

REGULAR COUNCIL

June 1, 2020

Mayor Kling called the meeting to order at 6:00 p.m.

Clerk made note that Councilmembers Rodriguez, Bruner, Mutchie, Levi, Haverfield, Bower were present.

❖ (1) Consent Agenda (Action Items) ❖

Mayor Kling amended the agenda by adding the following alcohol renewals to the list under the consent agenda Denny's Restaurant #6640, 607 Northside Boulevard, on premise beer, wine and liquor; El TeNampa Mexican Restaurant, 248 Caldwell Boulevard, on premise beer, wine and liquor; Hispanic Cultural Center of Idaho, 315 Stampede Drive, on premise beer, wine and liquor; Luna Blu, 114 13<sup>th</sup> Avenue South, on premise beer and liquor; Pantera Market #4, 1323 2<sup>nd</sup> Street South, on-off premise beer and wine; Smokey Mountain Pizza and Pasta, 2007 North Cassia Street, on premise beer, wine and liquor and by amending a clerical error in item #5-1. with the address for Jak\*s Place.

**MOVED** by Haverfield and **SECONDED** by Mutchie to **approve the Consent Agenda as presented; Item #1-1.** - Regular Council Minutes of **May 18, 2020** and Special council Minutes of **May 18, 2020**; Airport Commission; Arts & Historic Preservation Commission; Bicycle and Pedestrian Advisory Committee Minutes of **January 9, 2020**; Board of Appraisers; Building and Site Design Standards Committee; Building and Fire Code Advisory and Appeals Board; Council on Aging; Crow Management; Golf Commission; Housing Authority; Impact Fee Advisory Committee; Library Board of Trustees; Nampa Planning and Zoning Commission Minutes of **May 12, 2020**; Nampa Police Protective Agency Minutes of **May 12, 2020**; Venue Management Advisory Commission; Wastewater Design Review Commission; **Item #1-2.** - The City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; **Item #1-3.** - **Final and Preliminary Plat Approvals: 1) Final** - Spring Shores No. 1 at 0 and 0 11th Ave N (county parcel R30779011 & a portion of R20927000) east of Meriwether subdivision between Cherry Lane and Ustick Road for 93 buildable single-family lots on 30.17 acres for 3.08 average dwelling units per gross acre – A portion of the SE ¼ of Section 2, T3N, R2W, BM a portion of the Cortland Place Subdivision) for Heartland Townhomes Property Management. (SPF-133-20); **Item #1-4.** - **Authorize Public Hearings: 1)** Zoning Map Amendment from RS-PUD (Single Family Residential Planned Unit Development) to RS-6 (Single Family Residential 6,000 sq. ft.) at 1400 W Roosevelt Ave. (Lots 1, 2 and 3 Block 1 and a portion of the vacated S. Boundary St. per the Plat of Town and Country Estates First Subdivision as filed in Book 8 of Plats at Page 24, records of Canyon County, Idaho located in the SW 1/4 of the NE 1/4 of Section 29, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for Katie Deal (ZMA 121-20); **2)** Modification of Development Agreement -Ordinance No. 3884, from a 48-unit senior housing development to a 22-lot duplex Roosevelt Village Subdivision, at 1910 W Roosevelt (a 6.2 acre portion of the SE ¼ of the NW ¼ of Section 29, T3N, R2W, BM) for Blake Wolf, Wolf Building Co. (DAMO 036-20); **3)** Annexation and Zoning to RS-4 (Single-Family Residential 4,000 sf lot) at 0 & 406 W. Dooley Lane – Parcels 29241 and 29241011 (A 2.76-acre or 120,226 sq. ft. portion of the SW ¼ of the NE ¼ Section 4, T2N, R2W, BM – for a small single-family home development for Mason & Associates Inc. (ANN 173-20) The Planning Commission recommended RS-6 (Single Family Residential 6,000 sq ft lot); **Item #1-5.** - **Authorize to Proceed**

**with Bidding Process:** **1)** Requests for Qualifications from design firms for Dog Park to be constructed in Nampa using Park Impact Fees; **Item #1-6. - Authorization for execution of Contracts and Agreements:** **1)** Renewal for Idaho Vehicle Inspection Program Station Agreement with Applus Technologies, Inc., to Supply Automotive Emissions Testing Equipment For the Fleet Services Division (Approved in FY20 budget); **Item #1-7. - Monthly Cash Report:** **1)** None; **Item #1-8. - Resolutions:** **1)** Disposal of Surplus Engineering Property; **2)** Disposal of Surplus Fleet Property; **Item #1-9. - License for 2020:** a) *Renewal Alcohol:* **1) 1918 Lounge**, 10 136th Ave South, On Premise Beer, Wine & Liquor; **Asian Grocery**, 453 Caldwell Blvd, Off Premise Beer & Wine; **Blaze Pizza**, 16375 W Merchant Way #170, On Premise Beer; **Brick 29**, 320 11th Ave South, On Premise Beer, Wine & Liquor; **Buffalo Wild Wings #592**, 2101 N. Cassia Street #211, On Premise Beer, Wine & Liquor; **Campos Market**, 3302 Caldwell Blvd, On/Off Premise Beer & Wine; **Campos on Lone Star**, 135 Lone Star, On Premise Beer & Liquor; Centennial Golf Course / Clubhouse, 2600 Centennial Drive, On Premise Beer & Wine; **Craft Lounge**, 320 11th Ave South, On/Off Premise Beer, Wine & Liquor; **Dos Caminos Mexican Restaurant**, 908 3rd Street South, On Premise Beer, Wine & Liquor; **Eagles Aerie 2103**, 118 11th Avenue North, On Premise Beer, Wine & Liquor; **Fire House Sports Pub & Pizza**, 423 E Karcher Road, On Premise Beer, Wine & Liquor; **Jalapenos Bar and Grill**, 1921 Caldwell Blvd, On Premise Beer & Liquor; **La Ranchera Nampa**, 122 Holly Street, On/Off Premise Beer; **La Rosita Mexican Store**, 711 E. Lincoln Ave, Off Premise Beer; **Outback Steakhouse**, 2011 W Karcher Road, On Premise Beer, Wine & Liquor; **Maverik #287**, 2211 N. Franklin Blvd, Off Premise Beer & Wine; **Maverik #522**, 2516 W Karcher Rd, Off Premise Beer & Wine; **Maverik #178**, 723 N 12th Ave, Off Premise Beer & Wine; **Maverik #551**, 555 Northside Blvd, Off Premise Beer & Wine; **Mesa Tacos & Tequila**, 1213 1st Street South, On Premise Beer, Wine & Liquor; **Messenger Pizza**, 1224 1st Street South, On/Off Premise Beer & Wine; **Nampa Gusher LLC**, 324 3rd Street South, Off Premise Beer & Wine; **Pantera Market #2**, 1802 N Franklin Blvd, On/Off Premise Beer & Wine; **PreFunk Beer Bar II**, 1214 1st Street South, On/Off Premise Beer & Wine; **Red Robin #221**, 2222 Cassia Street, On Premise Beer, Wine & Liquor; **Ridgecrest Golf Course / Clubhouse**, 3730 Ridgecrest Drive, On Premise Beer, Wine & Liquor; **Slick's Bar**, 525 E Karcher Road, On Premise Beer, Wine & Liquor; **Stinker Store #44**, 224 Holly Street, Off Premise Beer & Wine; **Stinker Store #48**, 524 12th Avenue, Off Premise Beer & Wine; **Stinker Store #82**, 3319 Garrity Blvd, Off Premise Beer & Wine; **Stinker Store #113**, 803 12th Avenue South, Off Premise Beer & Wine; **Tacos El Rey Restaurant #5**, 2707 Garrity Blvd #1, On/Off Premise Beer & Wine; **Target Store T-2206**, 16300 N. Market Place Blvd, Off Premise Beer & Wine; **The Block**, 215 14th Ave South, On Premise Beer & Wine; **The Getaway**, 512 12th Ave Rd, On Premise Beer, Wine & Liquor; **The Griddle**, 1124 Caldwell Blvd, On Premise Beer & Wine; **Walmart #4180**, 175 S Middleton Rd, Off Premise Beer & Wine; **Walmart #2781**, 2100 12th Ave Rd, Off Premise Beer & Wine; **Walmart #3739**, 5875 E Franklin Rd, Off Premise Beer & Wine; **Airport Inn**, 3111 Garrity, On Premise Beer & Liquor; **Agave Cantina**, 1516 1st South Street, On/Off Premise Beer, Wine & Liquor; **Crescent Brewery**, 1521 Front Street, On Premise Beer & Wine; **Ford Idaho Center**, 16200 Idaho Center Blvd, On Premise Beer, Wine & Liquor; **Friendly Fred's**, 507 16th Avenue, On Premise Beer, Wine; **IOU Sushi II**, 2107 N Cassia, On/Off

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Premise Beer, Wine & Liquor; **Italianesque**, 1338 N Galleria Drive, On/Off Premise Beer & Wine; **JP Thailand Express**, 2025 12th Avenue Road, On Premise Beer & Wine; **Jacksons #62**, 100 Caldwell Blvd, Off Premise Beer & Wine; **Jacksons #05**, 1407 Franklin Blvd, Off Premise Beer & Wine; **Jacksons #85**, 612 Northside Blvd, Off Premise Beer & Wine; **Jacksons #59**, 2513 Caldwell Blvd, Off Premise Beer & Wine; **Jacksons #60**, 224 22nd Ave South, Off Premise Beer & Wine; **Jacksons #61**, 927 Caldwell Blvd, Off Premise Beer & Wine; **Jacksons #117**, 4315 Garrity Blvd, Off Premise Beer & Wine; **Kickback Bar**, 3116 Garrity Blvd, On Premise Beer, Wine & Liquor; **La Copa**, 1524 1st Street, On/Off Premise Beer, Wine & Liquor; **Local First**, 1228 W Galleria Drive, On/Off Premise Beer, Wine & Liquor; **Mother Earth Micro Brews**, 1428 Madison Ave, On/Off Premise Beer & Liquor; **Nampa Civic Center**, 311 3rd Street South, On Premise Beer, Wine & Liquor; **Nampa Elks Lodge #1389**, 1116 1st Street South, On Premise Beer, Wine & Liquor; **Red Hawk Golf Course**, 12225 S Hunter's Drive, On Premise Beer & Wine; **TGI Fridays**, 16625 N Market Place Blvd, On Premise Beer, Wine & Liquor; **TNT's Dynamite Bar & Grill**, 1411 Shilo Drive, On Premise Beer, Wine & Liquor; **The Tower Grill**, 105 Municipal Drive, On/Off Premise Beer, Wine & Liquor; **Whisky River**, 113 13th Ave South, On Premise Beer, Wine & Liquor; **Wingers Restaurant and Alehouse**, 16250 N Market Place Blvd, On Premise Beer, Wine & Liquor; b) *New Alcohol*: **1) Grocery Outlet of Nampa**, 1215 12<sup>th</sup> Avenue Road, off premise beer and wine; **Item #1-10 - Miscellaneous Items**: 1) None. Mayor Kling asked for a roll call vote with Councilmembers Rodriguez, Levi, Bower, Mutchie, Haverfield voting YES. Councilmember Bruner voting NO. Mayor Kling declared the

MOTION CARRIED

## ❖ (2) Proclamation ❖

Item #2-1 - None

## ❖ Mayor Kling's and Council Comments ❖

- **Mayor**
  - COVID-19 Procedure Updates
    - Fire Chief Kirk Carpenter gave an update on masks and health checks
- **Councilmember Bruner**
  - Shout out to the Nampa Police Department
  - Shout out to Monica Salinas (Amazon Worker)
  - Shout out to Canyon County Legislators, Governor Little, Skaug Law
    - On women's athletics on restrooms
- **Councilmember Bower**
  - Shout out to the Nampa Police Department
- **Councilmember Mutchie**
  - Shout out to the Nampa Police and Fire Departments

## ❖ (3) Agency/External Communications ❖

**Item #3-1. - None**

❖ **(4) Staff Communications** ❖

**Item #4-1.** – Parks and Recreation Director Darrin Johnson presented the following updates:

**Outdoor Swimming Pools** – Nampa Parks and Recreation intends to open the City’s outdoor swimming facilities, Lincoln Pool and Lakeview Waterpark on Saturday, June 6th. The opening will be in alignment with the defined protocols identified in the Idaho Rebounds Plan for Stage 3.

Our goal is to provide recreational services that will add enjoyment and quality of life opportunities for Nampa families this coming summer. With efforts to minimize the potential spread of the coronavirus, our department will implement several modifications to our typical operations process. With the necessary modifications needed to be successful and allow for heightened safety, it will take increased patience and flexibility on the part of our citizens who want to use the swimming pool facilities.

The most notable changes to the swimming pool operations will be that patrons will need to make online reservations in advance. To allow for adequate physical distancing, a limited number of people will be allowed to swim during a predetermined time slot. Reservations will be made through the Nampa Parks and Recreation Website. In addition, the duration of open swim times will be limited to two-hour sessions. After each two-hour session, staff will have a short intermission to clear patrons from the pools, sanitize bathrooms and other high touch areas. After the intermission, the next group that made reservations will be allowed to enter the swimming pool facility.

Over the past few weeks, we have taken a thoughtful approach to planning and implementing new processes that keep community and employees safe. These processes include:

- Increased cleaning and sanitization, with extra attention to high-touch surfaces.
- Providing increased hand sanitizer throughout the facility.
- Removing lawn furniture that is typically provided, but patrons can bring their own.
- Offering limited locker room use – come ready to swim and leave the same way.
- The same price structure as last year but shorter swim sessions.
- Discontinuing concession items.
- Communicating and explaining need for physical distancing and washing hands, etc.
- Placing signage indicating patrons who are sick or have a fever may not use the facility.
- Not allowing patrons to share equipment.
- Requiring employee health screenings.
- Providing face coverings for staff.
- Limiting the number of patrons in the facility at one time.

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Because information and the dynamics of the coronavirus continually change, staff will follow practices throughout the summer that provides the most reasonable safety practices. If new information allows for a change in restrictions, we will modify our processes to allow for greater convenience and flexibility for our citizens.

**Recreation Center** – Since the Recreation Center opening the usage is 50 to 60% under what the usage was at this time last year. We are not doing any of the traveling trips or the senior classes.

**Arts in the Park** – We are looking at ways that we might be able to move forward with the Arts in the Park two-day event in August.

**Item #4-2.** – Library Director Clair Connley presented the following updates:

**Library Opening** – The Library will be opening June 2, 2020. We will have the lobby open from noon to 4:00 p.m. We are only allowing 17 people in at a time and we are having 4 computers in the multipurpose room with 4 time slots and the last slot will be for people that do not want to wear masks. All other times the masks are encouraged. There is a 72-hour disinfection time on all returned items. We are continuing our curbside service.

❖ **Mayor Kling asked if Nampa Residents Wishing to Speak on an Agenda (5 persons limit) or Non-Agenda Item (persons limit) (3 minute limit). Comments Related to Zoning and Land Use Matters May only be Made During Properly Noticed Public Hearings:** ❖

- Hailey Ussery, 11678 Penobscot, Caldwell – made comments on Item 5-1
- Kathy Ussery, 4543 North High Prairie, Star – made comments on Item 5-1
- Jeff Ussery, 4543 North High Prairie, Star – made comments on Item 5-1
- Steve Blankenship 16819 Rosebriar Lane - made comments on Item 5-1

❖ **(5) New Business** ❖

**Item #5-1.** - Mayor Kling presented the request to **approve** the **wavier** to allow on premise Liquor sales within 300 feet of church or school for **Jak\*s Place INC DBA**. Jak\*s Place located at 6026 Birch Lane.

Councilmembers made comments.

**MOVED** by Rodriguez and **SECONDED** by Mutchie to **approve** the waiver for liquor by drink at Jak\*s Place located at 6026 Birch Lane. The Mayor asked for a roll call vote with Councilmembers Haverfield, Bower, Mutchie, Rodriguez voting **YES**. Councilmember Bruner, Levi voting **NO**. The Mayor declared the

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❖ (6) Public Hearings ❖

**Item #6-1.** - Mayor Kling opened a **public hearing** for a **Conditional Use Permit** for Public Self-Storage in a BC (Community Business) zoning district at **980 S Rising Sun Dr.** (A 4.64-acre parcel of land situated in the NW ¼ of the NW ¼ of Section 32, T3N, R2W, BM Nampa City, Canyon County) for **Ariah Orr.** (CUP-00176-20)

Councilmember Bower said that he needs to recuse himself from this public hearing due to renting a space for his practice.

Ariah Orr presented the request.

Principal Planner Kristi Watkins presented the following staff report explaining that the request is for a Conditional Use Permit for Public Self-Storage in a BC (Community Business) zoning district for Ariah Orr, applicant Steve Cope owner for a location of 980 South Rising Sun Drive in the Fall River West Subdivision.

**General Information**

**Existing Zoning:** BC (Community Business). **Existing Land Use:** An undeveloped portion of the Fall River West Subdivision. **Proposed Land Use:** Public Self Storage Facility. **History:** **November 2007** – Annexation and zoning to BC & RS – Ord # 3743 with a Development Agreement. **April 2012** – Comprehensive Plan Amendment – Change Future Land Use Designation to Mixed Use. **Surrounding Land Use and Zoning:** *(This represents the current configuration, applicant may propose a lot split to change the adjacent boundaries on the south and the east)*

**North-** BC (Community Business) zoning district – Various commercial service & retail uses - **South-** RS 8.5 (Single-Family Residential) & Canyon County Residential – Spring Valley Subdivision - **East-** RP (Residential Professional) & RS 7 (Single Family Residential) zoning districts - Fall River West Subdivision - **West-** RS 8.5 (Single Family Residential) & Canyon County Residential – Carriage Hill North & Middleton Road right-of-way

**Comprehensive Plan Designation:** Community Mixed Use – Fall River is a mixed-use development, providing Commercial and Residential Uses in a variety of types. **Public Utilities/Services:** Water, Sewer & Pressurized Irrigation are all available up to and within the proposed site. **Transportation:** The property will have access via the parking area for the proposed indoor sports training facility to the south, which will take access from Middleton Rd. and it will also provide an emergency access on the north through the adjacent commercial parcel.

**Applicable Regulations**

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Section 10-25-4 of the Nampa City Code sets forth the conclusions of law for the granting of a CUP. The Commission's findings shall satisfy these conclusions. Additional conditions may also be placed on the approval as the Commission determines. The conclusions of law include compliance with Zoning Code and the Comprehensive Plan. In addition, the proposed location, size, and design of the use shall not adversely affect the livability or appropriate development of the abutting properties and the surrounding neighborhood; nor shall it be inconsistent with the appearance of the area; and finally, it must enhance the area in its basic community functions.

Section 10-1-19 of the Nampa City Code sets forth the Professional, Public Self-Storage regulations. These regulations include (but are not limited to) the following:

A Conditional Use Permit shall be obtained from the Nampa City Council.

A. 1. City Council may require a setback of up to 150' from the right of way for storage unit buildings, and said setback may allow uses consistent with the underlying zone.

A. 2. Public storage facility buildings shall be located a minimum distance of one hundred feet (100') from any RS or RD zoning district and 100' from any existing residential building. *(See attached site plan for 100' setback lines)*

B. 1. Walls greater than 100' in length visible from ROW shall have façade changes.

B. 7. Public storage facility properties that are contiguous to RS (Residential Single Family) or RD (Residential Duplex) zoning districts, or that are located in a BN (Neighborhood Business) or RP (Residential Professional) zoning district shall limit the height of storage buildings to ten feet (10') at the edge of eaves.

C. 6. Landscape buffer: The fifteen-foot (15') landscape buffer as described in 10-33-4 A.1 shall be expanded to twenty-five feet (25') and apply to any portion of the project property/properties that are contiguous to street, pathway, or sidewalk right-of-way, and along any property line shared by a residentially zoned property or a property designated as low or medium density residential in the Comprehensive Plan Future Land Use Map.

## **Correspondence**

### Nampa Building Department

All development and construction on this property shall be subject to the requirements in Title 4 – Building Regulations of Nampa City Code.

### Nampa School District

No concerns

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Nampa Code Compliance

No code violations at this time

City of Nampa Engineering Division

Does not oppose this application. Any future development of this site is subject to the City of Nampa building permit plan review process. Any applicable conditions or required inspections will be generated via that process. Applicable utility connection and engineering inspection fees are to be paid upon approval of and prior to receiving any building permits.

Public Input

Lisa Bell – 1021 S Spring Valley Dr (See Attached Comment) – Concerns include lighting, placement of units in regards to her property, location of the driveway and traffic/hours of operation.

Debbie Lester – Parcel #R3206523800, 12740 S Brett Pl – In support of the proposal.

**Staff Findings and Discussion**

According to the development agreement attached to Ordinance #3742 as Instrument #2007075799 recorded on November 5, 2007, the area proposed for this development was anticipated to be developed as commercial. It has always been zoned BC (Community Business). Storage facilities are an allowed use in the BC zone with an approved conditional Use Permit. Per Section 10-1-19 of the Nampa City Code a Conditional Use Permit shall be obtained from the Nampa City Council.

The applicant is proposing to split the lot between the storage facility, the proposed commercial tenant building to the east and the proposed indoor sports training facility to the south. Thereby, creating a property line that is NOT contiguous to any residential zones and provides for the storage buildings to be located 100' from any RS zoned properties as per NCC §10-1-19.A.2.

Staff has not made a recommendation for a setback along Middleton Rd. It is within Council's discretion to determine the distance, if any, of the setback that may be required, UP TO 150 feet. The attached site plan shows a 45' setback from Middleton Rd.

Storage Units have a much lower fiscal benefit to the city than a commercial or manufacturing land use which are 10 and 11 x's more beneficial respectively.

If the City Council wishes to approve the requested Conditional Use Permit, they will need to adopt the following findings:



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- 1) The location, size and design of the proposed Public Self Storage project will be reasonably compatible with and not adversely affect the livability or appropriate development of the surrounding neighborhood if the below conditions are required.
- 2) The location, design, and site planning of the proposed project will be as attractive as the nature of the use and its location and setting warrants.
- 3) The proposed Project will enhance the successful operation of the surrounding area in its basic community function and provide an essential service to the community.

**Suggested Conditions of Approval**

Should the City Council vote to approve the conditional use permit to allow a Public Self Storage development in the BC zone, then Staff suggests the following as conditions of approval:

1. Comply with all applicable requirements [including obtaining proper permits – like a Building Permit, Design Review, 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 entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not have, the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property; and,
2. Provide a record of survey of the proposed lot split or parcel line adjustment, for city review, and record the record of survey and deeds prior to application for Design Review or Building Permits; and,
3. *(Optional)* Provide a revised site plan showing a setback along Middleton Rd of 45 feet; and,
4. Provide recorded Access Easement Agreement documents; and
5. Submit a design review application to the planning and zoning department (satisfied); and
6. <Any other conditions as may be levied by Council....

Councilmember Bower corrected himself and said that this was the wrong area and that he did not need to recuse himself.

The applicant answered questions brought up in testimony and made comments.

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Mayor and Councilmembers asked questions and made comments.

No one appeared in favor of the request.

Those in opposition to the request were: Leonard Buchholz, 1207 Spring Valley Drive; Lisa Bell, 1021 Spring Valley Drive. (Kristi read an e-mail that was submitted and Mayor Kling read the statement that was submitted for the hearing)

The applicant presented a rebuttal.

Councilmembers asked questions of the applicant and staff.

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

MOTION CARRIED

**MOVED** by Haverfield and **SECONDED** by Rodriguez to **deny the request**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #6-2.** - Mayor Kling opened a **public hearing** to approve the 2017-2020 5-Year Consolidated Plan and 2019 Annual Action plan amendments as presented and allow CDBG staff to send to the Department of Housing and Urban Development for final approval.

Matt Jamison presented the following staff report explaining that the request as part of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (H.R. 748), Community Development Block Grant Entitlement Communities have received a special allocation of funding to prevent, prepare for, and respond to the coronavirus (COVID—19). The City of Nampa will receive \$471,700.00 in CDBG-CV funding as part of the first round of the CARES Act stimulus package specifically awarded to entitlement communities using the existing allocation formula process.

In order to receive the CDBG-CV funding the City of Nampa have drafted substantial amendments to the 2017-2020 Five-Year Consolidated Plan (including the Citizen Participation Plan) and the 2019 Annual Action Plan. The 5-day public comment period made possible by statutory waiver provided in the CARES Act was opened on May 22, 2020 and closed on May 29, 2020. All public comment received will be included in the amended plans prior to final submittal to HUD.

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Provided on the following pages is a summary of the 5-Year Consolidated Plan and 2019 Annual Action Plan substantial amendments. The complete draft versions of the 5-Year Consolidated Plan and 2019 Annual action Plan can be found City of Nampa’s Community Development Block Grant website at <https://www.cityofnampa.us/159/Community-Development-Block-Grant> .

### **Substantial and Minor Amendment(s) to the 2017 – 2021 Consolidated Plan**

The 5-Year Consolidated Plan has been substantially amended to include the expected resources and statutory waivers provided for in the CARES Act. Specifically, the CARES Act provided waivers and flexibility in CDBG program requirements that include suspending the 15 percent cap on funding for public services, reducing the public comment period from 30 days to 5 days, and allowing the option of virtual meetings in lieu of in- person public hearings in order to comply with national and local social gathering requirements. Additionally, the plan was amended to include newly identified priority needs, goals, and objectives that will be funded during the 2019 program year that were either not clearly defined or identified at all in the previous approved version of the Consolidated Plan.

#### **Substantial Amendment(s)**

- Insertion of the previously amended and adopted Citizen Participation Plan

#### SP-05 Overview

- Information relating the CDBG program flexibilities and waivers provided for under the CARES Act was included in the overview of the strategic plan.

#### SP-25 Priority Needs

- Priority Needs
  - Identified emergent needs brought on by the 2020 coronavirus pandemic and in support of the CARES Act.
- High Priority Needs
  - Updated the High Priority Needs section to include “Expand youth services programs to support low-to moderate income households city-wide”.

#### SP-45 Goals Summary

- Economic Opportunity Goals
  - Updated Goal (5), Improve neighborhood conditions in the City’s lowest income areas.
    - Objective 5.1 to include language about creating access to affordable day care and other youth services.
    - Added Goal number (6), Provide monetary and non-monetary support to small and microenterprise businesses.
      - Objective 6.1: Coordinate CDBG funding to support LMI qualifying microenterprise business owners or to create or retain jobs.

- Objective 6.2: Coordinate CDBG funding to support small business with job retention and or job creation activities.

### **Substantial and Minor Amendments to the 2019 Annual Action Plan (AAP)**

The 2019 Annual Action Plan was amended to include the expected resources and statutory waivers provided for in the CARES Act. Specifically, the CARES Act provided waivers and flexibility in CDBG program requirements that include suspending the 15 percent cap on funding for public services, reducing the public comment period from 30 days to 5 days, and allowing the option of virtual meetings in lieu of in- person public hearings in order to comply with national and local social gathering requirements. The funding allocation previously approved by Council at the May 7, 2020 special Council meeting was identified and included in the 2019 Annual Action Plan.

#### **Minor Amendment(s)**

##### AP-20 Annual Goals and Objectives

- Goal # 2 ADA/Accessibility Improvements
  - Increased the funding total for the Lions Park Shelter by \$14,000.00 from the 2018 grant year funds available to commit.

#### **Substantial Amendment(s)**

##### AP-05 Executive Summary

- Information relating to the anticipated funding to be made available and waivers provided for as part of the CARES Act that are to be used to prevent, prepare for, and respond to the coronavirus pandemic.

##### AP-10 Consultation

- Information related to CDBG staff consultation with local stakeholders and service providers to identify emergent needs in Nampa as a result of the coronavirus pandemic.

##### AP-15 Expected Resources

- \$471,700.00 in anticipated CDBG-CV funding was added to the expected resources to be available during the 2019 program year.

##### AP-20 Annual Goals and Objectives

- Amendments updated the funding available for existing goals/objectives and new goals not previously approved in the 2019 AAP were defined. The updated Goals and Objectives are detailed below.
  - Goal 3 – Social Services
  - Goal 6 – Reduce Homelessness

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Goal 8 – Administration and Planning

Goal 9 – Economic Development

AP-35 Projects and AP-38 Projects Summary – New CDBG-CV CARES Act Funded Projects

- # Project Name
  - 1 Administration and Planning of CDBG-CV Grant
  - 2 2019 Homelessness Prevention (Rent and Utility Assistance)
  - 3 2019 Homeless Assistance (Homeless Shelter Assistance)
  - 4 2019 Youth Services - Day Care Providers
  - 5 2019 Food Access
  - 6 2019 Microenterprise Loan Program
- Additionally, a summary of each of the 6 identified projects was included in the amendment.

Today City Council will be asked to approve the proposed amendments to the Consolidated Plan and Annual Action Plan. Once approved CDBG staff will submit the Council approved plans to the Department of Housing and Urban Development for approval.

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

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

MOTION CARRIED

**MOVED** by Haverfield and **SECONDED** by Mutchie to **approve** the 2017-2020 5-Year Consolidated Plan and 2019 Annual Action plan amendments as presented and allow CDBG staff to the Department of Housing and Urban Development for final approval. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

#### ❖ (5) New Business ❖

**Item #5-2.** - Mayor Kling presented the request to **approve** and **authorize** the **Mayor** to **sign MOU** for **Hartland & Kinghorn Estates** Regional Pressure Irrigation Pump Station. (approved by legal)

Tom Points presented a staff report explaining that a new regional pressure irrigation pump station is required to serve the proposed Hartland and Kinghorn Estates developments. The projects are in the northwest section of the City, north of the Northside Blvd and Ustick Road intersection; see Exhibit B for location. The Developers are jointly coordinating the design, construction, and upfront funding of the pump station. They have requested to establish a Memorandum of

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Understanding with the City of Nampa to define project responsibility and reimbursement in accordance with City policy. Additional details are provided below.

The regional pump station is a necessary improvement to allow the City to provide irrigation service for these developments as well as additional land in the vicinity. The facility aligns with improvements reflected in the City's Irrigation Master Plan.

The pump station provides a regional benefit to the City; therefore, the City should enter into a Memorandum of Understanding with the Developers to define responsibilities for construction and funding of the facility.

The City Attorney reviewed and approved the Memorandum of Understanding language on May 7, 2020.

The Developers have also reviewed and agreed to the Memorandum of Understanding language. The Developers procured three (3) bids for the construction of the pump station and supplied the bid information to the City on April 15, 2020 (see Exhibit D). The low bid amount for the pump station was \$341,163.00 by Irminger Construction, Inc. The total estimated reimbursable cost including design, power, gravity supply, construction management, etc. is \$474,537.00. The Engineering Division is recommending a maximum reimbursement amount of \$480,000.00.

There is no funding in the FY 20 budget to cover this pump station reimbursement due to existing commitments for other regional pump stations. The reimbursement will be planned into the FY 21 and subsequent budgets dependent on availability of funds.

The Developers intend to start construction on the pump station this summer with the intent of having it operational for the 2021 irrigation season.

Councilmembers asked questions and made comments.

**MOVED** by Bruner and **SECONDED** by Bower to **delay** the **Mayor** to **signing** the **Memorandum of Understanding** for the Hartland & Kinghorn Estates regional pressure irrigation pump station on behalf of the City. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

**MOTION CARRIED**

**Item #5-3.** - Mayor Kling presented the request to **award** the **bid** and **authorize** the **Mayor** to sign contract for Zone F Sewer Rehab FY20 project with **Planned & Engineered Construction**. (Approved in FY20 budget)

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Tom Points presented a staff report explaining that each year as part of the City's Asset Management program the Wastewater Division identifies sanitary sewer lines and infrastructure that need rehabilitation or replacement.

For FY20, the Wastewater Division identified approximately 18,500 linear feet of existing sewer main to be repaired and replaced.

The project consists of manhole rehabilitation and cured-in-place pipe lining of approximately 13,400 linear feet of existing 8-inch diameter pipe, 1,150 feet of 12-inch diameter pipe, 1,550 feet of 18-inch diameter pipe, and 2,400 feet of 24-inch diameter pipe including field investigation of existing services. The locations are per the attached map (see Exhibit A).

The City received one bid from Planned and Engineered Construction and was determined to be the lowest responsive bidder at \$1,298,850.00. All necessary public bidding requirements appear to be satisfied.

Zone F Sewer Rehab FY20 projects have a remaining project budget of \$1,126,601 allocated for construction.

Engineering staff as well as our design consultant have reviewed the bids and recommend award to Planned and Engineered Construction in the amount of \$1,298,850. The City staff will follow up with a change order to reduce the scope of work to stay within the remaining project budget.

**MOVED** by Bruner and **SECONDED** by Haverfield to **award the bid and authorize the Mayor to sign contract** for the Zone F Sewer Rehab FY20 project with Planned and Engineered Construction in the amount of **\$1,298,850** understanding that there will be a subsequent change order issued to reduce the value of the contract to be within the remaining project budget. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #5-4.** - Mayor Kling presented the request to **authorize the Mayor and Public Works Director** to Sign Task Order with DKS Associates for **Garrity Boulevard and Idaho Center Boulevard** Signal Timing Project. (Approved in FY20 budget)

Tom Points presented a staff report explaining that the Project Bronco Traffic Impact Study required the developer to retime eight (8) signalized intersections near the project. This effort will improve traffic efficiency and reduce travel delay times.

Public Works Department staff is proposing to expand the project by adding seven additional intersections further improving traffic flows in the broader area. In total, the project will improve

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signal timing at fifteen (15) interconnected intersections along Franklin Road, Idaho Center Boulevard, Garrity Boulevard (I-84 B) and Happy Valley Road. (see Exhibit A)

The signals along Garrity Boulevard and at the I-84/Garrity Interchange are owned by the Idaho Transportation Department (ITD) and maintained by the City of Nampa. The remaining signals are on the local system and owned and maintained by the City.

City consultant, DKS Associates, submitted a fee of \$3,734.62 per signal to complete the signal timing project. The signal timing will be adjusted, using actual traffic volume data, after the opening of Project Bronco.

This will be a jointly funded project between Project Bronco, ITD and the City. Nampa will manage the project, coordinating and communicating with all parties. The breakdown for each party is outlined below:

**Project Bronco Portion:**

1. Franklin/Bronco West Entrance (not in MOU w/City but part of Bronco construction)
2. Franklin/Bronco East Entrance (not in MOU w/City but part of Bronco construction)
3. Franklin/Star Robison Road (not in MOU w/City but part of Bronco construction)
4. North Tieg's Way/East Franklin Road (per MOU w/City)
5. North Idaho Center Boulevard/Ridgecrest Drive/East Franklin Road (per MOU w/City)
6. North Idaho Center Boulevard/East Gate Boulevard (per MOU w/City)
7. North Idaho Center Boulevard/Interstate Ramp (per MOU w/City)
8. Garrity Boulevard/Interstate Ramp (per MOU w/City)

Eight (8) signals X \$3,734.62 (per signal) = \$29,876.93

**ITD Portion:**

1. Garrity Boulevard/East Flamingo Avenue
2. Garrity Boulevard/Stamm Lane
3. Garrity Boulevard/North 39th Street
4. Garrity Boulevard/Kings Road

Four (4) signals X \$3,734.62 (per signal) = \$14,938.47

**City of Nampa Portion:**

1. North Idaho Center Boulevard/Birch Lane
2. North Happy Valley Road/East Flamingo Avenue



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3. North Happy Valley Road/Stamm Lane

Three (3) signals X \$3,734.62 (per signal) = \$11,203.85

**Funding Summary:**

Project Bronco	\$29,876.93
ITD	\$14,938.47
City	\$11,203.85
<b>Total</b>	<b>\$56,019.25</b>

Nampa's \$11,203.83 portion is funded from impact fees designated for Idaho Center/Franklin Road area.

Nampa will oversee design, bid administration, project management and communication/coordination between entities. Nampa will ensure all ITD permits, authorizations and requirements are met.

Staff recommends authorization of the DKS Associates scope of work and fee (see Exhibit B) in the amount of \$56,019.25 time and material not to exceed. (T&M NTE)

**MOVED** by Bruner and **SECONDED** by Rodriguez to **authorize** the **Mayor and Public Works Director** to **sign task order** with **DKS Associates** for the **Garrity Boulevard and Idaho Center Boulevard** Signal Timing Project in the amount of \$56,019.25 T&M NTE. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

**Item #5-5.** - Mayor Kling presented the request to **authorize** the **Mayor and Public Works Director** to **Sign Task Order** for Consultant Services with Stantec Consulting Services Inc., for **Nampa Asset Management Evaluation**. (Approved in FY20 budget)

Tom Points presented a staff report explaining that the Public Works Department (PWD) staff requests approval of the attached scope of work (see Exhibit A) with Stantec Consulting Services Inc., for the Nampa Asset Management Evaluation.

- Today's request is in association with the Water and Wastewater Impact Fees Analysis previously approved by City Council on January 21, 2020
- In order to collect these utility impact fees the level of service must be defined. This asset management evaluation defines those level of service standards

The City has more than one hundred thousand infrastructure assets from roadways, waterlines and lift stations to streetlights, storm drains and water valves.

It is important to keep assets in working condition for the continuation of public safety, economic availability, and community livability.

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Asset management programs outline when certain assets are replaced, when others are repaired, and which ones should be regularly inspected to ensure that assets reach their full life expectancies and are replaced before failure.

Asset management programs are designed to be proactive, versus reactive, and provide structure, efficiencies, and fiscal responsibility by utilizing data to make real time decisions and forecasting.

A current assessment of the City's infrastructure will help PWD staff identify and prioritize asset management improvements as follows:

- Provide a common understanding of strategic asset management concepts as well as a vision of the benefits that can be achieved with a strategic approach
- Evaluate current capabilities from the perspective of industries asset management professionals
- Define the current level of service
- Provide a clear path forward for enhancing asset management capabilities to effectively manage risk and deliver quality and affordable services to its customers and citizens

The asset management evaluation deliverables will include:

- Capabilities assessment with preliminary findings summary and solutions workshop
- Asset management work plan report and presentation
- Level of service definitions and targets with key performance indicators
- Budget impacts and benefits of an enhanced asset management program

Results will allow PWD staff to make needed changes to the current program (see Exhibit B) and begin the implementation and documentation of a more robust, uniformed, and effective asset management program.

City staff conducted interviews with three consultants and selected Stantec Consulting Services Inc., for this evaluation project. City staff and Stantec have agreed on a scope and fee for the proposed asset management evaluation in the amount of \$87,800.00 T&M NTE. (time and material not to exceed)

\$87,000 was approved in the PWD fiscal year 2020 budget and is divided between street, water, irrigation, and wastewater budgets. The remaining balance of \$800 will be paid from the aforementioned contracted services operations budgets.

**MOVED** by Rodriguez and **SECONDED** by Mutchie to **authorize the Mayor and Public Works Director to sign task order** for consultant services with Stantec Consulting Services Inc., for the

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Nampa Asset Management Evaluation in the amount of **\$87,800.00** T&M NTE. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

**Item #5-6.** - Mayor Kling presented the request to **approve** of the **CDBG Guidelines and Contract** for the Microenterprise Loan Fund.

Matt Jamison presented a staff report.

**MOVED** by Haverfield and **SECONDED** by Bower to **approve** of the **CDBG Guidelines and Contract** for the Microenterprise Loan Fund. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

**Item #5-7.** - Mayor Kling presented the request to **approve** the **allocation** of **\$50,000.00** to the **Housing Affordability project** for the 2019 program year as recommended and authorize CDBG staff to open a 30-day public comment period on the proposed allocation.

Matt Jamison presented a staff report explaining that the CDBG program have identified opportunities to participate in the development of affordable housing projects located in Nampa. CDBG staff are requesting \$50,000.00 dollars from the 2018 program year to be allocated to the Housing Affordability project to be carried out during the remainder of the 2019 program year. Funding for the proposed 2019 project is detailed below:

Housing Affordability Project (New 2019 Project)		
2018 PY Funds to be reallocated		\$50,000.00
<b>Total CDBG Funds Allocated</b>	<b>to Project</b>	<b>\$50,000.00</b>

**MOVED** by Rodriguez and **SECONDED** by Mutchie to **approve** the **allocation** of **\$50,000.00** to the **Housing Affordability project** for the 2019 program year as recommended and authorize CDBG staff to open a 30 day public comment period on the proposed allocation. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

❖ (7) Unfinished Business ❖

**Item #7-1.** - Mayor Kling presented the request to **authorize** the Mayor and **Public Works Director** to **Sign Task Order** with **CTA Architects Engineers** dba Cushing Terrell for Nampa Wastewater Treatment Plant Phase II Upgrades Project Group E - Administration and Laboratory

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Building Renovation Services During Construction (approved in FY20 budget) (with remaining budget request in FY2021).

Tom Points presented a staff report explaining that the Nampa Wastewater Treatment Plant (WWTP) is preparing for Project Group E (PGE) construction as part of the Phase II Upgrades. The construction of this project is expected to begin in June 2020 and involves a renovation of the existing administration and laboratory building.

On May 7, 2020, City Council awarded the PGE construction contract to Petra, Inc. A related task order with City consultant Cushing Terrell for technical services during construction (SDC) was also presented for approval. However, this request was tabled to allow staff additional time to identify a reduction in the consultant fee. Staff identified cost saving measures by reducing the construction schedule and utilizing Wastewater Division's Engineer-in-Training (EIT) to assist with SDC.

The Wastewater Phase II Upgrades project is utilizing the construction services delivery model that successfully delivered the Phase I Upgrades project. This includes the Nampa Wastewater Management Team (City staff and City consultant Brown and Caldwell) and design technical support during construction. The Phase II PGE delivery model includes the following task orders:

- Owner's Advisor Services (OAS) performed by Brown and Caldwell
- Services During Construction (SDC) performed by Cushing Terrell

The responsibilities of the Construction Management Team (City, Brown and Caldwell, and Cushing Terrell) are outlined in the following table:

Project Group D and Project Group E Construction Services Task Responsibility Roles			
Construction Activity	City Staff	Owner's Advisor	Services During Construction
Construction coordination meetings	Consulted	Responsible	Informed
Progress schedule monitoring	Informed	Responsible	Informed
Pay application approval	Approve	Responsible	Informed
Field observations	Informed	Responsible	Informed
Construction document control	Informed	Responsible	Informed
Submittal review	Consulted	Responsible (non-technical)/ support (technical)	Responsible (technical)
RFI review	Consulted	Responsible (non-technical)/ support (technical)	Responsible (technical)
Change management	Approve	Responsible	Support (technical)
Code-required special inspections	Informed	Responsible	Informed
Third-party materials testing	Informed	Responsible	Informed
Testing and commissioning	Approve	Support	Support
Training management	Approve	Responsible	Support

*Summary of descriptors:*

*Responsible = responsible for the completion of the task.*

*Approve = approve tasks that are completed by others.*

*Support = provide input to task and support completing task.*

*Consulted= provide opinions and preferences.*

*Informed = kept up-to-date on progress.*

The OAS task order with Brown and Caldwell for Phase II Upgrades Project Group D (PGD) and Project Group E (PGE) was awarded by City Council on February 18, 2020. Staff and Brown and Caldwell reviewed the existing task order and were able to reduce PGE by \$24,841 by reducing the construction schedule by two months and dedicating Wastewater EIT resources:

- February 18, 2020, task order approval for \$873,069
  - Includes \$23,815 savings for concurrent construction of PGD and PGE
- May 7, 2020, further fee negotiations were requested
  - PGE OAS of \$188,282 was presented
- June 1, 2020, task order amendment includes a cost reduction of \$24,841
  - PGE OAS of ..... \$163,441
  - PGD OAS of ..... \$684,787

*Total for PGD/PGE \$848,228*

As Cushing Terrell performed the PGE design, they are best prepared to perform the technical SDC to supplement the Construction Management Team. Staff and Cushing Terrell renegotiated the scope of work (originally presented to Council on May 7) and fee which includes a reduction of \$67,295 by reducing the construction schedule by two months and dedicating Wastewater EIT resources:

- February 18, 2020, estimated SDC fees \$164,832
- May 7, 2020, further fee negotiations were requested
  - PGE SDC of \$111,523 was presented

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- June 1, 2020, task order includes a cost reduction of \$67,295
  - PGE SDC of \$69,069 proposed

The budget for PGE is \$3,439,561. Below are the estimated project costs:

Design Fees	\$ 248,987
Construction Contract	\$1,963,577
Facility Development Commissioning	\$ 12,880
<b>Services During Construction</b>	<b>\$ 69,069</b>
Owner’s Advisor Services	\$ 163,441
<u>Temporary/Permanent Office Furnishings</u>	<u>\$ 135,000</u>
<b>Total</b>	<b>\$2,592,954</b>

The Wastewater Division budget will incur project expenses and reimburse itself from the Idaho Department of Environmental Quality (IDEQ) Clean Water State Revolving Fund (SRF) loan.

The Wastewater Division fiscal year 2020 budget for PGE is \$996,982. The remaining amount is in the Wastewater program overall budget and will be requested in the fiscal year 2021.

City staff and Cushing Terrell have agreed upon a scope of work and fee for Services During Construction in the amount of \$69,069.00 time and material not to exceed. (T&M NTE) (Exhibit A)

**MOVED** by Haverfield and **SECONDED** by Rodriguez to **authorize** the **Mayor** and **Public Works Director** to **sign task order** with **CTA Architects Engineers**, now doing business as Cushing Terrell, for the Nampa Wastewater Treatment Plant Phase II Upgrades Project Group E - Administration and Laboratory Building Renovation Services During Construction in the amount of **\$69,069.00** T&M NTE. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #7-2.** – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, LOCATED AT THE **SOUTHWEST CORNER OF W. DOOLEY LANE AND S. STANFORD STREET, ADJACENT TO AND NORTH OF 3125 S. STANFORD STREET**, COMPRISING APPROXIMATELY 1.08 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 RS18 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 18,000 SQUARE FEET) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY

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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 )

The Mayor declared this the first reading of the Ordinance.

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

**MOVED** by Bruner and **SECONDED** by Rodriguez to **pass** the preceding **Ordinance** under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4409** and directed the Clerk to record it as required.

MOTION CARRIED

**Item #7-3.** – The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, TO FURTHER **MODIFY** THE **ANNEXATION & ZONING DEVELOPMENT AGREEMENT** WITH RESPECT TO A 4.18 ACRE PORTION OF THAT CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE HUNTERS POINT DEVELOPMENT, IN NAMPA, CANYON COUNTY, IDAHO, COMPRISING APPROXIMATELY 312 ACRES, MORE OR LESS, IS SUBJECT, THE ENTIRETY OF WHICH IS DESCRIBED IN ORDINANCE NO. 3488, APPROVED ON SEPTEMBER 7, 2005, AND RECORDED ON SEPTEMBER 29, 2005, AS INSTRUMENT NO. 200562263, RECORDS OF CANYON COUNTY, IDAHO, AS AMENDED BY THE AMENDMENT TO DEVELOPMENT AGREEMENT APPROVED ON APRIL 6, 2006, AND RECORDED ON MAY 19, 2006, AS INSTRUMENT NUMBER 200638438, RECORDS OF CANYON COUNTY, IDAHO, SO AS TO REPLACE THE USE OF AN APPROXIMATELY 4.18 ACRE PORTION OF THE PROPERTY, WHICH PORTION WAS PREVIOUSLY DESIGNATED FOR APARTMENTS, TO BE NOW USED FOR SINGLE FAMILY RESIDENCES, AND SO AS TO ALLOW FOR A MODIFICATION IN ZONING OF THE SAME APPROXIMATELY 4.18 ACRE PORTION OF THE PROPERTY FROM RMH (MULTIPLE-FAMILY RESIDENTIAL) AND RP (RESIDENTIAL PROFESSIONAL) TO RS6 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 6,000 SQUARE FEET); DETERMINING THAT SAID ZONING MODIFICATION IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF NAMPA, IDAHO; ZONING SAID PROPERTY

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FROM RMH (MULTIPLE-FAMILY RESIDENTIAL) AND RP (RESIDENTIAL PROFESSIONAL) TO RS6 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 6,000 SQUARE FEET); PROVIDING FOR RECORDATION; INSTRUCTING THE CITY ENGINEER AND/OR PLANNING AND ZONING DIRECTOR TO DESIGNATE SAID PROPERTY AS RS6 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 6,000 SQUARE FEET) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant JUB Engineers representing MD ID RHR Middleton LLC)

The Mayor declared this the first reading of the Ordinance.

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

**MOVED** by Haverfield and **SECONDED** by Mutchie to **pass** the preceding **Ordinance** under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **4410** and directed the Clerk to record it as required.

MOTION CARRIED

**Item #7-4.** – The following Ordinance was read by title:

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, **VACATING** THAT CERTAIN **RIGHT-OF-WAY** LOCATED IN AN ENCLAVED AREA OUTSIDE OF CITY LIMITS ON **THE WEST SIDE OF S. POWERLINE ROAD, AND SOUTH OF 1815 AND 1807 S. POWERLINE ROAD**, NEAR NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH.

The Mayor declared this the first reading of the Ordinance.

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

**MOVED** by Haverfield and **SECONDED** by Bower to **pass** the preceding **Ordinance** under suspension of rules. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the ordinance duly passed, numbered it **correcting Ordinance 4349** and directed the Clerk to record it as required.

MOTION CARRIED



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

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- 8-1. Annexation and Zoning to BC (Community Business) for .525 acres or 22,866 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot C at 0 N. Franklin Blvd.; Zoning Map Amendment from AG (Agricultural) to BC (Community Business) for 2.24 acres or 97,574 sq. ft. located in the SE ¼ Section 10, T3N, R2W, BM, Franklin Tracts Plot B at 1414 E. Karcher Rd. for Dean Anderson. (ANN 122-19, ZMA 107-19) **(PH was 8-5-2019)**
- 8-2. Annexation and Zoning to BC (Community Business) for the southerly 7.0 acres and to IL (Light Industrial) for the northerly 26.13 acres at 0 Midland Blvd. and 9778 E Cherry Lane (A 33.13 acre portion of the East ½ of the SW ¼ SW ¼ and a portion of the South ½ of the NW ¼ SW ¼, Section 4, T3N, R2W, BM) for Hatch Design Architecture representing Kiwi Enterprises, LLC (ANN-00 135-2019) **(PH was 02-18-2020)**
- 8-3. Annexation and Zoning to RS8.5 (Single Family Residential – 8,500 sq. ft.) at 2413 Sunnyridge Rd. for a new home (A 1.11 acre portion of the NE corner of the NW ¼, Section 3, T2N, R2W, BM, Canyon County, Idaho and Tax 8 in Lot 3 of Asselins Subdivision) for Travis Adams representing Ironwood Homes. The Planning and Zoning Commission recommends approval (ANN 138-19) **(PH was 03-02-2020)**
- 8-4. Annexation and Zoning to RS6 (Single Family Residential – 6,000 sq. ft.) at 4100 E. Greenhurst Rd. (A .52-acre or 22,651 sq. ft. portion of the SE ¼, Section 36, T3N, R2W, BM, Canyon County, Idaho also being Tax 58) for David E. Hird for connection to city sewer. The Planning and Zoning Commission recommends approval (ANN 140-19) **(PH was 03-02-2020)**
- 8-5. Annexation and Zoning to RS4 (Single Family Residential - 4,000 sq. ft.) at 922 and 946 W. Maryland Avenue (A 1.66 acre parcel of land being a portion of the SW ¼ of Section 33, T3N, R2W, BM) and Subdivision Plat Preliminary Approval for Anchor Point Subdivision – 9 Single Family Residential Lots on 1.66 acres or 5.42 dwelling units/gross acre) for Sawyer Eckhardt-Anchor Homes LLC. The Planning and Zoning Commission recommended approval (ANN 161-19 and SPP 052-19) **(PH was 04-27-2020)**
- 8-6. 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. The Planning and Zoning Commission recommended approval (ANN 164-20) **(PH was 04-27-2020)**
- 8-7. Annexation and Zoning to IL (Light Industrial) adjacent and east of 3502 E. Victory Rd. on the north side of E. Victory Rd. at 0 N Picard Lane for split for future light industrial use (A 10.17-acre parcel situated as Tax 19043 in the SW ½ SE ¼, Section 24, T3N, R2W, BM, Nampa, Canyon County, Idaho) for William Bauscher. The

- Planning and Zoning Commission recommended approval (ANN 165-20) **(PH was 04-27-2020)**
- 8-8. Annexation and Zoning to IL (Light Industrial) at 16658 Northside Blvd. for future industrial use (A 1.52-acre parcel situated in the SW ¼ of the NW ¼ of Section 10 T3N, R2W, BM, Nampa, Canyon County, Idaho) for Kent Brown representing Adler Revocable Family Trust (ANN 166-20) **(PH was 04-27-2020)**
- 8-9. Annexation and Zoning to RMH (Multiple-Family Residential) at 1002 N. Happy Valley Rd. and 4719 Stamm Lane for multiple family residential use (A 3.53-acre portion of the SW ¼ of Section 18, T3N, R1W, BM, Nampa, Canyon County, Idaho also recognized as Tax 7 and Tax 16272 in Lots 1 and 2 of Orchalara Heights) for Blake Wolf – Wolf Building Co. (ANN 167-20) **(PH was 04-27-2020)**
- 8-10. 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)**
- 8-11. Development Agreement 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 totally an approximate 2.53 acre portion of the NE ¼ of Section 34, T3N, R2W, BM, Nampa, Canyon County, Idaho) for Randy Haverfield, Architecture Northwest P.A. representing Ron Kennedy for Colorado Avenue Apartments. The Planning and Zoning Commission recommended approval with DA for 2 story only (ZMA 116-19) **(PH was 04-27-2020)**
- 8-12. 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)**
- 8-13. 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)**
- 8-14. Zoning Map Amendment from IL (Light Industrial) to RML (Limited Multiple-Family Residential) at 23 22<sup>nd</sup> Ave S. (A .16-acre or 6,970 sq. ft. portion of the NW ¼ Section 26, T3N, R2W, BM also identified as Lot 11 Block 1 Park Addition for a lot split and additional single-family dwelling for Adam Fleck representing Casey Ames (Gem State Cash Offers LLC) (ZMA-118-20) **(PH was 05-04-2020)**
- 8-15. Annexation and Zoning at 30 N. Kings Rd and 3126 E Victory Rd (A 20.06 portion of the W ½ of the SW ¼ of the SW ¼ of Section 24, T3N, R2W, BM) to BC (Community

- Business) for 4 acres at the corner of Victory Rd and Kings Rd for potential retail, and RMH (High Density Multiple-Family Residential) for the remaining 16.06 acres for a multi-family residential development for Mason & Associates, Inc. (ANN 171-2020) **(PH was 05-18-2020)**
- 8-16. Zoning Map Amendment from RA (Suburban Residential) to RP (Residential Professional) for Construction Trade/Sales Office structure at 512 N 39th Street (A .48 acres portion of the NE ¼ of Section 24, T3N, R2W, BM) for Nick Barnes representing WFS LLC (ZMA 119-20) **(PH was 05-18-2020)**
- 8-17. Annexation with Zoning to IL (Light Industrial) for fifteen parcels totaling 346.57 acres in the area located between Cherry Lane on the south, Ustick on the north, Midland Blvd. on the west and Northside Blvd. on the east within Section 4, T3N, R2W, BM, Nampa, Canyon County, Idaho for the City of Nampa on behalf of seven property owners **(PH was 05-18-2020)**

❖ **(9) Executive Session** ❖

**Item #9-1-** Mayor Kling presented the request to **adjourn** into **Motion to Adjourn** into **Executive Session Pursuant** to Idaho Code 74-206 (1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general

**MOVED** by Haverfield and **SECONDED** by Mutchie to **adjourn** into **executive session** at 8:48 p.m. pursuant to Idaho Code 74-206 (1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general 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 Mutchie to **conclude the executive session** at 9:26 p.m. during which discussion was held regarding Idaho Code 74-206 (1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general. 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 Mutchie to **adjourn** the **meeting** at 9:27 p.m. The Mayor declared the

Regular Council  
June 1, 2020

MOTION CARRIED

Passed this 15th day of June 2020.

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MAYOR

ATTEST:

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NAMPA CITY CLERK