



City of Nampa
Regular Council Meeting
Livestreaming at <https://livestream.com/cityofnampa>
June 7, 2021
Regular Council – 5:30 PM
Public Hearings – 6:30 PM*

Call to Order and Pledge to Flag

Invocation Craig Hanson – Valley Springs Assembly of God

Roll Call

Proposed Amendments to Agenda

(1) Consent Agenda (Action Items)

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

1-1. Minutes

- a. Planning & Zoning Commission – May 11, 2021
- b. Nampa Golf Commission – May 18, 2021

1-2. The City Council dispenses with the three (3) reading rule of Idaho code § 50-902 for all ordinances

1-3. Plat Approvals

a. Final

- Hartland Subdivision No. 3 (phase) Subdivision in a RS7 (Single-Family Residential 7,000 sq. ft) zoning district; for 41 single family lots and 10 common lots with a 2.77 gross and a 4.7 net lot density; located on a 14.76 acre portion of a 17.08 county parcel - #R3437301200 (located in the NW 1/4 of the SW 1/4 of Section 34, T4N, R2W, BM) for Tradition Capital Partners, LLC (SPF 163-21)
- Sunnyvale No. 4 (phase) Subdivision in a RS6 (Single- Family Residential 6,000 sq. ft) zoning district; for 78 single family lots and 17 common lots with a 3.45 gross and a 5.73 net lot density; located at 0 W Flamingo Ave., on a 22.27 acre portion of county parcel - #R3143500000 (located in the E 1/2 of the NE 1/4 of Section 18, T3N, R2W, BM) for Kent Brown representing Hoff Companies (SPF 164-21)
- Henry's Place Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 8 single family lots and 3 common lots with a 3.67 gross and a 5.03 net lot density; located at 406 and 0 W Dooley Lane, on 2.18 acres, including county parcels - #R2924100000, #R2924101100 (located in the SW 1/4 of the NE 1/4 of Section 4, T2N, R2W, BM) for Mason and Associates, Inc. representing J Kean Enterprises LLC (SPF 166-21)

b. Preliminary

- None



1-4. Authorize Public Hearings

- a. Annexation and Zoning to RS6 (Single-family Residential 6,000 sf) Approval for Chase Subdivision (113 single family lots and 13 common lots) at 0 Middleton Rd - Parcel #R3145601200 (A 32.92 acre portion of land located in the NE ¼ of Section 19, T3N, R2W, BM, Canyon County, Idaho, for Schultz Development (ANN 190-20)
- b. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district for 3 county parcels: R2911900000, R2911700000, & R2911600000; for a residential subdivision to be platted at a future date including 90 buildable lots and 3 common areas at 0, 0, and 2306 E Locust Ln (a 23.39 acre portion of the W 1/2 of the SE ¼ of Section 2, T2N, R2W, BM) for Sawtooth Land Acquisition LLC (ANN-196-21)
- c. Annexation and Zoning to IL (Light Industrial) zoning district for Manufacturing, Compounding, Processing or Treatment of Building Materials (including organic non- animal materials) to be used for animal bedding, mulch, and composting, by Timber Creek Recycling; at 0 Northside Blvd (County Parcel #R3097500000); a 34.02 acre parcel in the NE ¼ of Section 09, T3N, R2W, BM, for MM Properties - Thompson Rd. LLC. representing John L Chapman (ANN-198-21)
- d. Zoning Map Amendment from RA (Suburban Residential) to IL (Light Industrial) zoning district, at 620 N 39th St. (parcel #R316970000) to allow construction of two new warehouse buildings (a 1.26 acre parcel (located in the NE ¼ of Section 24, T3N, R2W, BM) for WFS LLC/Nick Barnes (ZMA-140-21)

1-5. Authorize to Proceed with Bidding Process

- a. Authorize the Engineering Division to proceed with formal bidding process for the Irrigation Water Quality Upgrades FY21 project (approved in FY21 budget)
- b. Authorize the Engineering Division to proceed with formal bid process for Pipe Procurement FY21

1-6. Authorization for Execution of Contracts and Agreements

- a. None

1-7. Monthly Cash Report

- a. None

1-8. Planning & Zoning Formal Findings

- a. None

1-9. Resolutions

- a. Disposal of various fleet vehicles

1-10. Licenses for 2021

- a. Alcohol Renewal



- Denny’s – 607 Northside Blvd - On premise beer, wine and liquor
- b. Alcohol New
 - Family Dollar #30025, 204 11th Avenue, off premise beer and wine
 - Taqueria Mexico Chiquito, 1512 1st Street south, on premise beer
- 1-11. Miscellaneous items
 - a. None
- 1-12. Approval of Agenda

(2) Proclamations

- 2-1. None

Nampa Residents Wishing to Speak on an Agenda (5 persons limit) or Non-Agenda Item (5 persons limit) (3-minute limit). Comments Related to Zoning and Land Use Matters May Only be Made During Properly Noticed Public Hearings

Mayor & Council Comments

(3) Agency & Commission Reports

- 3-1. None

(4) Staff Communications

- 4-1. Public Works - Tom Points
- 4-2. Finance – Doug Racine

(5) New Business

- 5-1. **Action Item:** Authorize Mayor to sign contract amendment for the Nampa Wastewater Phase II Upgrades Project Group F Progressive Design-Build Agreement with CH2M Hill Engineers, increase the total amount of Phase 1 design services to \$11,406,915.00 (Reviewed by legal) (approved in FY21 budget)
- 5-2. **Action Item:** Approve Findings of Fact for revocation of alcohol license held by Agave Cantina



- 5-3. **Action item:** 1st reading of ordinance authorizing the issuance and sale of up to \$5,205,000 principal amount of general obligation refunding bond, series 2022 (Reviewed by legal)
- 5-4. **Action Item:** 1st reading of ordinance authorizing the issuance and sale of up to \$1,650,000 principal amount of water revenue refunding bond, series 2022; (Reviewed by legal)
- 5-5. **Action Item:** Authorize the allocation of the additional \$11,466.00 in 2021 Program Year CDBG funds to the Home Repair Loan Program
- 5-6. **Action Item:** Authorize Mayor to sign change order for a splash pad at Orah Brandt Park for amount not to exceed \$162,920 (Reviewed by legal) (funded by park impact fees)
- 5-7. **Action Item:** Authorize Airport Division to proceed with the formal bidding process for the Nampa East Airport Taxi lane Hangar Water and Sewer Extension Project (Reviewed by legal) (Funding Pending FY21 Budget Amendment Approval)
- 5-8. **Action Item:** Authorize Mayor to sign Agreement for Professional Services, and Certification for Contracts, Grants, Loans, and Cooperative Agreements for construction of hangar taxi lanes at the Nampa Municipal Airport as required by the Federal Aviation Administration for Airport Improvement Program (AIP-34) with J-U-B Engineers, Inc., to complete bidding, construction and project closeout in the amount of \$149,188.00 (Approved in FY21 Budget) (Reviewed by legal)
- 5-9. **Action Item:** Authorize City staff to submit Fiscal Year 2021 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Planning Transportation Grant Application for the Canyon County ITS project
- 5-10. **Action Item:** 1) Authorize City Staff to proceed with the formal bidding process for a new Intelligent Transportation System for traffic management, and 2) Authorize City Staff to pursue sole source procurement for the Intelligent Video Analytics System with an estimated cost of \$900,000 to \$950,000 (Reviewed by legal) (Approved in Fiscal Year 2021 Budget)
- 5-11. **Action Item:** Authorize Mayor to sign the Sewer Reimbursement Agreement with Challenger Development, Inc. (Pending Review by legal)
- 5-12. **Action Item:** Authorize Mayor to sign the Local Professional Services Agreement with ITD and Paragon Consulting, Inc. for FY22 Stoddard Pathway (KN22944) in the amount of \$55,700 Time and Materials Not to Exceed. (Funded by TAP Federal Grant (92.66%) & City PARKS match (7.34%))
- 5-13. **Action Item:** Authorize Mayor to sign task order amendment for attached scope of work with Precision Engineering for Franklin Road & Birch Lane Roundabout ROW acquisition assistance services in the amount of \$71,460.00 Time and Materials Not to Exceed (T&M NTE) (Approved in FY21 budget)
- 5-14. **Action Item:** Authorize the installation of a No Parking zone along Holly Street 220ft north of Hawaii Avenue to Hawaii Avenue
- 5-15. **Action Item:** Authorize the installation of a No Parking zone along Roosevelt Avenue between Holly Street and 18th Avenue South



- 5-16. **Action Item:** Award quote to Professional Construction Services, Inc. and authorize Mayor to sign contract for Manhole & Valve Collar Adjustments FY21 in the amount of \$60,000 (Approved in FY21 budget)
- 5-17. **Action Item:** Authorize Engineering Division to proceed with the formal bid process for the Annual Irrigation Replacement Pipeline project (Approved in FY21 budget)
- 5-18. **Action Item:** Authorize Mayor and Public Works Director to sign Task Order for attached Scope of Work (Exhibit B) with Parametrix to provide design services for the Franklin Blvd Waterline Upgrade project in the amount of \$117,715.00 (T&M NTE) (Approved in FY21 budget)
- 5-19. **Action Item:** Authorize Mayor to sign contract for the Water Meter Equipment FY21 procurement with Hydro Specialties Company in the amount of \$917,874.40 (Approved in FY21 budget)

(6) Public Hearings

- 6-1. **Action Item:** Adoption of City of Nampa Industrial Wastewater Capacity Policy, effective July 1, 2021
 - **Action Item:** Authorize Mayor to sign Resolution declaring the City's intent to adopt the City of Nampa Industrial Wastewater Capacity Policy effective July 1, 2021 (Reviewed by legal)
- 6-2. **Action Item:** Appeal of Planning Commission Denial of Conditional Use Permit (CUP-210-21) for multi-family housing in a Community Business (BC) zoning district for an 11.87 acre portion of a 12.56 acre parcel addressed as 609 S Grays Lane (SW 1/4 of Section 25, T3N, R2W, BM, Nampa) for 252 dwelling units in Copper Depot Apartments with a gross dwelling unit of 20.06 and net density of 23.21, for Inland Group (APL-013-21)
- 6-3. **Action Item:** Reconsideration of Zoning Map Amendment from RS6 (Single Family Residential – 6,000 sq. ft.) to RMH (Multiple-Family Residential), at 916 E. Colorado Ave., 915 E. Bird Ave. and 908 and 912 S. Elder St. (Parcels R11455011, R11455010, R11451012, R11451013 totaling an approximate 3.936 acre portion of the NE ¼ of Section 34, T3N, R2W, BM, Nampa, Canyon County, Idaho) and modification of concept to 2-story (townhome style) multi-family apartments, for Brandon Whallon representing Kennedy Family Ventures, LLC for Broadstone Apartments (ZMA-143-20)
- 6-4. **Action Item:** Zoning Map Amendment from RP (Residential Professional) to RS (Single-Family Residential, 6,000 sq. ft.) for the previously approved Lava Falls Subdivision originally addressed as 2718 E Locust Ln, an approximate 11.84 acre portion of land (located in a portion of the SE ¼ of the SE ¼ of Section 2, T2N, R2W, BM, Nampa, Canyon, Idaho) for Sawtooth Land Acquisition LLC representing all property owners of lots within the Lava Falls Subdivision (ZMA 137-21)



- 6-5. **Action Item:** Development Agreement Modification, rescinding the agreement attached to Ordinance #4321 allowing self-storage; and Zoning Map Amendment from BC (Community Business) to RMH (Multiple-Family Residential) for 12.4 acre parcel (#R3203001100) at 0 S. Middleton Rd (in NW 1/4 of Section 29, T3N, R2W, BM) for City of Nampa/Kristi Watkins representing Endurance Holdings LLC (DAMO 043-21 & ZMA 136-21)

(7) Unfinished Business

- 7-1. **Action Item:** 1st reading of ordinance for Annexation and zoning to RML (Limited Multiple-Family Residential) at 1165 S. Powerline Road (A 2.02-acre portion of Block 169, Kurtz Addition, also known as Tax 04696 in the NE ¼ of Section 34, T3N, R2W, BM, Nampa, Canyon County, ID) for multiple-family residential zero lot line buildings and multiple-family residential 4-plex buildings for Zenith Homes (ANN 169-20) (**PH was 04-27-2020**)
- 7-2. **Action Item:** 1st reading of ordinance for Annexation and zoning to RS22 (Single Family Residential - 22,000 sq. ft.) on the west side of N. Kings Rd. adjacent and north of 39 N. Kings Rd. at 0 N. Kings Rd. (A 2.43-acre parcel in Plat A Tax 04145 in Lot 37 in the SE ¼, SE ¼, Section 33, T3N, R2W, BM, Nampa, Canyon County, Idaho) for a parcel split for 2 new dwellings for Jay Walker representing Miguel Ballesteros. (ANN 164-20) (**PH was 04-27-2020**)

(8) Pending Ordinances (Postponed Due to Lack of Supporting Documentation)

- 8-1. Annexation and zoning to RD (Two-Family Residential) at 44 S. Kings Rd. (A 4.1-acre or 178,596 sq. ft. portion of the NW ¼ Section 25, T3N, R2W, BM also identified as Tax 6 in Tracts 15 and 16 of Nampa Heights Addition – for fourplex apartments for Tim Kristovich, Whispering Pines LLC (ANN 170-20) (**PH was 05-04-2020**))
- 8-2. Zoning Map Amendment from IP/RS (Industrial Park/Single-Family Residential) to RMH (Multiple-Family Residential) at 335 N. Gateway St. (A 1.25-acre or 54,450 sq. ft. portion of the SW ¼ Section 15, T3N, R2W, BM also identified as Lots 23 and 24, Block 13, Nampa City Acres Addition No. 1 – for a 100 unit multiple-family apartment project for Tim Kristovich, Whispering Pines LLC (ZMA 117-20) (**PH was 05-04-2020**))
- 8-3. Resolution for Comprehensive Plan Future Land Use Map Amendment from Medium Density Residential to Community Mixed Use, Annexation and Zoning to BC (Community Business), and Conditional Use Permit for a public storage development at 0 E Locust Lane, southeast of the Southside Blvd and Locust Lane intersection (An 18.92 parcel described as County Parcel R2953001000 in the NW ¼ of the NW ¼, Section 12, T2N, R2W, BM) for BC zoning to allow for public storage units and restaurant for Linda Claiborne (CMA 047-20, ANN 179-20 and CUP 191-20) (**PH was 10-05-2020**))
- 8-4. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial



- signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) (PH was 12-07-2020) (with City Attorney for ordinance and DA)
- 8-5. Annexation and Zoning to RD (Two-Family/Duplex Residential) zoning district at 216 N. Middleton Rd – Parcel#R1602200000 (A 2.59-acre portion of the NW ¼ Section 20, T3N, R2W, B) for an existing single-family home and barn to connect to city water service, for Cecilia Shields (ANN 181-20) (PH was 12-07-2020)
 - 8-6. Zoning Map Amendment from RSPUD to RS6 (Single-Family Residential 6,000 sf minimum), for Middlebury Subdivision in an RS6 zoning district (334 buildable lots, 1 existing home, and 36 common lots on 105.78 acres); located at 12246 Orchard Ave - County Parcel #s - R3280300000, R328001100, & R3279901000b(located in S 1/2 of Section 13, T3N, R3W, BM) for Jane Suggs - Gem State Planning representing Clinton R. Wissel (ZMA 129-20) (PH was 03-15-2021)
 - 8-7. Annexation and Zoning to RMH (Multiple-Family Residential) for the proposed vacated right-of-way described below, and 623, 613, 607 and 523 N Happy Valley Rd, totaling 3.8 acres (a portion of the SE ¼ of the SE ¼ of Section 13, and the NE 1/4 of the NE 1/4 of Section 24, T3N, R2W, BM and the NW 1/4 of the NW 1/4 of Section 19, and the SW 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM) – for development of Station at Gateway No. 2 multi-family development of 110 dwelling units for a net density of 28.95; and Vacation of an approximately 368' by 25' (9,200 sq. ft) rectangular portion of E Orchard Ave. right-of-way, north of 623 N Happy Valley Rd. (a portion of the SE 1/4 of the SE 1/4 of Section 13, T3N, R2W, BM) for development of the Station at Gateway No. 2 multi-family development; all for Brandon Whallon representing Colby Halker (ANN-192-21, VAC-048-21)) (PH was 04-05-2021)
 - 8-8. Development Agreement Modification, originally recorded as Ordinance No. 3997, modifying the concept plan and allow light industrial and commercial uses; and, Zoning Map Amendment from GB1 (Gateway Business #1) to IP (Industrial Park) for the Fuller 84 Business Park, located at the northwest corner of the Star Rd and E Franklin Rd intersection, parcel #R3040600000 (in SW 1/4 of Section 7, T3N, R1W, BM) for Bow River Capital representing Franklin Star Development LLC (DAMO 042-21 & ZMA 134-21) (PH was 04-19-2021)
 - 8-9. Vacation of an approximately 322' by 5.45' (approximately 1,754 sq. ft) water main easement, a portion of 0 S Rising Sun Dr., county parcel #R3210338400 (located in the NW 1/4 of Section 32, T3N, R2W, BM) for Epic Development Idaho, LLC (VAC-049-21) (PH was 04-19-2021)
 - 8-10. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district for Sunnyvale West Subdivision, at 0 W Flamingo Ave (County Parcel #3144900000) for ninety-three (93) single-family residential buildable lots, five (5) common (storm drain & buffers) lots, and eleven (11) common open space lots, for a gross density of 3.55 and a net density of 5.75; (a 26.22 acre portion of the NW ¼ of Section 18, T3N, R2W, BM, for Providence Properties, LLC/Patrick Connor representing Paul Mercier (ANN-191-21) (PH was 5-3-2021)



(9) Executive Sessions

- 9-1. **Action Item:** Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)
- Idaho Code 74-206 (1) (j) To consider labor contract matters authorized under section 74-206A (1)
 - Idaho Code 74-206 (1) (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement; Two Items

Adjourn

Next Meeting

Special Council at 5:30 PM – Monday June 14, 2021 – City Council Chambers

Regular Council at 5:30 PM – Monday June 21, 2021 - City Council Chambers

- ◆ Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the City Clerk's Office at Nampa City Hall, (208) 468-5426. Requests should be made at least five (5) days prior to the meeting to allow time to arrange accommodations
- ◆ Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the City Clerk