No. 4 on the west side of S Happy Valley Rd north of E Locust Lane. (Located in the SE ¼ of Section 1 T2N R2W BM -52 lots on 13.51 acres, 3.85 lots per acre), for Corey Barton Homes, Inc.; 2) Granite Basin Subdivision No. 4 on the north side of Lone Star Rd. North of Granite Basin Subdivision No. 1 (Located within the SE ¼ of Section 20 T3N R2W BM -25 lots on 6.82 acres, 3.67 lots per acre) for Hubble Homes; 3) Subdivision Short Plat Approval for East Florida Subdivision in an RS-6 zoning district at 1616 E Florida Ave. (2 single family residential lots on .72 acres, 2.78 dwelling units per acre -A portion of the NW ¼ Section 35 T3N R2W BM), for Blake Wolf; and **authorize** the following **public hearings:** 1) Comprehensive Plan Map Amendment from Medium Density Residential to Community Mixed Use and Annexation and Zoning to BC at the NE corner of Madison Rd and Ustick Rd. (A 1.52 acre portion in the SE 1/4 Section 34 T4N R2W, Lots 1 and 2, Block 1 of Frosty Acres Subdivision), for Mark L Hess, representing Jerry Hess; 2) Rezone from IP and BC to IL at 415 N Kings Rd. (A 2.18 acre portion in the NE 1/4 Section 23 T3N R2W, Plat A, Tax 16156 in Lot 1, for West Valley Construction, representing H M Clause, Inc.; **Approve the following agreements:** 1) None; **Authorization to Proceed with the Bidding Process:** 1) Indian Creek Pathway Maintenance Project; 2) Well 5 Upgrades Project; Monthly Cash Report; **Resolutions – Disposal of Property with Value Under \$1,000.00:** 1) Police Department Vehicles; and **2015-2016 Licenses:** (all licenses subject to police approval): **None; approval of the agenda.** The Mayor asked for a roll call vote with all Councilmembers present voting **YES.** The Mayor declared the

MOTION CARRIED

Kelli Fairless with Valley Regional Transit (VRT) did a presentation on Valley Regional Transit, we are the regional public transportation authority. We were formed by citizen referendum in 1998 or 1999 officially is when the board started meeting. We are accountable to local governments and that's is why we rely on local governments for our funding and that is the reason that I am here today to discuss the possibility of reducing funds to Valley Regional Transit and what the effect of the decision maybe.

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The Nampa services are thru Nampa and Caldwell are connected together in a single route that has actually has a few buses on it to try to create the frequencies we are just about to shift some of the service from one of our services that will go away in Canyon County and be able to offer a thirty-minute frequency in between Nampa and Caldwell and then an hour frequency n the south and north of Nampa and then an hour frequency kind of what we call our bowties on the other end. Those are the services that are scheduled to into effect in August. That came about from originally we lost service in 2010 due to some budget cuts, right after the recession and so we ended up pulling one of the buses off that local Canyon County route, which was about 33 hours of service.

Two years before that service cut we had about 36% increase in ridership between 2008 and 2009 and 2010 right after the service cut we saw a drop in ridership of about 8.5% and in 2013 we started to see the ridership comeback. This year we are planning on restoring that route not by adding budget but taking and reallocating other hours of service from unproductive routes to that.

We were anticipating actually seeing an increase in ridership this year and I also know that there were some questions about the ridership and the drops in ridership. One of the things that we have been evaluating is our fairbox system. We just in this last week have looked at even the collection of revenue over the last couple of years, because the ridership drops seem so drastic. One of the issues that we have with our Canyon County system is there are several fairboxes that are way beyond their useful life and they are scheduled to be replaced this year. They are causing data issues and when we moved into the facility at Happy Day Transit Center we lost a lot of data and we think that there is an issue with the way the ridership is being calculated. We did have the operations folks go back and look at because they are telling us that they are collecting the same amount of revenue and you can't collect the same amount of revenue and have drops in ridership unless you are getting your passengers to pay 25% more every time that they board. There is definitely something wrong with data. The revenue has been pretty steady for the few years. I don't think that the ridership reductions that the reports have been showing are accurate and we are working on that issue.

Kellie explained how the action of council would effect the bottom line.

Requested	
VRT regional	\$35,297
Fixed line (local & intercounty routes)	\$310,899
Nampa Allocation	
VRT regional	\$27,812
Fixed line (local & intercounty routes)	\$275,118
Total cut	\$42,466

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Our system is heavily reliant on Federal Funding, so for every dollar of local money we get \$2.00 of Federal Money

Reduction                      \$42,466 = \$106,000

As we think about how that effects us going forward we are not just talking about cutting the budget by \$42,000 we are actually talking about cutting the budget by \$106,166.

Councilmember Skaug talked about the actual reduction from the City is \$22,000 from the City.

The City of Nampa has kept their portion flat even though the cost have increased. This is according to our budget is what we would need from the City of Nampa in order to operate at the level of service that would keep us just with the existing level of service. We are factoring in what we know that it is going to cost us to operate the service. We can't continue to operate without seeing those increases that we are requesting.

Councilmember Skaug state that gas prices have gone down and riderships has gone down so why is more expensive to run?

They do not use regular fuel on the services it is compressed natural gas and those prices have not gone down to the same level as fuel prices.

Councilmember Bruner asked questions about the federal funding drop.

Kelli went over the different scenarios for cutting the amount of funds on each of the different routes. The reduction would be equivalent to about \$87,453 for bus services. Cutting Nampa services seemed the only fair way to go about changing the routes.

The Federally funded transit projects were discussed that have been going on in South Nampa. The projects must be within a ½ mile of a bus route in order to be eligible for Federal dollars. If we lose the transit in specific areas, then it would lead the Transit System to not want to invest in those bike and pedestrian.

Councilmember Skaug asked about if the Federal Government could request money back and if the numbers that have been given on the number of riders is accurate.

We have not been able to do the capital investments that we need to do so we do have some bad data. The data is telling us that there are people on the buses.

Councilmember Bruner asked about the charges to municipalities and how it is calculated.

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Kelli went over the different formulas that it takes to get the end results. We would need a month to do a more detailed analysis to get to see what a route with 5 hours less would really look like. Late August we would come back with a service reduction analysis and recommendation. We would have to do an open public comment period since this would be a major reduction because we are recipients of Federal funds we do have to do a public process. We would also have to do a title 6 or civil rights impact analysis so we have evaluated the effect if those changes on low income and minority populations and then we would do an open house and public hearing about mid-September. The Valley Regional Board would review and finalize any changes at the September 28 meeting. Once we get the service changes figured out it takes two months to get everything implemented it would be mid-November before anything would go through.

Mayor Henry had questions on the projects that this would effect.

Councilmember White asked about the routes that would be closing.

Councilmembers asked about funding that is received and the fares. (no private funding just local funding and federal funding)

Councilmember Skaug said that Council is not voting to get rid of Treasure Valley Transit just kicking the tires a bit because we see these empty buses. In 2010 did the City cut the funding to Valley Ride. (in 2010 we were told by all the local governments that they would not increase, after the recession about 2009 by the middle or end of 2010 we had held everything constant and in order for us to continue service we had to either cut service ..... those cuts were made so that we could maintain the same funding levels that we had prior and be able to continue to operate the most effective service possible)

No funding has been cut since 2010. Some ridership is down due to the price of fuel. When the price of fuel was going up the ridership was going up now that fuel prices have lowered the ridership. The cuts in ridership, the drops in ridership have not been as severe as they may have appeared in the data.

Councilmember Raymond asked questions about going to a smaller vehicle

We have pretty small vehicles in the Canyon County system and I think that is a perception that they are empty. I do know that the way that the routes are designed you will have people getting on and off the bus and you won't necessarily, we want the bus to be that way, we want there to be people getting on and off, we have two way routes so that, it is hard to describe without really looking at the system map. The way the routes used to be was big loops and if I got on one part of the loop I rode around for 45 minutes and there might be lots of other people riding around on that bus and you look in that bus and you would see lots of people in it. The way these routes are

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designed it is for short trips where somebody will get on and they might go three stops and get back off or they might get on the other side of the street and go the other way. A lot of the perception of empty bus is really a perception and it depends on the time of day as well. The average passengers per hour would indicate that people are riding on the busses and that they are not empty.

We operate the busses for the peak hour just like you would design a road. 80% of the costs come in the labor.

Councilmember Skaug asked the percentage that each person takes is subsidies by Federal and Local tax payers, the state doesn't really contribute anything. What is that percentage for each rider. (it is about \$6 a trip and the passenger pays about a \$1 of that, when we look at our average fairs they tend to trend a little lower because of individuals with disabilities and a Medicare card holder can ride for ½ fair) I am sorry I didn't get that but in the past I have been told that it is 93% for each ride. Why doesn't valley Ride seek private funding.

We do a lot of outreach with employers will purchase rides for their employees and we have contract with organizations, like Boise State and CWI all of their students, faculty and staff are able to ride the service so we figure out how many passengers that is and they contribute and we also have the similar with some of the school districts the St. Lukes and St. Als and other other employers as well. (are there Nampa business that contribute also) I don't know right of my head.

Councilmember Skaug asked if you had private contributions of \$22,000 or the \$40,000 would that count towards the federal grant match (as long as its not based on passenger fairs)

There isn't very many systems that are privately funded in the country. It is considered a public infrastructure in most communities and that is typically how they do it.

Mayor Henry opened a **public hearing** for **Matter of Sale via Public Auction of Real Property** Located at **1710 Middleton Road**, Nampa, Idaho, With Minimum Price Set for Parcel A at \$3,576.00, Parcel B at \$2,247.00, Parcel C at \$5,670.00 and Parcel D at \$285.00.

Michael Fuss presented a staff report explaining that on June 6, 2016, City Council declared four (4) portions of property as surplus (see Exhibit A) and not used for public purposes and should be offered for sale as follows:

<u>Minimum Price</u>	
Parcel A	\$3,576.00
Parcel B	\$2,247.00
Parcel C	\$5,670.00

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Parcel D      \$ 285.00

City Clerk published summary of action taken and notice of public hearing of proposed sale in official newspaper 14 days before the date of public hearing.

After public hearing, and if passed by Council, property will be sold at public auction.

Notice of auction will be published in official newspaper 14 days before sale of property.

Notice of auction will be sent directly to adjacent property owners.

Public auction will be scheduled for Thursday, July 28, 2016, at 9:00 a.m. in City Council Chambers.

If no bids are received, the City shall have the authority to sell the property as it deems is in the best interest of the City.

Councilmembers asked questions of staff.

Those appearing with questions were: Terry White, 2427 Pieces; Laura Watson, 12514 West Medalist Drive, Boise; Cheryl Lopez, 2423 Pieces;

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

Michael Fuss presented a rebuttal.

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

Council asked if the City was bound by law to sell the property by public auction (yes) and if the amount could be changed (yes).

**MOVED** by Bruner and **SECONDED** by Haverfield to **authorize sale of four (4) portions** of property located at 1710 Middleton Road, Nampa, Idaho, to be sold at public auction with minimum price set of \$1.50 per square foot. The Mayor asked for a roll call vote with Councilmembers Skaug, Levi Haverfield, Bruner voting **YES**. Councilmembers White and Raymond voting **NO**. The Mayor declared the MOTION CARRIED

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Mayor Henry opened a **public hearing** for a **vacation** of 7 foot of the 12-foot easement on the east side of 6866 East Roxi Cove Court located within the RS-8.5 zoning district, on the north side of Cherry Lane, east of 11th Ave N. Vacation of the easement has been requested in order to fit the house on the lot, due to easements on all sides of the corner/cul-de-sac lot. The applicants also own the adjacent lot to the east. For Caron Dennet, representing Kevin G Lloyd.

Caron Dennet , 3702 East Presidential, Meridian, presented the request.

Planning and Zoning Assistant Director Robert Hobbs presented a staff report explaining that applicant Caron Dennett representing Kevin G Lloyd is asking for a A seven feet (7') wide/deep [triangular] section of a twelve foot (12') easement on the east side 6686 E. Roxi Cove Court (Lot 17, Block 1 of Coyote Springs Subdivision) located within a RS 8.5 Zone on the north side of Cherry Lane, east of 11<sup>th</sup> Avenue North Extended. The Applicant(s) state they are requesting Vacation of a portion of the easement in order to fit a house on Lot 17 which is constrained by virtue of being a cul-de-sac lot and, correspondingly, having easements on all of its sides that restrict the size of the lot's building envelope.

Respecting easement vacation requests, our code states that,

#### **10-27-12: Amended Plats; Vacations**

**C. Vacations: Vacation approval shall be required in order to either erase some or all of an easement or right of way. Vacation approval shall be required in order to move the location of all or part of an already platted and recorded right of way or easement. Processing of vacation requests for easements and/or rights of way shall be executed in accordance with provisions of Idaho state code. Right of way vacations shall be done by ordinance of the city council and approved first by the same during a public hearing. Alternatively, a re-plat of a subdivision may also serve to vacate easements and/or rights of way when filed, approved by the city, and then recorded. (Ord. 3573,**

#### **General Information/narrated findings**

Easements, in part, provide a superior right of land use or access to a beneficiary. Easements are distinct from "setbacks" -- though having a similar effect [sometimes] in establishing areas wherein structure construction is not allowed. In the case of subdivisions developed in Nampa, easements of varying dimension are routinely reserved by the City around the periphery of their lots to protect drainage, grading, and utility line interests.

State law indicates that, "Easements shall be vacated in the same manner as streets." (§ 50-1325). Idaho Code Section 50-1321 requires that in order to vacate a street, among other prerequisites, "the owner or owners of the property abutting said public street...have been served with notice

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of the proposed abandonment in the same manner and for the same time as is now or may hereafter be provide for the service of the summons in an action at law.” This appears distinct from a situation where a plat is being proposed for vacation and wherein lie one or more utility easements where a different set of notification requirements appertain (I.C. § 50-1306 (A) (5)).

Not too long ago, the subdivision ordinance section of the City’s zoning code was amended with respect to vacation requests. Previously, the code indicated that Staff [could] review and approve utility easement vacation requests. In such cases we customarily opted for review by City Council given requirements in state law that govern notification of easement vacations viewed as potentially “trumping” our code. (Legal counsel approved of causing Council review of easement vacation applications after having met with Staff in January of 2013 to re-visit how we handle/process vacations of easements, etc.) In short, it was determined that convening a public hearing gives all interested parties/neighbors a chance to find out what is being proposed (concurrently satisfying State mandated notification requirements), and, to provide information regarding the endeavor to the City which may be of use/concern.

The Property is circumferentially encumbered by easements. The Applicants are petitioning to be allowed to build a house on the Property, with one corner of the same projecting into a twelve foot (12’) wide side property easement (see attached Exhibits) some seven feet (7’). No set criteria govern the appropriateness of a vacation request; the decision being left to the discretionary judgment of the authority hearing the request. The need to protect an easement to serve a public (or other vital or prevailing interest) may serve as rationale to reject a vacation proposal.

The Engineering Division of the City of Nampa administers the protection of subdivision easements. Their representative has indicated that they are not opposed to the vacation request, as the easement does not contain a utility (e.g., pressure irrigation pipe). Other responding agencies/departments also have voiced “no opposition” to this proposal. Staff notes that the required zoning setbacks appertaining to the Property are still being adhered to by the Applicants’ concept building site plan (see attachment), notwithstanding the Vacation request/proposal.

No public comment has been received regarding this matter. All agency and/or department comments bearing on this matter that were provided to our office by the time this report was ready to go to print (12 noon, June 29) are hereafter attached.

**Recommendation:**

Approve the application request as presented

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

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**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

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**MOVED** by Haverfield and **SECONDED** by White to **approve the vacation** of the 7 foot of the 12 foot as written easement on the east side of **6866 East Roxi Cove Court** for **Kevin Lloyd** and authorize the City Attorney to draw up the appropriate Ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

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

**Update to Credit and Latecomer Policies Development** - As previously reported to City Council on April 4, 2016, the City has contracted with J-U-B (JUB) Engineers, Inc., and Financial Consulting Solutions (FCS) Group to provide meeting assistance and technical expertise for policy development to update its water, sewer, and irrigation latecomer/credit/reimbursement policies. Staff, City consultants, and Nampa builders and developers have formed the Nampa Reimbursement Policy Committee (Committee) to facilitate these updates. The following summarizes activities to-date:

- A kickoff meeting was held on May 25 which included an introduction by City staff to explain the background and history of City policy and to generally establish the Committee's goals, schedule and outcomes
  - The kickoff meeting included a discussion of definitions, legal parameters, specific goals, what other municipalities do and the pros/cons of each, an open discussion of what is working, what is not working, what do we want to avoid, and what we want to accomplish
- The second meeting was held on June 15 which recapped and reaffirmed the Committee's goals for a reimbursement policy. Those goals are: predictable, consideration of risk to all parties, some flexibility for unique situations, incentive areas, equitable and balanced, legal, clear and concise, easily administered, does not encourage sprawl, and is transparent. More specific aspects were discussed that will form the sideboards for beginning development of a draft policy. These specific discussion items included:
  - What elements of a developer's infrastructure costs are eligible for reimbursement (e.g., easements, permits, design, construction, other)
  - What are the benefit areas associated with water, sewer, and irrigation installations

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- What is the timing and process for payments from benefitting developers and payment to originating developers
- The next Committee meeting is scheduled for July 13, at which time a draft set of key policy items will be presented and vetted amongst the group

**Update to 2016 Street Division Chip Sealing Campaign** – Major fog sealing in Zone A1 and Zone A2 is now 75% complete. The following roads are finished: Franklin Boulevard, Elm Lane, Prescott Lane, Cherry Lane, Birch Lane, 11<sup>th</sup> Avenue North, East Karcher Road, North 20<sup>th</sup> Street, and Fargo Road. Roadways to be completed by June 30 are: 16<sup>th</sup> Avenue North, 3<sup>rd</sup> Street North, 1<sup>st</sup> Avenue North from East Railroad Street to Northside Boulevard, 6<sup>th</sup> Street North from 1<sup>st</sup> Avenue North to Northside Boulevard, Northside Boulevard from the interstate off ramp to City limits, Broadmore Way from Northside Boulevard to Indian Creek, and West Railroad from Broadmore Way to the Wastewater Treatment Plant. Crews are continuing to sweep excess chips and will continue to do so the remainder of the week. Estimated cleanup (sweeping) date of completion is June 28. Fog sealing will be 100% complete on June 30, in approximately the same order of Zone A chip sealing. Thermoplastic application and paint striping is estimated to be completed by July 28. In the event of mechanical issues or inclement weather the schedule may be adjusted as required. Staff provides daily updates to the City website for citizens to review and track the progress. As this campaign takes all Street staff and resources, requests will be delayed until after completion, with the exception of an emergency.

Mayor Henry said that he is going to direct Mr. Holm to inform the following two applicants that there is a policy on the time for completion of the third reading and gather of the correct documents.

The third reading of the following Ordinance was postponed due to lack of supporting documentation.

**AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 8142 W. USTICK ROAD, 17535 STAR ROAD, 17547 STAR ROAD, AND THREE PARCELS ADDRESSED MUTUALLY AS 0 STAR ROAD, NAMPA, IDAHO, COMPRISING A TOTAL OF APPROXIMATELY 190.37 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, WITH APPROXIMATELY 5.35 ACRES BEING PART OF THE RS 18 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 18,000 SQUARE FEET) ZONE, 6.61 ACRES BEING PART OF THE RS-12 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 12,000 SQUARE FEET) ZONE, AND APPROXIMATELY 178.41 ACRES BEING PART OF THE RS 8.5 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 8,500 SQUARE FEET) ZONE; DECLARING SAID**

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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 Engineering Solutions representing Star Development Inc.)

The third reading of the following Ordinance was postponed at the request of staff.

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **820 AND A PORTION OF 1002 N. HAPPY VALLEY ROAD**, NAMPA, IDAHO, COMPRISING APPROXIMATELY **4.536 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 **RMH** (MULTIPLE-FAMILY RESIDENTIAL) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Zoke, LLC – Nate Hosac)

The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, **AMENDING TITLE 3, CHAPTER 7**, SECTION 3-7-1, SECTION 3-7-4, AND SECTION 3-7-5, OF THE NAMPA CITY CODE, ALL PERTAINING TO **DEVELOPMENT IMPACT FEES**; PROVIDING FOR AN EFFECTIVE DATE OF OCTOBER 1, 2016; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.

The Mayor declared this the second reading.

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The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **1910 SUNNY RIDGE ROAD**, NAMPA, IDAHO, COMPRISING APPROXIMATELY 1.58 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 **RML** (LIMITED MULTI-FAMILY RESIDENTIAL) **ZONE**; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Gavin King)

The Mayor declared this the first reading.

The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **0, 9364, 9326, AND 0 CHERRY LANE**, NAMPA, IDAHO, COMPRISING APPROXIMATELY 39.25 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 **IH** (HEAVY INDUSTRIAL) **ZONE**; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Zane Powell)

The Mayor declared this the first reading.

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Mayor Henry presented a request for **discussion of Council decision on Valley Regional Transit cuts.**

Mayor Henry gave a report on the cuts and the ramifications that would take place. One of the frustrations is that it is Valley Regional Transit. This transit system that is used by the Treasure Valley and when you take a cog and reduce funding it effects the Treasure Valley. I have talks with some of the other Mayors and there is a pretty high level of frustration because it can affect them because of what we are doing and I guarantee you when we have the public hearings we are going to have lots of discussion and lots of frustration heard but atop from that, when I look at the projects that we would probably lose, apart from potentially having to reimburse the Feds \$125,000, I don't know about you but that really sticks in my craw. Those improvements at Skyview, Nampa High and Amity are important safety improvements and if we do these cuts those projects are going to go by the wayside from what I heard and that is not good for Nampa. We could do nothing and we will just keep moving forward – we have approved the budget with that change and as long as we don't increase the budget, if there was a motion to not fund the fuel tanks this year and to reinstate the funds to VRT for that same amount would we be okay.

Finance Director Vikki Chandler explained that the funding is a different source so if you decide that you want to fund VRT it is a different fund we have to increase General Fund whereas the . . they were out if the same fund.

Councilmember Haverfield said not to belittle VRT, I see the importance of funding the fuel tanks, simply because if we had a fire where a fire engine ran out of gas and was not able to work properly. I think that it is one instance in a major structure fire where we can't sustain a vehicle that is providing emergency support for the occupants of that building that is all it takes and one person being lost would be negligent on our part for such a minimal value that we can in this budget take care of it and that is important to me. How we get to that point as far as funding that, I am not willing to step away from that funding requirement.

Mayor Henry explained that building was a vacant building, they were just containing, we were not talking about a house fire, or something where there were occupants, this was a vacant building that they were (talking over one another)

Councilmember Haverfield said to carry that thought through it was not just to fight a fire it was in the event of a major power failure in our grid and them being able to run emergency generators for a period of time after the fact, for them to try and find a fuel source that they don't control, we pretty much cut off there having their own fuel depot and in this proposal into two containers that they would be able to control. I think that it is still important to me. All I am saying is it has nothing to do with VRT at this point. If we choose to find a funding source for that emergency need, that is important to me.

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Mayor Henry asked Vikki if we reinstate VRT funds but we kept the fuel tank we are increasing the budget and that causes concerns at this time. (we would have to find the funding and change the budget)

Councilmember White said that when I had discussion with Vikki about the decisions that were made and when the budget came down to us and that sort of thing. Because we were handed a balanced budget that was a first time for me in nine or ten processes so my very first thing to her was all of the department heads were health and life safety and she said that the discussion and haggling and the back and forth and it took place and the things that were prioritized and that included the life and health safety did you not say that to me (I did) because then I had a good feeling that department heads new the need and the degree of the need for the department there. We had that last year it came before us last year and there was some haggling that went on and that went away in last years budget as well and I can't remember what the exchange was in that one, but I believe that with the things that came forward in that budget and with. We realized the importance of it but I believe the process in the balance budget that we received that the discussion was had and had it been a priority urgent health life safety for our department and the members of our departments and our citizens that it would have been prioritized.

Mayor Henry said what would we do we are out at a fire call the truck is running low on fuel and we don't have these tanks what is plan B.

Doug Adams Fleet Supervisor said that there is no plan B that is part of the issue and that was exposed in that Mercy fire. The City had no emergency fuel contingency protocol it doesn't exist. What we were able to do was between the water division and thanks to Keith Begay and his guys and the street division thanks to Don Bar we were able to cobble together a fuel transport we had a vehicle that had a diesel fuel tank on it that is intended to refuel the chipper and we got that out there and got the engine up and running again. We don't have a plan B.

Mayor Henry asked about budget amendments if it is determined in the 2017 budget that this is something that we really do need, finding the funding we could fund this in fiscal year 2017. If we took funding off now for the budget that is presented money could be found later on and could be funded by a budget amendment.

Vikki Chandler said that she would like to ask why we would we do it later rather than now. If we are trying to move forward with a balanced budget and we want to fund VRT and the emergency tanks it seems that we could, we should look for a way to do that now, if the money is going to be there later it should be there now.

Mayor Henry said it has been my experience over the years things come in above budget, below budget and toward the middle of the year there is funds that have not been designated because of that. (true) so we might be able to do that without trying to cut something. This is something if

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you ask Michael, I understand the need I am not disagreeing with that but again but again to try to figure out a balanced budget tonight we don't need to because during the fiscal year 2017 I suspect in our budget we are going to be able to find \$43,000 at some point to fund that if that is still determined to be an important issue for Council.

Vikki Chandler said if we could do that in this current budget with what we have on hand now would that be satisfactory. With the current proposed budget. There might be a street project that is not going to be funded.

Michael Fuss said that there was a project that was funded that was recommended, actually approved for funding that was in the recommended for fund on 4<sup>th</sup> Street North but it was impact fee funded. The plan that was brought forward at initial budget estimated is built into the impact fee at about \$1M when we did the preliminary design if came in at \$1.8M so we actually asked that project not to be funded this year so we could go back to the impact fee study and get that full value in the impact fee agreement otherwise you would be collecting impact fees on a project for \$1M and spending it at \$1.8M budget level and that is why we had suggested that project not be approved. So it is in the budget as funded in the balanced budget projects. We would not recommend going forward with at this time because otherwise the impact fee funds would be underfunded. The impact capital fund would be underfunded. We are actually putting a presentation together now to give to the impact fee committee to increase that project that is in the capital improvement plan what it will result in is an increase in impact fees. It includes a match of \$200,000 in general fund or street fund.

Mayor Henry said we could divert \$43,000 from streets for the fuel tanks and then reinstate the VRT fund. We can fund it in 2017, we can reinstate the VRT and still come in with a balance budget without increasing it and actually the streets would end up with about \$160,000 that they would probably spend very quickly on another street project or something.

Councilmember White said that she liked what Councilmember Haverfield said about the fueling, my reasoning was and I am as passionate in what I said was I wanted to make sure that VRT gets the funding because I do not believe that whole south end of Nampa deserves to have the bus taken away and we can find a way to do both that is because it is unacceptable to me as a Councilman to see that route go away on the bus.

Mayor Henry said that Bruce, you bring up some good points and I appreciate that as you know that I am on the execute board of VRT and Sandy is on the board of VRT and trust me we will have discussions to get the number on the ridership and stuff in place and we are right in the middle of reanalyzing our routes. Our concerns are being made aware, we have a special board meeting called Monday to talk about this, Valley Ride Board meeting. There are some ramifications, unattended consequences that we need to look at and I would feel way more comfortable if we did this in a thoughtful process instead of arbitrarily picking numbers so we

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can fund the fuels. We can get the fuel tanks taken care of and we can reinstate Valley Regional Transit and we can actually put \$160,000 into the street fund balance of which is desperately needed as it has been dropping by about 20% a year.

Michael Fuss said to further connect the dots, I summarized all of the projects that are in the pile that are Federal Transit Authority funding and the total projects that are in the street fund to be funded into the streets are \$3.8M currently. That is to put it into perspective of the VRT if we were to lose those the streets would be worse, way worse off.

Councilmember Bruner asked what our time deadline for when we find out absolutely whether Federal Funding would be lost or not lost and it seems like we are pushing to get this done tonight and I personally and not ready to vote on it because there is not the information that we asked for.

Michael Fuss said well with respect to the VRT stuff I am not 100% certain but what I do know is that there are six projects on this list that we have confirmation of funding. We have received verbal information and we are supposable have file information in 45 days. They are scheduled to have funded in September as a matter of fact you have one on the agenda this evening to authorize the bid.

Councilmember Bruner said that it seems to me that we are going to lose money for future projects. Is this all dependent on Nampa paying out this money or if you get this amount of money from other sources whether if be private, Caldwell, Middleton or whatever would there be Federal funding or is totally on what Nampa contributes.

Kelli Fairless said that it is isolated to Nampa because it is Nampa projects so Nampa would benefit from those transit projects. The only way that it would be on the backs of other jurisdictions is if your cut actually effected their service.

Councilmember Bruner said what Councilmember Skaug said my understanding is if is private funding if it is not designated funding for rider's overall contribution or donation or however you want to call it. My understanding from you is that would count towards Nampa and we would not have a reduction in those matching funds.

Kelli Fairless said if there was a private donor that provided that funding then, does that mean that we would have to go out and secure those funds or does the city of Nampa try to secure those funds (maybe a combination). I am just not aware of any system that operates.

Councilmember Haverfield said we are talking about \$43,000 we are looking at the potential of federal matching funds of \$1.4M that might be lost or will be lost. (if you don't have transit routes in south Nampa those projects will not be eligible to be funded) My initial response when

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I heard cut off south Nampa is like going to a doctor saying you can't run as fast you could so lets cut off one of your legs. It sounded like it was pretty drastic. So I am wondering if you have really analyzed which is the best way to approach if there was to be a systematic analysis of what we currently have. If I owned Valley Regional Transit as a business owner and I looked at the ridership and the decline, I would start looking at options to decrease my costs as was mentioned with a smaller vehicle or whatever, different times cutting back the number of routes or whatever. That seems to be pretty drastic as far as cutting off a leg as far as a way to get your attention, you got my attention but I didn't like it. It seems to be pretty drastic and maybe that is the only explanation that you can give us is that is the only thing that we do is to cut off south Nampa.

Kelli Fairless said that these are all conceptual and we would have to come back in August with a much more detailed analysis that would dig more deeply into those factors. I have to come up with 5 hours to be cut.

**MOVED** by White to return the funding presented in our balanced budget to VRT and add the funding for the emergency fuel capacity equipment and not fund the 4<sup>th</sup> Street North street project.

MOTION DIED FOR LACK OF A SECOND

There was discussion by council and Kelli Fairless.

**MOVED** by Skaug to approve the amount that was presented in the 2016 budget for VRT.

MOTION DIED FOR LACK OF A SECOND

**MOVED** by Skaug to grant 25% of the requested increase from VRT.

MOTION DIED FOR LACK OF A SECOND

**MOVED** by Haverfield and **SECONDED** by White to **approve the fiscal year 2017 funding request as originally proposed as long as it doesn't effect at all the fuel transport trailers that they will retain their funding as Vikki has outline for us to make that sure that is fully funded as originally funded and not fund the 4<sup>th</sup> Street North street project.** The Mayor asked for a roll call vote with Councilmembers Levi, White, Haverfield voting **YES**. Councilmembers Skaug, Bruner, Raymond voting **NO** the Mayor voted **YES** to break the tie. The Mayor declared the

MOTION CARRIED

The following Resolution was presented:

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Fleet Supervisor Doug Adams presented a staff report explaining that the six vehicles: 2 - 2002 Ford Crown Victoria's; 1996 Chevy Blazer with a blown up engine; 1989 Winnebago with issues; 2003 BMW Motorcycle; 2006 Animal Control Ford F250.

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.**

**MOVED** by Skaug and **SECONDED** by Haverfield to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **27-2016** and directed the clerk to record it as required

MOTION CARRIED

The following item was removed at the request of staff request to **authorize the rejection of all bids and republish an RFP for the acquisition of body worn cameras.**

Mayor Henry presented a request for **award the bid and authorize the Mayor to sign a contract** for the **Midland Boulevard and Roosevelt Avenue** Intersection Project With Hawkeye Builders, Inc.

Michael Fuss presented a staff report explaining that as a result of increasing traffic congestion, driver delays and accidents, the intersection of Midland and Roosevelt has been identified for an intersection capacity improvement project (see Exhibit "A" Vicinity Map).

The Nampa Citywide Transportation Plan indicates the intersection warrants capacity improvements and recommends signalization.

The Final Draft Nampa Impact Fee Study and Capital Improvement Plan identifies Midland and Roosevelt as one of thirteen priority intersections recommended for Impact Fee funding.

The project includes the following improvements:

- Traffic signal to accommodate traffic lanes within the existing fully developed roadway width of Midland Boulevard and Roosevelt Avenue.
- Pavement surface repairs adjacent to the reconstructed curb and sidewalk areas.
- Signal interconnect conduit for future system wide communication and integration.
- Pedestrian facility upgrades to meet ADA standards.
- Updated pavement and cross walk markings.
- LED intersection lighting.

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

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Hawkeye Builders, Inc.	\$702,757.00
Quality Electric	\$712,652.58

The project budget is \$900,000 (\$200k from Streets & \$700k from Impact Fee) and the estimated project costs are:

Design Engineering Contract	\$ 59,630.00
Construction Engineering Estimate	\$ 40,000.00
Construction	<u>\$ 702,757.00</u>
<i>Total</i>	<i>\$ 802,387.00</i>

A 70 calendar day contract time is anticipated.

Engineering Division has reviewed the bids and recommends award to Hawkeye Builders, Inc.

**MOVED** by Skaug and **SECONDED** by Haverfield to **award bid** and **authorize Mayor** to **sign** contract for the **Midland Boulevard and Roosevelt Avenue Intersection Project** with **Hawkeye Builders, Inc.** in the amount of **\$702,757.00** The Mayor asked for a roll call vote with Councilmembers Levi, White, Raymond, Haverfield, Skaug voting **YES**. Councilmember Bruner voted **NO**. 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 **UPRR Overpass Deck Repairs (Kings Road & Amity Avenue) Project With Pro Tech Coatings, Inc.**

Michael Fuss presented a staff report explaining that the Kings Rd. and Amity Ave. overpasses (see Exhibit "A") were identified as requiring maintenance during routine asset inspection in December 2014. The decks have been in service for approximately eight (8) years and are beginning to wear. Routine deck maintenance is an effective way to extend the useful life of the two (2) overpasses.

The project was designed by Keller Associates and consists of two parts, a sealer and an epoxy overlay. The deck rehabilitation has an estimated useful life of fifteen (15) years and a lower life-cycle cost than a full deck rebuild.

The City solicited formal bids for the project in accordance with I.C. § 67-2805(3) and five (5) contractors responded with the following bids:

1) ProTech Coatings, Inc.	\$244,106.40
2) Cannon Builders, Inc.	\$256,931.00
3) Braun-Jensen, Inc.	\$266,492.00
4) L&J Construction Group, LLC	\$283,182.00
5) Concrete Placing Company, Inc.	\$317,549.90

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The UPRR Overpass Deck Repairs (Kings Rd & Amity Ave) project has an approved FY16 Streets Division budget of \$243,694.

Design and Survey	\$ 38,585
Construction Bid	\$ 244,106
<i>Observation Estimate (8%)</i>	<i>\$ 19,529</i>
<b>Total</b>	<b>\$ 302,220</b>

Additional funding for the project will be covered by adjustments within the FY 16 streets budget.

Engineering Division staff and Keller Associates have reviewed and recommend awarding the bid to ProTech Coatings, Inc.

**MOVED** by Haverfield and **SECONDED** by Skaug to **authorize** the **Mayor** to **sign contract** with **ProTech Coatings, Inc.** to construct the **UPRR Overpass Deck Repairs** (Kings Rd & Amity Ave) project. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

The following Resolution was presented and a request to **authorize** the **Mayor** and **Public Works Director** to **Sign Professional Services Agreement** for **Final Design** of the **I-84 Karcher Interchange Project** with **Parametrix**.

Michael Fuss presented a staff report explaining that the Karcher Interchange on I-84 was constructed with only one continuous southbound lane on Midland Boulevard.

Council approved \$500,000 in the FY2016 budget focused on Midland Boulevard and Karcher Bypass near the I-84 Karcher Interchange.

Council approved a cooperative agreement with Idaho Transportation Department (ITD) in December 2014 to complete an Interchange Modification Report (IMR) as a required first step in improving traffic flow in and around the intersection of Midland Boulevard and Karcher Bypass. City and ITD staff selected Parametrix' proposal to accomplish this work. Staff anticipated that additional work would follow a successful IMR; that eventuality was accommodated in the solicitation process. The IMR was completed for a total cost of \$109,000.

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In March 2016, Council further authorized \$35,000 for the next step in creating a project to fund the required National Environmental Policy Act study. That study has now been submitted to ITD and the Federal Highway Administration for final approval.

Based on IMR recommendations and the NEPA study, ITD has created a new \$2.2 million project funded entirely by the state to implement the IMR recommendations.

Next step is to design the improvements (See Exhibit "A" graphic of proposed changes). This requires a cooperative agreement (See Exhibit "B") with ITD to define roles and responsibilities of the two agencies. A copy is attached.

The negotiated cost with Parametrix to complete design and prepare all bid documents is \$444,200. Added to the City's already-committed \$144,000, this exceeds the City's \$500,000 commitment by approximately \$88,000.

The Cooperative Agreement provides that ITD will pay all design costs after the City's existing budget is exhausted.

The Engineering Division recommends approval of the Cooperative Agreement and the Professional Services Agreement.

**THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF NAMP, HEREAFTER CALLED THE CITY, FOR IMPROVEMENTS AT THE KARCHER INTERCHANGE, MP 33.6; AND THE ROLES AND RESPONSIBILITIES OF THE STATE AND THE CITY ARE OUTLINED IN THE COOPERATIVE AGREEMENT; AND THE STATE CAN ONLY PAY FOR WORK ASSOCIATED WITH THE STATE HIGHWAY SYSTEM.**

**MOVED** by Skaug and **SECONDED** by White to **pass the resolution** as presented and **authorize the Mayor and Public Works Director** to sign Professional Services Agreement for **final design** with **Parametrix** for an amount not to exceed **\$444,200**. The Mayor asked for a roll call vote with Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **28-2016** and directed the clerk to record it as required

**MOTION CARRIED**

Mayor Henry presented a request to **approve** and **authorize Public Works Director** to **Sign Deferral Agreement** for *street widening, curb, gutter and sidewalk* at **5480 Cherry Lane** for **Fellowship Baptist Church**.

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Councilmember Haverfield stated that he will recuse himself from the vote.

Michael Fuss presented a staff report explaining that Fellowship Baptist Church is building a new facility at 5480 Cherry Lane.

Per City Code Title 9 Chapter 3 Section 1 they are required to widen the road and install curb, gutter and sidewalk along their frontage.

Plans for the widening of Cherry Lane were submitted with the building permit application and reviewed and approved by the Engineering Division.

On June 17<sup>th</sup> the Engineering Division received the attached request (Exhibit "A") to defer the installation of the Cherry Lane frontage widening.

Currently there are not sections of Cherry Lane between Can-Ada and Star Road that have been widened (Exhibit "B").

If approved the Deferral Agreement (Exhibit "C") is recorded against the property and requires the property owner to install the deferred improvements at such time as they receive notice from the City as outlined in the agreement.

The Engineering Division has reviewed the request and does not oppose granting said request.

**MOVED** by Bruner and **SECONDED** by Raymond to **approve the Deferral** of *street widening, curb, gutter, and sidewalk* at **5480 Cherry Lane** for **Fellowship Baptist Church**. The Mayor asked all in favor say aye with all Councilmembers except Councilmember Haverfield who recused himself voted **AYE**. The Mayor declared the

**MOTION CARRIED**

Mayor Henry presented a request to **authorize Engineering** to **proceed** with **formal bid process** for the **Pedestrian Improvements near Skyview Park**.

Michael Fuss presented a staff report explaining that the City, in partnership with Valley Regional Transit, Nampa School District and COMPASS was awarded Federal Funds to design and construct pedestrian safety improvements at Skyview High School on Greenhurst Road (see Exhibit "A" Vicinity Map).

Funding is through the Federal Transit Administration (FTA) grant program administered by Valley Regional Transit (VRT) under a subrecipient agreement authorized by Council on April 18, 2016.

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Council authorized a Professional Services Agreement with Paragon Consulting, for the design of the project, on April 18, 2016.

The project includes installing a Rectangular Rapid Flashing Beacon (RRFB) and illumination system at the intersection of East Greenhurst Road and the west entrance to Skyview High School. In addition to the RRFB, construction will include new sidewalks, pedestrian ramps, lighting, pavement markings and crosswalk striping.

Estimated project costs are:

Design Engineering	\$ 17,000.00
Construction Engineering & Inspection	\$ 5,000.00
Construction Estimate	<u>\$ 73,000.00</u>
<i>Total Estimate</i>	<i>\$ 95,000.00</i>

Funding is based on an 80% Federal (\$76,000) and 20% City match (\$19,000) from FY16 Streets.

While the City and VRT have met the requirements of "Pre-Award Authority" with funding obligation anticipated by September, 2016, funding is not guaranteed until obligated at the federal level. VRT reports that to date they have not had a Pre-Award fall through for any Subrecipient.

Construction is anticipated to begin in the late summer of 2016 with completion in the fall of 2016.

Engineering recommends proceeding with the formal bid process.

**MOVED** by Haverfield and **SECONDED** by Skaug to **authorize Engineering to proceed** with the **formal bid process** for the Pedestrian Improvements near Skyview High School Project. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize the Traffic calming pilot program**.

City Engineer Tom Points presented a staff report explaining that the City of Nampa has received a letter from the Midsummers Lane Homeowners Association requesting traffic calming measures in their neighborhood. Midsummers Lane is located north of Cherry Lane between Madison and Franklin (see Exhibit A for vicinity map). Traffic Calming measures include medians, lane diversions, and or speed bumps designed to reduce speeding in residential neighborhoods and increase safety. The City has received several traffic calming requests in the past and anticipates more to come. The Engineering Division has drafted guidance to address

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this request and future requests. The Draft guidance is included as Exhibit B. Successful implementation of this program will require neighborhood participation and development of partnerships with the City. In order to qualify for this program the street must be residential with a posted speed limit of 30 MPH or less. The program is phased in three stages as follows:

**Stage 1** – The neighborhood representative sets up a meeting to gain neighborhood support and then sends a letter to the Engineering Division to initiate a study. This stage includes the placement of automated speed-monitoring trailers, which display to drivers their “actual” speed to encourage their compliance with posted speed limits and increased law enforcement patrols. If these methods are ineffective then the program will proceed to Stage 2.

**Stage 2** – The neighborhood representative will collect affected resident’s signatures committing to partially funding design, construction and maintenance of the selected traffic calming measures. This stage includes an engineering evaluation of speed data and crash history to be used in Stage 3.

**Stage 3** – The Engineering Division will provide details of several traffic calming alternatives for the neighborhood to choose from. The selected traffic calming measure will be brought to the City Council for City funding participation.

The neighborhoods contribution will be 75% of the construction cost and the City will cover the remaining 25%. The City will design, bid, oversee construction and maintain the pavement, striping and signage. The residents or homeowners association will be responsible for the maintenance of landscaping, curb, gutter and sidewalks.

If the Council is agreeable, the next steps will be as follows:

1. Send the draft guidance to the Midsummers Lane Homeowners Association and ask if they would like to participate in our pilot program.
2. The guidelines will be revised based on our lessons learned in the pilot.
3. The guideline will be brought forth to the Engineering Development Process and Policy Planning committee for adoption as a new policy.

A new business item will be brought forth to the City Council asking for adoption as a new city policy.

**MOVED** by Skaug and **SECONDED** by Raymond to **authorize the pilot program**. The Mayor asked all in favor say aye with all Councilmembers present voting **AYE**. The Mayor declared the

MOTION CARRIED

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Mayor Henry presented a request to **authorize the Mayor and Public Works Director to Sign Task Order for Consultant Services with Brown and Caldwell for Nampa Wastewater Program 2017 Facility Plan.**

Michael Fuss presented a staff report explaining that the City and the Wastewater Program Management Team (WPMT) have been progressing through the long-term planning for the Nampa Wastewater Treatment Plant (WWTP) based on the outcomes of the March 30, 2016, City Council workshop. The next step in this process is the completion of a facility plan for the Nampa WWTP.

The 2017 Facility Plan (Plan) will inform City decision-making related to capital planning and regulatory compliance requirements.

The Plan is funded with fiscal year 2016 approved budget, and fiscal year 2017 proposed budget, and is to be completed in the summer of 2017.

The primary elements included in the scope of services are:

- Capacity assessment of existing facilities
- Assessing the current condition of assets to determine remaining useful life
- Develop planning criteria based on updated service area and population estimates
- Perform wastewater treatment analysis to evaluate alternatives for upgrading the WWTP to meet regulatory requirements and growth
- Preparation of a Capital Improvements Plan (CIP) that will provide a clear timeline of the replacement and regulatory projects between 2017 and 2047
- Preparation of an Environmental Information Document (EID) to meet requirements of the Idaho Department of Environmental Quality (IDEQ)
- Submittal of a Facility Plan to IDEQ for their review and approval

The Plan is an important part of the next step in the wastewater program. Brown and Caldwell, and the WPMT have worked on the wastewater decision process for the past several years. In addition to temperature and phosphorus solutions previously explained, the Plan incorporates growth and needed ongoing plant asset management into an overall picture for the WWTP. Therefore, staff believes selecting Brown and Caldwell is a continuation of the good work performed to date.

City Staff and Brown and Caldwell have agreed upon a scope of work and fee for the 2017 Facility Plan in the amount of \$763,054 T&M NTE.

Staff recommends approval of the negotiated scope and fee with Brown and Caldwell.

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**MOVED** by Haverfield and **SECONDED** by Raymond to **authorize Mayor and Public Works Director to sign Task Order** for consultant services with **Brown and Caldwell** for the Nampa Wastewater Program 2017 Facility Plan in the amount of **\$763,054 T&M NTE**. 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 sale of four portions of city property located at 1710 Middleton**, Nampa, Idaho, to be sold at public auction with minimum price of \$1.50 per square foot.

**MOVED** by Levi and **SECONDED** by Haverfield to **authorize sale of four portions of city property located at 1710 Middleton**, Nampa, Idaho, to be sold at public auction with minimum price of \$1.50 per square foot. The Mayor asked for a roll call vote with Councilmembers Skaug, Bruner, Raymond, Haverfield, Levi voting **YES**. Councilmember White voting **NO**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request for **approval of a new contract with Neurlink** for the Nampa Fire Department.

Fire Chief Karl Malott presented a staff report explaining that you may remember that Deputy Chief Davies was in front of you on April 18 with this original request to authorize the Mayor to sign this contract and as we went through the process with this we discovered that there was some equipment not included and Neurlink had kind of failed to mention that we needed \$14,000 worth of equipment in this deal. Chief Davies held their feet to the fire on this because it was not included in the bid and he did work with them and they came to an agreement that they are going to reduce the price of the contract by \$14,000 to get that equipment in. We have approved that with the IT department, they are aware of the equipment that is needed and the cost of that and we have had the City Attorney review the contract and he seemed comfortable with it and then also Chief Davies also had included a letter in your packets explaining.

Councilmembers had questions on the contract.

**MOVED** by White and **SECONDED** by Levi to **approve the new contract with Neurlink** in the amount of \$324,659.84 for the Nampa Fire Department as presented. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the  
MOTION CARRIED

The Mayor adjourned the meeting at 9:07 p.m.

Passed this 6th day of September, 2016.

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MAYOR

ATTEST:

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CITY CLERK