

## REGULAR COUNCIL

August 17, 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 removing the following items:

**Item #1-8.** – Resolutions - The following Resolutions are for passage of the development agreements that are tied to the annexation and zoning 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 on behalf of seven property owners (**PH was 05-18-2020**)

- a. Approving Development Agreement for 38.36 acres for Kinghorn Myrtice Life Estates Annexation and Zoning to IL
- b. Approving Development Agreement for 60.2 acres for Johnson Shirley Family Trust Annexation and Zoning to IL
- c. Approving Development Agreement for .586, 8.77, 10.38, 18.94- and 36.44-acre parcels for Tuft Wayne LLC Annexation and Zoning to IL
- d. Approving Development Agreement for 16.73, 16.89- and 79.64-acre parcels for JAG Investments LTD Annexation and Zoning to IL
- e. Approving Development Agreement for 9.77 acres for Corey Barton Annexation and Zoning to IL
- f. Approving Development Agreement for 36.86, .72- and 7.28-acre parcels for Adler Industrial Annexation and Zoning to IL
- g. Approving Development Agreement for 5.00 acres for JRL Properties LP Annexation and Zoning to IL

**AND**

**Item #7-6.** - Unfinished Business - 1<sup>ST</sup> Reading of Ordinance for 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**)

**MOVED** by Haverfield and **SECONDED** by Mutchie to **approve the Consent Agenda which had the following items presented and the above-mentioned amendments:**

**Item #1-1.** - Minutes

- a. Regular Nampa City Council Meeting – August 3, 2020
- b. Airport Commission – July 13, 2020
- c. Arts & Historic Preservation Commission – July 13, 2020
- d. Bicycle and Pedestrian Advisory Committee – July 18, 2020
- e. Board of Appraisers – None

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- f. Building and Site Design Standards Committee – None
- g. Building and Fire Code Advisory and Appeals Board – None
- h. Council on Aging Committee – None
- i. Crow Management – None
- j. Golf Commission – None
- k. Housing Authority – None
- l. Impact Fee Advisory Committee – None
- m. Library Board of Trustee – None
- n. Nampa Police Protective Agency – August 6, 2020
- o. Planning and Zoning Commission – None
- p. Venue Management Advisory Commission – None
- q. Wastewater Design Review Commission - None

**Item #1-2.** - The Nampa City Council dispenses with the Three (3) Reading Rule of Idaho Code § 50-902 for all ordinances

**Item #1-3.** - Plat Approvals

- a. Final
  - Summit Ridge Subdivision No. 4 (A 23.30 acre portion of land, being the easterly portion of county tax ID# R2929101100, also being a portion of N ½ of the NE ¼ of Section 5, T2N, R2W, BM, Canyon County, Nampa; for 57 single-family lots and 5 common lots on for 4.49 dwelling units per gross acre for M3 Companies, LLC – Mark Tate, representing M3 Idaho Greenhurst LLC (SPF-137-20)
- b. Preliminary
  - None

**Item #1-4.** - Authorize Public Hearings

- a. None

**Item #1-5.** - Authorize to Proceed with Bidding Process

- a. None

**Item #1-6.** - Authorization for Execution of Contracts and Agreements

- a. None

**Item #1-7.** - Monthly Cash Report

- a. July 2020

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**Item #1-8.** – Resolutions - The following Resolutions are for passage of the development agreements that are tied to the annexation and zoning 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 on behalf of seven property owners (**PH was 05-18-2020**)

- h. Approving Development Agreement for 38.36 acres for Kinghorn Myrtice Life Estates Annexation and Zoning to IL
- i. Approving Development Agreement for 60.2 acres for Johnson Shirley Family Trust Annexation and Zoning to IL
- j. Approving Development Agreement for .586, 8.77, 10.38, 18.94- and 36.44-acre parcels for Tuft Wayne LLC Annexation and Zoning to IL
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- n. Approving Development Agreement for 5.00 acres for JRL Properties LP Annexation and Zoning to IL

**Item #1-9.** - Planning & Zoning Formal Findings

- a. None

**Item #1-10.** - Licenses for 2020

- a. Alcohol Renewal
  - See attached list
- b. Alcohol New
  - None

**Item #1-11.** - Miscellaneous items

- a. None

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

MOTION CARRIED

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❖ (2) Proclamation ❖

Item #2-1 – None

❖ 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: ❖

- Nampa Fire Department
  - Presented Stephanie Little with a plaque and a letter from the American Heart Association for saving her father's life back in June

❖ (5) New Business ❖

Item #5-1a.- - Mayor Kling presented a request for the first reading of ordinance 4521 adding an additional commissioner position to the Nampa Development Corporation Board of Commissioners.

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, **ADJUSTING THE TOTAL NUMBER OF COMMISSIONERS TO SERVE ON THE BOARD OF COMMISSIONERS OF THE NAMPA DEVELOPMENT CORPORATION; PROVIDING 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 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 **4521** and directed the Clerk to record it as required.

MOTION CARRIED

Item #5-1b. - Mayor Kling presented the request to consider consenting to mayoral nomination of Wendy Rhodes and Kenton Lee to appointment on the Nampa Development Corporation Board of Commissioners.

NOW, THEREFORE, THE MAYOR DOES HEREBY NOMINATE, AND THE CITY COUNCIL DOES HEREBY CONSENT, TO THE **APPOINTMENT OF THE FOLLOWING**

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**INDIVIDUALS TO THE NAMPA DEVELOPMENT CORPORATION BOARD OF COMMISSIONERS FOR THE FOLLOWING TERMS:**

**Seat # Commissioner Term**

Seat (5) KENTON LEE October 1, 2020 – September 30, 2025

Seat (6) WENDY RHODES October 1, 2020 – September 30, 2024

**MOVED** by Haverfield and **SECONDED** by Mutchie to **approve the nomination of Wendy Rhodes for a term starting October 1, 2020 thru September 30, 2024 and Kenton Lee for a term starting October 1, 2020 thru September 30, 2025 to the Nampa Development Corporation Board.** 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 discussion regarding **COVID-19 Funding requests and processes.**

Finance Director Doug Racine presented the following staff report:

**The Coronavirus (CARES Act) Relief Fund – Provides Assistance for State, Local, and Tribal Governments**

- Through the Coronavirus Relief Fund, the CARES Act provides for payments to State, Local, and Tribal governments navigating the impact of the COVID-19 outbreak.
- Amounts paid to States, and eligible local governments based upon population as provided in the CARES Act (based upon U.S. Census Bureau data, most recent).
- Treasury has completed making payments to Idaho with a total allocation of:
  - \$1,250,000,000 = 1.25 billion dollars (Payments to States and Eligible Units of Local Government)
- As of July 23, 2020 Idaho, has spent: \$63,558,638 or 5.1% (Interim Report of Costs Incurred by State and Local Recipients)

U.S. Department of the Treasury (8/10/2020)

Reference for the above information: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

Nonexclusive examples of eligible expenditures:

- **Medical expenses:** COVID-19 related expenses of public hospitals, clinics, and similar facilities, expenses to establish temporary public medical facilities or other measures to increase treatment capacity, costs providing testing, emergency

medical expenses including transportation (medical), establishing and operating public telemedicine capabilities.

- **Public Health expenses:**
  - COVID-19 expenses for communication and enforcement of public health orders (state or local)
  - Acquisition and distribution of medical and protective supplies, including sanitizing products and PPE, for medical personnel, police officers, social workers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers related to the public health emergency
  - Disinfection of public areas and other facilities (e.g. nursing homes) in response to COVID-19
  - Technical assistance to local authorities or other entities on mitigation of COVID-19 related threats to public health and safety
  - Public safety measures undertaken in response to COVID-19
  - Expenses for quarantining individuals (e.g. homeless populations with COVID-19 or First Responders etc.)

Nonexclusive examples of eligible expenditures Cont.:

- **Payroll expenses:**
  - **For public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.**
- **Actions to Facilitate Compliance with Public Health Measures:**
  - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions
  - Expenses to facilitate distance learning, including technical improvements, in connection with school closings to enable compliance with COVID-19 precautions
  - **Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions**
  - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions
  - Expenses of maintaining state prisons and county jails, including related to sanitation and improvement of social distancing measures and health compliance precautions
  - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions

Nonexclusive examples of eligible expenditures Cont.:

- **Provision of Economic Support connected to COVID-19:**
  - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures
  - Expenditures related to a State or local government payroll support program
  - Unemployment insurance costs related to the COVID-19 public health emergency if costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise
- **Any other COVID-19 related:**
  - Expenses reasonably necessary to the function of government that satisfy the fund's eligibility criteria.

**Requirements for use of funds:**

- **The CARES Act provides that payments from the Fund may only be used to cover costs that:**
  - **Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)**
  - **Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government**
  - **Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.**
- **Nonexclusive examples of ineligible expenditures:**
  - Expenses for the State share of Medicaid
  - Damages covered by insurance
  - Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency
  - Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds
  - Reimbursement to donors for donated items or services
  - Workforce bonuses other than hazard pay or overtime
  - Severance pay
  - Legal settlements

**Other Important Information:**

- **Return of unspent funds:**
  - **Section 601(f)(2) of Social Security Act (added by 5001(a) of CARES Act) provides for recoupment by the U.S. Department of Treasury of amounts received from the Fund that have not been used, if a government has not used funds it has received to cover costs that were**

**incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.**

- **Technical Information on CARES Act Relief Fund:**
  - Not a grant, funds are considered “other financial assistance” to states and local governments.
  - Funds are considered federal financial assistance for purposes of the Single Audit Act.
  - Catalog of Federal Domestic Assistance (CFDA) Number assigned to these funds is: 21.019

Reference: Coronavirus Relief Fund Frequently Asked Questions, Updated as of July 8, 2020  
<https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>

### **Funding Sources – COVID 19 Relief**

Multiple funding sources are available:

- Idaho Rebounds – CFAC funding
- Grants – DOJ & other governmental Agencies
- FEMA

### **Coronavirus Financial Advisory Committee (CFAC) Funding to Idaho Cities**

The State Controller’s office, under the direction of Governor Little, assigned \$42.4 million in reimbursable grants to Idaho Cities based on population totals. In part, the allocation to select cities is as follows:

- Boise \$7.9 Million
- Meridian \$3.7 Million
- Nampa \$3.3 Million
- Caldwell \$1.9 Million

### **CFAC Act Funding Process (Coronavirus Financial Advisory Committee)**

Funds are requested through the following processes:

- Reimbursement of expenses incurred from 3/1/2020 to 12/30/2020
- Pre-approval of expenses incurred from 3/1/2020 to 12/30/2020
- The CFAC committee meets weekly to review funding requests.
- Additional informal is often requested by CFAC prior to formal approval
- Funding requests are reviewed twice weekly by Sr Nampa Leadership
  - CARES act referential support is applied to each request
  - External quotes are required for each request submitted



- Nampa request are strongly weighted toward Pre-approval, rather than Reimbursement.
- Requests which are not accurately supported, or directly related to COVID 19 are rejected
- FEMA funding and other governmental Grants are also being requested as available.

**Funding Requests – CFAC – FEMA**

Request	PP&E	Personnel	Infrastructure	Community	Public Safety	Total
Phone System Upgrade			\$ 211,846			\$ 211,846
Electro Sprayers	\$ 39,778					\$ 39,778
Incurred Expenses 3-1 thru 5-20	\$ 42,310					\$ 42,310
Council Updated Audio Syst.			\$ 129,627			\$ 129,627
HR Support Staff		\$ 35,200				\$ 35,200
Remote Access Workstations			\$ 161,950			\$ 161,950
Municipal Business Grant App				\$ 500,000		\$ 500,000
Cables for Council Monitors			\$ 2,000			\$ 2,000
Council Chair Replacement			\$ 55,033			\$ 55,033
City Wide PPE Order	\$ 35,870					\$ 35,870
Day Care - First Responder		\$ 67,283				\$ 67,283
Employee PR Tax Credit		\$ 60,000				\$ 60,000
Crowd Control					\$ 162,998	\$ 162,998
2 PPE Extractors	\$ 65,000					\$ 65,000
Self Contained Breathing App					\$ 85,000	\$ 85,000
Employee Testing Grant SB					\$ 10,000	\$ 10,000
911 Radio System			\$ 300,000			\$ 300,000
IT Bandwidth			\$ 4,000			\$ 4,000
Fiber Connection for Station1			\$ 8,265			\$ 8,265
Library Transaction Window			\$ 9,859			\$ 9,859
FIC/NCC Cleaning, PPE,	\$ 13,550					\$ 13,550
Merv 13 Filters	\$ 13,086					\$ 13,086
Public Info				\$ 5,000		\$ 5,000
<b>Total Requests</b>	<b>\$ 209,594</b>	<b>\$ 162,483</b>	<b>\$ 882,580</b>	<b>\$ 505,000</b>	<b>\$ 257,998</b>	<b>\$2,017,655</b>

Mayor and Councilmembers asked questions and made comments.

**MOVED** by Rodriguez and **SECONDED** by Haverfield to **approve the process that was presented**. The Mayor asked for a roll call vote with Councilmembers Bruner, Mutchie, Levi, Haverfield, Rodriguez voting **YES**. Councilmember Bruner **NO**. The Mayor declared the **MOTION CARRIED**

❖ (7) Unfinished Business ❖

**Item #7-2.** - Mayor Kling presented the request for a decision on the designation of the north entrance/exit to Stiehl Falls Subdivision as an emergency only.

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Daniel Badger presented a staff report explaining that item this was discussed at the previous council meeting and requested as a condition of approval that the solid vinyl fence be removed and replaced with an emergency access only fence approved by the Nampa Fire Department.

**MOVED** by Rodriguez and **SECONDED** by Bruner to **approve the emergency only designation of the north entrance/exit of the Stiehl Falls Subdivision and the staff conditions.** The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

### ❖ (6) Public Hearings ❖

**Item #6-1.** - Mayor Kling opened a **public hearing** for public comment on fiscal year 2021 proposed budget.

Doug Racine presented the following staff report:

#### FISCAL 2021 BUDGET SUMMARY

During a season of significant financial uncertainty, Nampa developed its Fiscal 2021 (FY21) budget by delivering sustainable cost controls; limiting our uses of revenues; and by focusing on the health & safety needs of employees and residents. As the State Legislature considered property tax mitigation, state sales tax redistribution and the automatic disclaiming of forgone taxes, the COVID 19 virus emerged forcing state & local governments to re-prioritize normal operations in order to meet the economic and health needs of both residents and employees. As a result, the City of Nampa created its Fiscal 2021 budget based on the following priorities:

- **0% increase in property tax rates** – This amounts to approximately \$1.5 million in property taxes increases that will NOT be passed on to residents.
- **Revenue growth limited to new construction revenues.** New construction revenues are not tax increases. Historical levy rates are applied to new commercial and residential real estate.
- **Implementation of Position Control** – A labor focused review process which adds a needed layer of control over labor and benefit cost increases.
- Requests for additional budget authority for Fiscal 2021 **were generally deferred in order to limit cost increases** during in a time of economic uncertainty.
- **Fleet Services were re-organized as an “Internal Service fund”.** This will relieve cost pressure on General Government and allow Fleet Services to operate in a more economical manner.
- **Planning & Zoning was re-organized as an “Internal Service” fund under Development Services.** This will improve operational efficiency and will shift cost accountability away from the General Government fund.

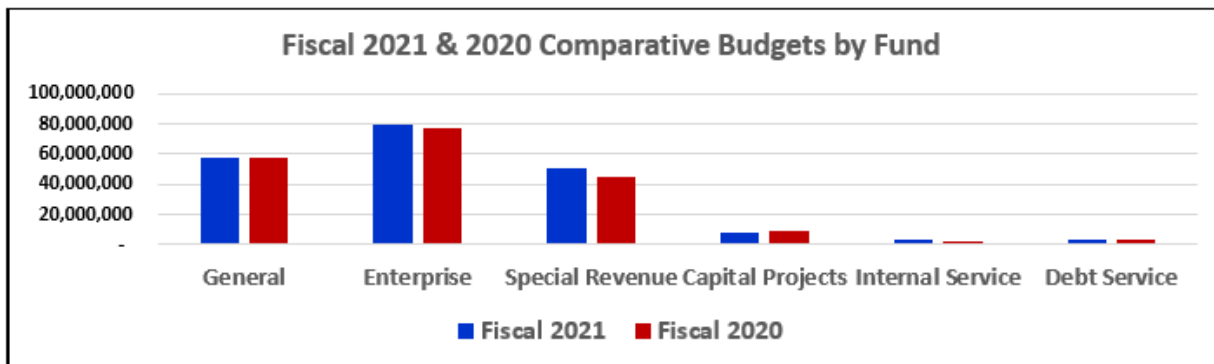
**Municipal budgets are grouped in Funds types, as described below:**

- **General Government** Include (but are not limited to) Police, Fire, Finance, HR, IT, Clerks & Mayor’s Office
- **Enterprise funds** include (but are not limited to) Development Services, Water, Wastewater & Sanitation
- **Special Revenue** funds include (but are not limited to) Streets, Airport, Cemetery, Library, Parks, Rec Center, 911, Golf, Ford Idaho and Civic Center
- **Internal Service** funds include Utility Billing and Fleet Services
- **Capital Project** funds include Impact Fees and budgeted Capital
- **Debt Service** is used to maintain the city’s General Obligation Bond (maturing in 2024)

**Nampa City Total Budget by Fund:**

Nampa’s fund based 2021 and comparative 2020 budget totals are reflected in the following and data table and chart:

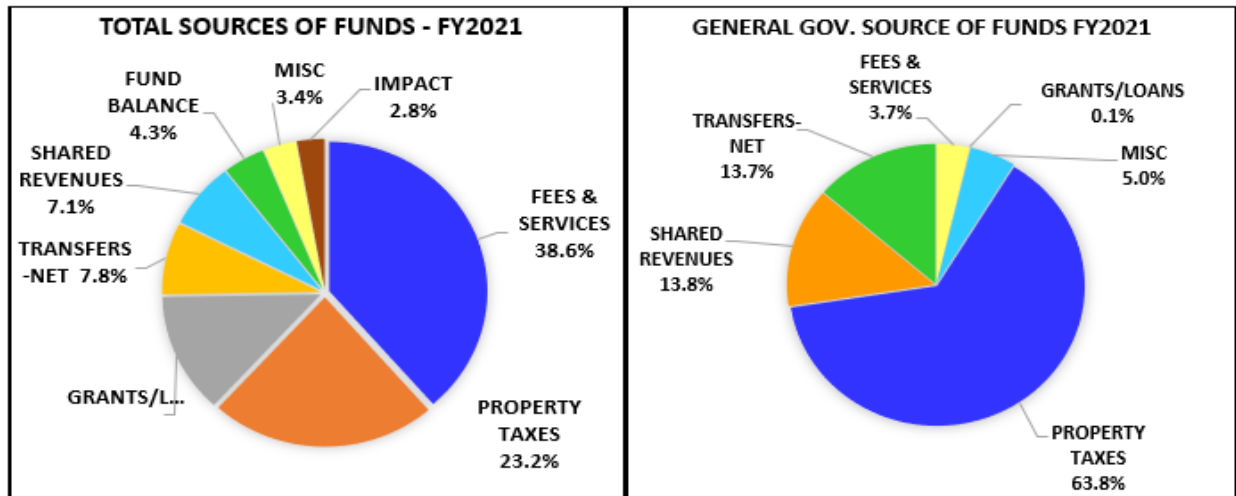
<b>Fiscal 2021 and 2020 Budget Variance</b>				
	<b>FY 2021</b>	<b>FY 2020</b>	<b>Inc/(Dec)</b>	<b>Primary Cause of Change</b>
<b>General</b>	58,236,506	58,029,298	207,208	New Construction revenues offset by Fleet Re-Org
<b>Enterprise</b>	79,665,753	76,841,989	2,823,764	Increase in water capital projects
<b>Special Revenue</b>	49,084,769	44,349,182	4,735,587	Increase in Amazon pass through funds
<b>Capital Projects</b>	8,130,307	9,532,994	(1,402,687)	Decreased impact fee and capital investment
<b>Internal Service</b>	3,262,463	1,721,415	1,541,048	Fleet Re-Org from General to Internal Service
<b>Debt Service</b>	2,696,350	2,694,750	1,600	
<b>Total Funds</b>	<b>201,076,148</b>	<b>193,169,628</b>	<b>7,906,520</b>	



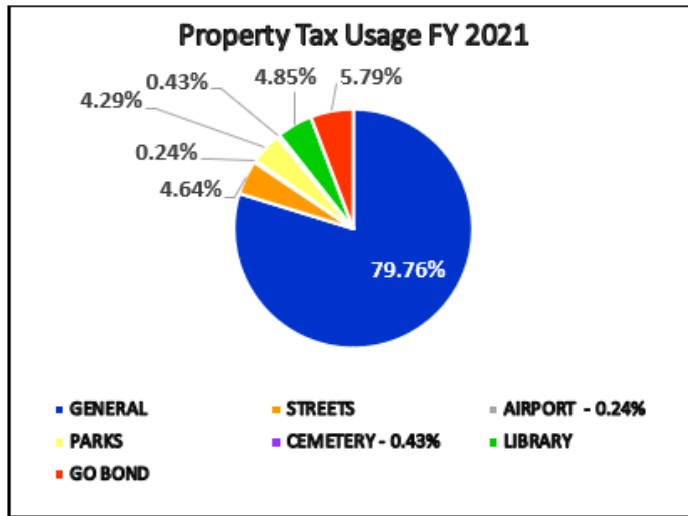
**Nampa Total Funding Sources:**

	Fiscal 2021	Fiscal 2020	Inc / (Dec)	% of Total	Primary Causes of Change
FEES & SERVICES	77,626,531	63,554,329	14,072,202	38.6%	\$7.0M from Amazon & \$4.1M of sewer hookup fees
PROPERTY TAXES	46,579,475	44,566,931	2,012,544	23.2%	\$1.2 M in New Construction & \$0.3M in GO payment
GRANTS/LOANS	26,072,566	20,036,198	6,036,368	13.0%	\$4.0M in DEQ loan and \$2.5M in street frants
TRANSFERS-NET	15,584,779	14,818,990	765,789	7.8%	Miscellaneous broad based changes
SHARED REVENUES	14,236,546	15,054,488	(817,942)	7.1%	Decreased state sales tax and highway dist. revenue
FUND BALANCE	8,561,698	23,956,502	(15,394,804)	4.3%	Decreased fund usage in wastewater & streets
MISC	6,777,553	6,662,626	114,927	3.4%	Miscellaneous immaterial changes
IMPACT	5,637,000	4,519,564	1,117,436	2.8%	Increased streets mpact fee spending
<b>Total Sources of Funds</b>	<b>201,076,148</b>	<b>193,169,628</b>	<b>7,906,520</b>	<b>100.0%</b>	

City of Nampa funding sources for fiscal 2021 are shown below based on 1) **Total from all sources** and 2) **General government sources**. Graph 1 shows the percentage allocation of the city’s \$202.1M budget, while Graph 2 shows only the funds used to support General Government operations, or \$58.2M.



**Property Taxes fund activities throughout the City of Nampa.** The chart & table below show how total property taxes are used to fund city services. Effective budgetary controls serve to limit the spending increase to only those funds generated by Residential and Commercial real estate growth (New Construction). General government property taxes increased by \$1.7 million due entirely to new construction revenue estimates for Fiscal 2021.



	FY21	FY20
General	\$37.2 M	\$35.4 M
Streets	\$ 2.2 M	\$ 2.2 M
Airport	\$ 0.1 M	\$ 0.1 M
Parks	\$ 2.0 M	\$ 2.0 M
Cemetery	\$ 0.2 M	\$ 0.2 M
Library	\$ 2.2 M	\$ 2.2 M
GO Bond	\$ 2.7 M	\$ 2.5 M
	<b>\$46.6 M</b>	<b>\$44.6 M</b>

**Comparative Fiscal 2021 & 2020 Budgets by Cost and Capital Categories:**

Budget by Cost Category	FY 2021	FY 2020	Variance	% Change	Primary Cause of Change
<i>(in millions)</i>					
Personal Services	\$ 61.3	\$ 61.2	\$ 0.1	0.9%	Market adjustments & staff changes
Operations	77.0	66.8	10.2	15.3%	Amazon expenses & Fleet Re-Org
Capital	57.6	60.3	(2.7)	-4.5%	Miscellaneous capital changes
Debt Service	4.9	4.9	0.0	0.4%	
Fund Balance Budget	0.3		0.3		Increase FB in Fleet and Library
<b>Total Budget</b>	<b>\$ 201.1</b>	<b>\$ 193.2</b>	<b>\$ 7.9</b>	<b>\$ 0.1</b>	

Fund	FY 2021		Fy2020	
	Proposed Budget		Adopted	Inc / (Dec)
General Fund		\$	748,000	\$ (748,000)
Street Fund	\$ 3,389,800		3,206,013	\$ 183,787
Airport	451,375		486,408	\$ (35,033)
Parks	494,400		340,009	\$ 154,391
Recreation	1,698,500		342,000	\$ 1,356,500
Golf Funds	644,000		609,000	\$ 35,000
Impact Fee Fund	5,637,200		6,483,264	\$ (846,064)
Capital Fund	1,469,750		1,294,950	\$ 174,800
Development Services	239,000		975,000	\$ (736,000)
Water/Irrigation	6,692,941		6,129,450	\$ 563,491
Wastewater/Env Comp	31,629,681		32,060,268	\$ (430,587)
Grant Fund	5,219,560		7,689,918	\$ (2,470,358)
<b>Total Nampa Operating Departments</b>	<b>\$ 57,566,207</b>	<b>\$</b>	<b>60,364,280</b>	<b>\$ (2,798,073)</b>

The budget process for Fiscal 2021 generated a balanced budget focused meeting existing operational and capital needs by balancing limited revenue increases with highly prioritized cost increases. Property tax revenues increased by New Construction estimates of \$1.7 million but excluded the 3% percentage increase allowed by state law.

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Cost savings were achieved in large part through the Position Control process discussed in the opening of this budget summary. It is important to note that “funding limited budgets”, such as presented here, will be subject to economic changes driven by continued COVID-19 impacts or from potential State action in the form of new legislation or from the application of state driven relief programs. The current state proposal to provide public safety labor & benefits relief in exchange for a reduced property tax pass through has NOT been factored in at this time. Any such changes will be budget neutral and will be amended in as offered by the State and approved by Council.

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

**MOVED** by Haverfield and **SECONDED** by Rodriguez 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 Bruner and **SECONDED** by Mutchie to **approve the 2021 budget and authorize the appropriate ordinance be drawn**. 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** for [Continued Public Hearing from the July 20 Council Meeting](#): Variance of Sections 10-8-5 (C) and 10-8-6 (D) In the RS6 (Single-Family Residential, 6,000 SF) Zoning District at 4604 S. Feldspar Ave to reduce the minimum interior yard setback from five feet (5’) to four feet six inches (4.5’) for an existing storage shed on the property (a .18-acre portion of the NE ¼ of Section 11, T2N, R2W, BM, also known as Lot 38, Block 3 of Lava Springs No. 5 subdivision) for Rodney Roberts. (VAR 091-20)

Robert Roberts presented the request.

Rodney Ashby presented the following staff report explaining that the request is for a variance of Sections 10-8-5 (C) and 10-8-6 (D) In the RS6 (Single-Family Residential, 6,000 SF) PUD Zoning District at 4604 S. Feldspar Ave to reduce the minimum interior yard setback from five feet (5’) to four feet six inches (4.5’) for an existing storage shed on the property with the Lava Springs No. 5 subdivision.

At the July 20, 2020 City Council meeting the applicant and concerned residents provided differing distances the shed currently sits from the property line. In addition, the Nampa Engineering Division had stated that they opposed the granting of the variance due to the shed being within a five-foot (5’) easement along the property line. City Council directed Planning and Engineering staff to visit the site and provide the correct measurements and for Engineering to assess the

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drainage in the easement and determine whether a five-foot easement was necessary for drainage on the property. No one appeared in favor of or in opposition to the request.

**Purpose/Applicant Explanation:** Applicant claims, “The property pins were moved during construction of the home and placed back in the wrong location.” He further states that a contractor was hired to place a concrete slab for the shed and they placed it with a setback based on the incorrectly placed property pins. The shed was built, and a neighbor discovered that the setback was not the required distance by code (4ft 6” and filed a complaint with the city. Applicant states the cost of moving the concrete slab and shed would be excessive and so is applying for a variance.

### **General Information**

**Existing Zoning:** RS6 PUD (Single-Family Residential, 6,000 sq. ft. minimum lot size). **Location Information:** 4604 S. Feldspar Ave. (a .18-acre portion of the NE ¼ of Section 11, T2N, R2W, BM, also known as Lot 38, Block 3 of Lava Springs No. 5 subdivision). **Comprehensive Plan Designation:** Medium Density Residential.

### **Specific Information**

**Size of Property:** A .18-acre parcel (approx. 7,841 sq. ft.). **Surrounding Land Use and Zoning:** Single-family homes in the Lava Springs No. 5 subdivision (RS6 PUD). **Utilities:** Already serve the property. **Transportation/Access:** The parcel has direct access from S Feldspar Ave.

### **Applicable Regulations**

#### **10-24-1: [Variance] Purpose:**

The City Council is empowered to grant variances to prevent or to lessen practical development difficulties, unique site circumstances and unnecessary physical, geographical hardships inconsistent with the objectives of zoning as would result from a literal interpretation and enforcement of certain bulk or quantifiable regulations prescribed by zoning ordinance.

A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of: a) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and b) the variance is not in conflict with the public interest. Hardships must result from special site characteristics relating to the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions, or from population densities, street locations or traffic conditions or other unique circumstances.

Variations are not intended to allow something that others do not have a permitted right to do. The purpose of a variance is to provide fair treatment and to see that individuals are not penalized because of site characteristics beyond their control. (Ord. 2140; and. Ord. 2978)

**10-24-2 Actions:**

- A. Granting of Variance Permit: The council may grant a variance permit with respect to requirements for fences and walls, site, area, width, frontage, depth, coverage, front yard, rear yard, side yards, outdoor living area, height of structures, distances between structures or landscaped areas as the variance was applied for or in modified form if, based on application, investigation and evidence submitted, the council concludes the following:
1. Literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.
  2. There are extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.
  3. Literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
  4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.
  5. The granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

**10-8-5: Detached Accessory Structures:**

- C. Detached accessory structures two hundred (200) square feet or under and twelve feet (12') or lower in height may be built to within five feet (5') of any property line provided they are: at least three feet (3') from any primary structure wall (unless a building permit is obtained from the city to locate closer to the house), do not interfere with provision of at least ten feet (10') of clear, uninterrupted access from the front yard to the back of a home.

**Correspondence**

Full details of the correspondence received is attached as an exhibit to this report. The following is a summary of the correspondence we have received.

**Nampa & Meridian Irrigation District:** no comment

**Nampa Engineering Department:** Opposes the granting of a variance “due to the history of lot drainage complaints within Lava Springs Subdivision and the fact that the 5’ setback also contains a 5’ public utilities, drainage, and irrigation easement” on the plat.

**Qwest/CenturyLink:** no objection



**Idaho Transportation Department:** does not anticipate any significant traffic impact to the State Highway System and has no objections

**Nampa Building Department:** Development required to comply with Title 4

**Nampa Highway District #1:** no comment

**Public Comment:**

- Keith Hall (4604 Feldspar) requests denial and claims the following –
  - o The applicant misrepresented the distance from the property line
  - o The shed is 34 inches from back and 30 inches from the side property line
  - o The subject property was the last home built on Feldspar and the back fence, side fence, and front property pin already clearly defined the property lines to be set back from.
  - o The pins were never moved during construction.
  - o Mr. Roberts never applied for permission to put a shed on his property as is required by the CC&R's of the subdivision.
- Robert Patrick, President of Lava Springs Homeowners Association, requests denial and claims the following-
  - o Mr. Roberts did not request permission to construct the shed as required by the CC& R's.
  - o HOA would have denied the current location if an application had been submitted.
  - o HOA is requiring the shed be moved
  - o Mr. Roberts misrepresented the proximity to the property line
  - o The shed is within 3 feet of the property line.

**Staff Analysis**

To justify a variance request, an applicant must argue successfully to the Council that there are aspects of their property that physically, topographically, or, otherwise based on code requirements, puts them at a disadvantage in trying to accomplish what they wish in comparison to like properties.

*Staff finds the following:*

A variance for the 5' rear and side yard setback is necessary to legally permit the shed in its current location.

The applicant argues that moving the shed and concrete pad will cost \$3,000. Financial hardship is not a basis to legally approve a variance to the City Code. The applicant should present any other hardships applicable to his property that may qualify for approval of a variance.

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There may be other alternatives to demolishing the entire concrete pad, including an addition to the existing pad outside of the set back. Applicant may want to explore those options to reduce cost.

The approval of a variance in this case does not supersede the need for the applicant to obtain approval from the HOA. Both approvals are necessary, and the HOA has indicated their unwillingness to grant an approval for the shed in its current location.

Neighbors in the area had expectations that city code would be followed for setbacks. Though approval would not set a precedent, neighbors may argue, successfully or not, that there is no substantial difference between their properties and the applicant's that would warrant approval of the applicant's request but compliance to City Code on their property.

The need for a five-foot drainage easement was emphasized by our Engineering division due to problems with lot drainage in this subdivision.

The City Council must determine if this request qualifies as a unique site circumstance providing the required justification for approval. The City Council is at liberty to either approve or deny. Either decision should not be construed as setting precedent, but consistency in the community/neighborhood and between applications is a desirable goal when dealing with the case.

Updated Findings and Analysis following July 20, 2020 Public Hearing: City staff visited the site and found that the shed and concrete pad sits 36" from the property line/center of fence line for the both the side and back yard property lines. The City Engineer does not feel that the location of the shed has a material impact to the drainage in the area

### **Recommended Conditions of Approval**

Should the City Council vote to approve the requested variance, staff recommends the following conditions:

- 1) The variance shall apply to the shed in its current location, namely 36" from the side and back property lines.
- 2) The applicant shall enter into an encroachment agreement for the shed to remain within the easement.
- 3) The applicant shall comply with all applicable requirements as may be imposed by City divisions/departments appropriately involved in the review of this request as the Variance approval shall not have the effect of abrogating requirements from those City divisions/departments, and:
- 4) Any other conditions imposed by Council.

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The applicant presented a rebuttal.

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

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

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**Item #6-3.** - Mayor Kling opened a **public hearing** for Amendment of Title 10, Chapter 1 General Provisions, Section 10-1-19, pertaining to zoning regulations applicable to Storage land use, requiring a buffer for locating new storage facilities a minimum of 2,500 ft from existing storage developments for the City of Nampa. (ZTA 016-20)

Rodney Ashby presented the following staff report explaining that the request is for amendment of Title 10, Chapter 1 General Provisions, Section 10-1-19, pertaining to zoning regulations applicable to Storage land use, requiring a buffer for locating new storage facilities a minimum of 2,500 ft from existing storage developments for the City of Nampa.

### Correspondence

**Nampa Planning & Zoning Commission ACTION:** The Commission held a public hearing on August 11, 2020. No testimony was given at the hearing. The Commission recommended DENIAL of the proposed code amendments, claiming that establishing a buffer for where storage units may locate was an unnecessary “overreach of government.” They argued that the City should leave the decision of whether a storage unit development should locate, to the free market. They also argued that developers research the viability of a market before development of storage units and that this research should be the basis for whether a project should proceed or not.

**Nampa Engineering Division:** No comment.

**Idaho Transportation Department:** No objection

### Applicable Regulations

Section 10-2-3 D Conclusions of Law Pertinent to Proposed Zoning Ordinance Text Amendments: Before the commission recommends a text (content) amendment to the zoning ordinance, and,

before the City Council approves any proposed zoning code amendment(s), the Commission and the City Council must individually find and conclude: 1. That the proposed amendment(s) is, are or would be reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.

### **Staff Analysis**

#### **History and Basis for Code Amendment**

City Council adopted a moratorium on storage units on June 3, 2019. The moratorium stated several reasons for placing a hold on storage unit applications. First, the City of Nampa needed additional time to evaluate how to better regulate storage unit proposals after a dramatic increase in applications for entitlements. The City wished to manage visual conflict with surrounding land uses, such as residential. In addition, the City wished to maintain continuity within zoning districts, a pleasant appearance on major roadways, and regulate an overabundance of storage units leading to impacts on surrounding properties' marketability and value. Finally, the City wished to evaluate the preservation of industrially zoned properties for more intense land uses that bring greater numbers of jobs, require more utility services, and improve economic vitality of the community. Council discussed conducting a joint meeting with the Nampa Planning & Zoning Commission to discuss ideas for modifying our City Code.

On **August 26, 2019** the Planning & Zoning Commission attended a joint workshop with Mayor Kling, City Council, and the Design Review Committee. At that workshop, staff presented draft changes to the Nampa Zoning code to address the stated concerns in the moratorium. At that joint meeting, the Commission and Council reviewed the proposed draft changes to the ordinance and agreed to have those changes brought before the Planning & Zoning Commission and then City Council for review and consideration for adoption. Included in those changes presented was a recommendation for a 2,500 linear foot buffer from all existing storage unit properties. This buffer would limit new storage units to locations at least 2,500 feet from existing storage unit properties.

The Nampa Planning & Zoning Commission, during their regularly scheduled public hearing of **9/16/2019**, voted to recommend approval of the changes discussed at the August 26, 2019 workshop, with the following conditions/changes (summarized):

1. Removal of the condition that a Conditional Use Permit be required from City Council.
2. The requirement of a 150' setback from a list of major roadways be changed to state that the city "may" require a setback of up to 150' from the roadway.
3. Remove the requirement for new public storage facilities to be located a minimum distance of two thousand five hundred feet (2,500') from an existing or permitted storage facility's property lines. They felt it was an overreach of government and should be left to the market to decide how many storage units get developed and where they should go.
4. Remove the requirement for a residential roof pitch appearance.

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The Nampa City Council, during their regularly scheduled public hearing of 11/4/2019, voted to approve all changes recommended by the P&Z Commission with the exception that all storage unit CUPs will be determined by City Council without a recommendation from the Planning & Zoning Commission. Due to this decision, no buffer between existing storage units was required.

Over the following months, City Council considered several storage unit Conditional Use Permits. When they found they were limited in their ability to deny a storage unit development by the legal criteria for approving or denying a Conditional Use Permit (cc10-25-4), Council questioned staff about the 2,500 buffer originally proposed. Staff agreed to bring the buffer back before the P&Z Commission and City Council for consideration.

**Analysis:**

The Nampa 2040 Comprehensive Plan discusses the need for additional conditions to mitigate concerns caused by storage unit developments. It states: “These regulations should include codes that require lengthy set-backs, generous landscape buffering from the street and residential properties, development of multi-story units with retail at street level and significant design review, limits to proximity of other storage units, and an approval process that is based on a specific set of design criteria.”

The proposed 2,500-foot buffer differs from the original proposal in 2019 in that it allows an exception to the buffer for multi-story conditioned storage locating within existing pre-existing buildings. Multi-story conditioned buildings will still require design review and shall ensure a minimum of 50% of the ground floor square footage to be used for retail, office, or restaurant. (please see the following article for reference: <https://www.thejaxsonmag.com/article/packed-murray-hill-house-debates-self-storage-proposal/>)

Recreational Vehicle and Boat Storage will continue to be considered as “Public Self Storage.” This means that new RV/Boat storage and walk-up storage will need to be distanced a minimum of 2,500 feet from any existing storage facility property – Boat/RV or walk-up storage.

The following is a link to the City Code Title 10 Chapter 1. Please see section 10-1-19 for specific conditions for storage unit developments:  
<https://www.cityofnampa.us/DocumentCenter/View/169/Zoning-Ch-01-General-Provisionspdf>

**Staff Recommended Findings**

The following findings are recommended by staff:

- 1) Section 10-2-3 D. of Nampa City Code provides the standards for amending the City’s zoning ordinance.

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- 2) The proposed Ordinance Amendments are appropriate because they are “reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.” Nampa City Code § 10-2-3-D.
- 3) The proposed Ordinance Amendments are in harmony with the City’s Nampa 2040 Comprehensive Plan.

Those appearing in favor of the request were: Rosemary Nelson, Marsha Evans.

No one appeared in opposition to the request.

Mayor and Councilmembers asked questions and made comments.

**MOVED** by Mutchie 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

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**MOVED** by Levi and **SECONDED** by Mutchie to **approve the amendment** of Title 10, Chapter 1 General Provisions, Section 10-1-19, pertaining to zoning for new storage facilities a minimum of 2,500 ft from existing storage developments for the City of Nampa case (ZTA-016-20) **and encourage staff to bring back a more restrictive ordinance** that would define what we have discussed this evening. The Mayor asked for a roll call vote with Councilmembers Rodriguez, Bruner, Mutchie, Levi voting **YES**. Councilmembers Haverfield, Bower voting **NO**. The Mayor declared the

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❖ (5) New Business ❖

**Item #5-4.** - Mayor Kling presented the request for **emergency daycare funding** for the **Boys and Girls Club** and the Nampa School District.

Mayor Kling presented a staff report explaining that the City of Nampa is requesting pre-approval to use Coronavirus Relief Funds (CARES Act) for emergency childcare services for at-risk students and families who, without daycare options and financial support to cover them, are at risk of losing their job, their home, or their children’s safety or care is compromised. This request and funding would help safeguard families and children in our community from being without work and without homes; therefore, preventing homelessness or protecting the health and safety of at-risk students and families and addresses a critical need due to school closures in the Nampa School District as a result of the public health emergency due to COVID-19.

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The Boys and Girls Club of Nampa would take the referral from the Nampa School District and work to provide the temporary daycare need to ensure the family was able to continue working to avoid income loss, homelessness, or to ensure the children's safety during work hours. The Boys and Girls Club of Nampa would submit verification documents and a bill to the City of Nampa for reimbursement of childcare costs for staffing and cleaning at the end of each month until the School District opens schools or the CARES Act funding timeframe ends.

### **Background**

The Canyon County COVID-19 infection rates are increasing and have not shown signs of slowing in recent weeks. Currently, Canyon County has an infection rate of 2.589 per 100,000 people, as of August 12, 2020. This is currently the highest rate of cases in the State of Idaho, according to the Division of Public Health COVID-19 tableau public dashboard. Nationally, for comparison, Louisiana is the state with the highest rate at 2,863 per 100,000 people, according to the Health News, Coronavirus by the Numbers (HPR) data dashboard. The state with the second highest infection rate as of August 12, 2020 is Arizona, with a rate of 2,593 cases per 100,000 people as noted by Health News, Coronavirus by The Number (NPR).

This current infection rate and steady increase in cases in Canyon County has prompted the Nampa School District's Board of Trustees to vote in beginning school online for at least two weeks, beginning August 24. While the Nampa School Board of Trustees decisions are outside of the City of Nampa's jurisdiction, due to the impact of this decision on our most vulnerable populations, the City has a responsibility to work to address and mitigate emergency situations through available means. The Nampa School District does not currently have funds available to support this effort either through the normal budget or CARES Act funding. The Nampa School District is using allocated CARES Act funding to support teachers with daycare needs during the online format.

The Boys and Girls Club of Nampa, a non-profit organization, has stated they are willing to support this emergency need and support families most at-risk through temporarily increasing their childcare capacity to meet this emergency need due to the COVID-19 pandemic. In order to meet this emergency need, the Boys and Girls Club of Nampa needs funding to support the increase in staffing and costs needed to cover childcare for those at-risk children and families identified through the Nampa School District as being most in need.

Currently the Boys and Girls Club of Nampa is working to find additional space to facilitate this emergency need for increase in childcare capacity as their current facility is at capacity due to physical distancing requirements and safety precautions related to COVID-19 and would need to increase space in order to take in additional students in need of care during COVID-19 school closures. Those costs for space, utilities and additional cleaning resources would be part of the reimbursements requested from the City to support these efforts.

### **Regulatory Support/Justification**

This request is supported through the “Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments, Updated June 30, 2020” in the:

“Nonexclusive examples of eligible expenditures” section:

Paragraph 2: Public health expenses such as, expenses for public safety measures undertaken in response to COVID-19

Paragraph 4: Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as: Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

Paragraph 5: Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency (example not listed).

Paragraph 6: Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund’s eligibility criteria.

This request is also supported through the “Coronavirus Relief Fund Frequently Asked Questions, Updated as of July 8, 2020” in the following sections:

*Page 5, paragraph 1: May recipients use Fund payments to provide emergency financial assistance to individual and families directly impacted by a loss of income due to the COVID-19 public health emergency?*

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs.

*Page 8, paragraph 6: May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?*

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.



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*Request for pre-approval from the Coronavirus Relief Fund (CARES Act) distribution through the State of Idaho in accordance with the following references:*

- I. U.S. Code Title V, Section 5001 of the CARES Act
- II. State of Idaho Executive Order No. 2020-07
- III. Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments (Dated April 22, 2020)

*The City of Nampa is requesting pre-approval for following necessary expenditures due to the public health emergency with respect to the Coronavirus pandemic (COVID-19).*

- I. These costs are not accounted for in the budget most recently approved as of March 27, 2020.
- II. These expenses are being incurred within the authorized period of March 1 through December 30, 2020 as noted in Title V, Section 5001 of the CARES Act.
- III. This is not being requested to fill shortfalls in revenue or as revenue replacement.
- IV. These costs are for a substantially different use from any expected use of funds from approved budget line items, allotments, or allocations.

#### **Estimated Cost Breakdown Per Child**

<b>Boys and Girls Club of Nampa</b>	<b>Cost per child (at-risk as referred by NSD)</b>
<b>Staffing and Care Cost</b>	<b>\$110 per week or \$440 per month for 1 child</b>
<b>Cleaning and Utility Costs</b>	<b>Only if new space is required to facilitate these children and additional cleaning and utility costs are accrued directly as a result.</b>
<b>Number of Children (estimated)</b>	<b>Up to 227 children for an eight (8) week period</b>
<b>Total Allotment Requested</b>	<b>Up to \$200,000 for Boys and Girls Club reimbursements for childcare staff and above-mentioned estimated costs.</b>

**MOVED** by Haverfield and **SECONDED** by Rodriguez to **approve \$200,000 to be used by the Boys and Girls Club for emergency funding for assistance in childcare.** The Mayor asked for a roll call vote with Councilmembers Bruner, Bower, Rodriguez, Haverfield voting **YES**. Councilmember Mutchie **RECUSED** her vote. Councilmember Levi voting **NO**. The Mayor declared the

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#### **❖ Mayor Kling's and Council Comments ❖**

- **Mayor**
  - COVID-19 Updates

- Darrin Johnson asked about the following events in the parks
  - Girls Softball Tournament – August 28 -30, 2020
  - Community Festival – September 6, 2020
  - Softball Tournament – September 11 – 13, 2020
  - Taste of Idaho (Chamber of Commerce) – September 15, 2020
  - Softball Tournament (Lions Park) October 1, 2020
- Amy Bowman
  - Census deadline has been extended
- **Councilmember Bower**
  - Using Crush the Curve for a testing facility – results come back quickly

❖ (3) Agency/External Communications ❖

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

❖ (4) Staff Communications ❖

**Item #4-1.** – Public Works Director Tom Points presented a staff report to update the council on current projects as follows:

**Update to 2020 Street Division Chip Sealing Campaign** – The Street Division has developed a culture that values innovation and efficiency. This year Street staff researched and implemented strategies to reduce costs, improve level of service, and enhance safety. Staff refined rock and oil application rates that lead to reduced sweeping time, minimal damage to vehicles and improved overall product. The fog seal application was adjusted to provide a quality, nice looking finished surface. Street crews are working incredibly hard, doubling the miles of chip seal from last year’s campaign.

Major chip sealing in Zones E1 and E2 is 100% complete (Exhibit A). Fog sealing has commenced and is 85% complete with final completion estimated no later than August 13, 2020. Thermoplastic application and paint striping will begin on August 17, 2020, with estimated completion by September 3, 2020. 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, additional work requests could be delayed until after completion, apart from an emergency.



**Water Division Automated Meter Reading System Program Update** - In 2015, the City of Nampa began implementing a new Automated Meter Reading (AMR) system program. Staff is pleased to report that nearly 60% of Nampa’s customers are on the AMR system; 18,543 out of 32,630. Through a combination of installing meters for new customers and replacing aged meters for existing customers, all customers will be on the AMR system by fiscal year 2023, nearly five years ahead of the schedule.

The replacement program ensures meter accuracy as well as a significant reduction in staff labor on billing and improves customer service with real-time data for addressing inquiries. The reduction in staff labor allowed for an accelerated installation program. Installation with in-house resources produced substantial savings (approximately \$240,000 below fiscal year 2020 budget).

As of August 1, 2020, Cycle 2 and Cycle 1 are complete. Crews are currently working on Cycle 3 (Exhibit B).

**Nampa Municipal Airport Cost of Service and Equity Study to Provide Overall Financial Strategy Guidance -**

- The Nampa Municipal Airport is recognized as one of the top small airports in the country in meeting Federal Aviation Administration’s (FAA) goal for a fiscally sound operations and maintenance facility. This is an extraordinary accomplishment. The Nampa Airport Commission and Airport staff are to be commended for years of excellent leadership
- The process to update the Nampa Municipal Airport (Airport) Master Plan began in early 2018 with participation from the Mayor, Airport Commission, Nampa City Council

members, and the Public Works Director. All attended several public information and planning meetings, listening to public input, and helped in defining a long-range strategic blueprint for the Airport

- Later in 2018, numerous private developers sought land leases on Airport grounds to build and sublease aircraft hangars. Considering these leases brought to attention questions of lease rates, lease terms, equity among leaseholders and overall financial strategy for the Airport
- The Mayor and Public Works Director, in early 2019, requested staff work with the Airport Commission to develop an airport business plan
- A work group was formed consisting of Public Works Administration staff, Airport staff, and Nampa City legal counsel. The work group met frequently throughout 2019 conducting analyses reported in the attached Cost of Service and Equity Study (Exhibit C)
- The study was drafted in early 2020 and presented to and reviewed by Airport Commissioners, Nampa City Council, and Public Works Department senior staff
- The below market analysis shows that Nampa’s existing lease rates fall within a conservative range:

**Ground Lease Market Analysis - Exhibit A**

Airport	State	# of Operations	Lease Rate (per sq ft)
Evanston-Uinta County Airport	WY	5,555	\$ 0.44
Archuleta County Airport	CO	13,250	\$ 0.48
Heber Valley Airport	UT	19,468	\$ 0.35
Friedman Memorial Airport	ID	26,645	\$ 2.50
Pocatello Regional Airport	ID	27,375	\$ 0.18
McCall Municipal Airport	ID	43,435	\$ 0.30
Ogden-Hinckley Airport	UT	74,198	\$ 0.24
Cedar City Regional Airport	UT	77,224	\$ 0.20
<b>Nampa Municipal Airport (current)</b>	<b>ID</b>	<b>90,000</b>	<b>\$ 0.27</b>
Arlington Municipal Airport	WA	133,590	\$ 0.24
Boise Airport	ID	137,240	\$ 0.38
Caldwell Industrial Airport	ID	141,255	\$ 0.21

***Report Conclusions:***

- 1. Are fees, leases, and other revenue sources allocated equitably across all users?**

Adjustments are recommended. The café, oversized t-hangars and twin t-hangars generate about twice as much revenue as they consume of the expense budget. Revenue from four other rate classes reimburses less than 50% of expenditures on their behalf. Each of the fifteen rate classes, including these seven, seems to be somewhat unique from all others. The cost of service rate recommendations will be used as a guide but do not include a market comparison analysis. For future rate changes, the cost of service plus additional factors will be considered in proposing rate adjustments.

**2. Is the airport on a sound, sustainable financial base?**

With good leadership and management, the Airport continues to run a safe, efficient and well-maintained airport. The negative difference of \$170,993, between fiscal year 2019 annual revenue and fiscal years 2017-2019 average annual expense, is currently managed by an annual injection of the city's general fund (property taxes). This leaves sustainability as a somewhat dynamic condition that can change at the behest of Council or changing economic conditions for the City of Nampa as a whole.

**3. Importance of property taxes:**

Owners of private hangars on Airport property are assessed personal property taxes on their hangars. A Council resolution pledging the city portion of these property taxes to the Airport budget would be a resounding affirmation of Council's support for the Airport.

This comment comes directly from the Airport Commission. As noted above, significant annual injection of the city's general fund is necessary to bridge the negative difference between revenue and expenses. The 2020 Idaho Airport System Plan identifies \$106 million in benefits to Southwest Idaho from the Airport. A formal pledge to return owner property taxes to enhance the Airport's expense budget promotes both equity and sustainability. Airport property owners paid \$107,193 to the City of Nampa in property taxes.

**4. Cost of service study as a guide:**

The cost of service is a snapshot for one point in time; a document to be used as a reference to evaluate equity and adjust lease rates accordingly in the short term. However, both its proposed use and data on which it is based are dynamic, necessitating periodic updates to remain useful.

**5. Conservative character of proposed lease rates:**

Proposed rates do not include any allowance for capital expansion or periodic city funded maintenance. Alternative funding mechanisms for capital expansion, including Nampa City funds, are under consideration.

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- As of July 2020, the Public Works Department Environmental Compliance Division (ECD) is now performing 100% of the inspections and enforcement of New Residential Erosion Permits. Historically, Nampa Building Department staff led this effort but are still engaged as a critical component of permit processing and invoicing
- Construction in Nampa is still developing at a rapid pace. For fiscal year 2020, the City of Nampa has issued 154 Commercial Erosion Permits and 964 New Residential Erosion Permits. At this time last year 162 and 1,001 permits had been issued, respectively
- ECD staff are developing positive working relationships with residential building contractors through site visits and erosion control outreach efforts that build on the city's compliance measures under the Municipal Separate Storm Sewer System (MS4) Permit
- By developing positive working relationships with construction crews, and a team approach with City of Nampa departments, ECD is up for the challenge to support the continued growth in Nampa

**Wastewater Treatment Plant Phase II Upgrades Update** – The August 17, 2020, *Nampa Wastewater Program Phase II Updates Nampa Wastewater Treatment Plant* update is attached for Council's review (Exhibit D). The Nampa Design Review Committee will start meeting again on August 20<sup>th</sup> at 7:00 a.m. The meeting will be held virtually through Microsoft Teams. Meeting information can be accessed at <https://cityofnampa.us/1239/Design-Review-Committee>.

❖ (5) New Business ❖

**Item #5-2.** - Mayor Kling presented the request to **authorize** the **Mayor** to **sign** the **contract** with the **Nampa Police Protective Agency**.

**MOVED** by Bruner and **SECONDED** by Haverfield to **authorize** the **Mayor** to **sign** the **contract** with the **Nampa Police Protective Agency**. 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 **approve** the **application** and **program guidelines** for the **Small Business Grant**. (reviewed by legal) (budgeted from 2020 CARES funding)

Economic Development Director Beth Ineck presented a staff report explaining that the Governor's Coronavirus Financial Advisory Committee (CFAC) created this grant program to help local businesses and organizations affected by COVID-19 pandemic, enabling cities and counties to provide aid within their community.

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The City of Nampa has requested a set aside of \$500,000 from our current CFAC funding allocation as the initial upper limit for this grant program. Should approved program applications exceed this limit, the City may seek to use an additional allocation of our current CFAC allotment.

This program is a grant for businesses/organizations with 500 employees or less. The maximum amount of the grant to an applicant is \$15,000. Some of the key program requirements for this grant are:

- The Business/Organization closed or interrupted pursuant to a local health district or local government decision made on or after June 20, 2020
- Business/Organization was not otherwise eligible for a state small business grant (e.g., volunteer organizations, businesses created on or after January 1, 2020, etc.) \*please see further explanation below
- Business/Organization that have specific PPE needs in order to operate safely
- Business/Organization has not received funds for the current purpose by other COVID-19 grant programs
- Adverse effects and expenses planned for the use of the grant must occur between June 20, 2020 and December 30, 2020

**MOVED** by Bruner and **SECONDED** by Bower to **approve the application and program guidelines** for the Small Business/Municipal Grant and higher the amount if needs to be. 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 **authorize CDBG staff** to allocate **\$20,000.00** in CDBG funding from the Housing Affordability project to the Leap Charities Inc. multi-family infill project pursuant to HUD's final approval of the 2nd Amendment to the 2019 Annual Action Plan as approved by Council at the July 20, 2020 regular Council meeting.

Matt Jamison presented a staff report explaining that the Community Development staff are requesting City Council approve the allocation of \$20,000.00 to Leap Charities Inc. in support of the multi-family infill housing project located in Nampa. The proposed funding allocation will be used to offset pre-construction soft costs such as engineering/design costs and permitting fees in support of the construction of two (4) bedroom (2) bath units located at 2202 Aries Drive Nampa. This project has also received substantial investment in the project through the Idaho Housing and Finance Association's Neighborhood Stabilization Program (NSP). The two units will be placed on the market at affordable rent levels designed to serve 50% AMI or approximately \$1,067/month including all utilities and must remain affordable for a term of 20 years. None of the requested CDBG funding will be used for operating or support cost.

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Funding for this project will come from the Housing Affordability project previously authorized at the June 1<sup>st</sup> regular Council meeting. At that meeting Council allocated \$50,000.00 in prior years CDBG funding to be used in support of housing affordability activities located in Nampa during the 2019 program year.

2019 Housing Affordability Project		\$50,000.00
If Approved - AutumnGold Affordable Housing Program	-	\$30,000.00
Leap Charities Inc.	-	<u>\$20,000.00</u>
Remaining Funds to Support Other Activities		\$0.00

Mayor and Council asked questions and made comments.

**MOVED** by Haverfield and **SECONDED** by Mutchie to **authorize CDBG staff** to allocate **\$20,000.00** in CDBG funding from the Housing Affordability project to the Leap Charities Inc. multi-family infill project pursuant to HUD’s final approval of the 2<sup>nd</sup> Amendment to the 2019 Annual Action Plan as approved by Council at the July 20, 2020 regular Council meeting. The Mayor asked for a roll call vote with Councilmembers Bower, Mutchie, Haverfield voting **YES**. Councilmember Rodriguez, Bruner, Levi voting **NO** the Mayor voted **YES** to break the tie. The Mayor declared the

MOTION CARRIED

**Item #5-7.** - Mayor Kling presented the request to **approve** the allocation of **\$30,000** in **CDBG funding** from the **Housing Affordability project** to **Autumn Gold Affordable Housing Project** operated by Autumn gold Senior Services Inc.

Matt Jamison presented a staff report explaining that the Community Development staff are requesting City Council approve the allocation of \$30,000.00 to AutumnGold Senior Services, Inc. to operate the AutumnGold Affordable Housing Program. AutumnGold has requesting \$30,000 in CDBG funding to be used in support of the construction and purchase of two single-family affordable housing projects. The program will reserve \$15,000.00 of the allocated funding to offer down payment assistance for two low-to moderate income qualifying households in the amount of \$7,500.00 for each household. The remaining \$15,000 would be allocated equally to each single-family home to costs offset City of Nampa permit costs associated with construction of the two homes. The subject property is located at the corner of East Victory Road and North Spiceland Place in an established neighborhood. It is within the city limits of Nampa and within walking distance of Endeavor Elementary School (.2 miles) and Terry Reilly Health Clinic (.8 miles). The proposed homes will be approximately 1,090 to 1,170 square feet and include 3 bedrooms and 2 baths. Each home will include a zero-step entry and a minimum of 32-inch clear doors to meet current HUD visibility standards. Construction will include fully landscaped front yards. None of the requested CDBG funding will be used for operating or support cost.



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Funding for this project will come from the Housing Affordability project previously authorized at the June 1<sup>st</sup> regular Nampa City Council meeting. At that meeting Nampa City Council allocated \$50,000.00 in prior years CDBG funding to be used in support of housing affordability activities located in Nampa.

2019 Housing Affordability Project	-	\$50,000.00
AutumnGold Affordable Housing Program	-	<u>\$30,000.00</u>
Remaining Funds to Support Other Activities	-	\$20,000.00

**MOVED** by Haverfield and **SECONDED** by Bruner **to authorize CDBG staff** to allocate **\$30,000.00** in CDBG funding from the Housing Affordability project to the AutumnGold Affordable Housing Program pursuant to HUD's final approval of the 2<sup>nd</sup> Amendment to the 2019 Annual Action Plan as approved by Nampa City Council at the July 20, 2020 regular Council meeting. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

❖ (7) Unfinished Business ❖

**Item #7-3.** - Mayor Kling presented the request to **authorize the Mayor to sign a contract** for replacement of the audio system in the **Nampa City Council Chambers. (contract to be approved by legal) (CARES Act funding)**

IT Director Butch Schierman presented the following staff report:

- The proposed upgrade includes the following:
  - Removal of existing legacy hardware
  - Wall mount displays for viewing all documentation used in meetings
  - Streaming/recording equipment
  - Wireless microphones
  - Hearing assistance packs for hearing impaired attendees
  - Ceiling speakers
  - Council member microphones
  - All necessary ports (HDMI) and antennas
  - Transmission equipment
- The initial bid for the audio/visual upgrades to the Nampa City Council chambers was acquired from Neurilink because of their past engagements with Boise, Meridian, and Nampa. They have consistently been low bidder on previous efforts (i.e. Nampa Polycom system.)
- We have additionally gone out and requested two additional bids to determine if the services requested can be obtained at a lower cost.

- The amount bid by Neurilink (\$129,499.95) was approved for COVID CARES Act funding
- If equivalent replacement can be provided by one of the other 2 vendors at a lower cost and the contract is approved through our legal team, then the Neurilink bid will be replaced with the lower cost bid.
  - The I.T. department has determined that the existing audio/visual infrastructure in the council chambers has the following issues:
  - The system was never designed to handle the streaming that was taking place prior to the COVID-19 events
  - The COVID-19 events have pushed the system well beyond its intended original design and abilities.
  - Failure of the current system is highly likely in the future if no actions are taken soon.
  - The amount of effort required to make the current system function is becoming more difficult and non-sustainable by our I.T. resource.
- This upgrade is intended to provide the necessary infrastructure to support the current and future needs of the city for the foreseeable future.

**MOVED** by Mutchie and **SECONDED** by Haverfield to following the receipt of other bids **authorize** the **Mayor** to **sign a best contract** for upgraded audio/visual system in the **Nampa City Council Chambers** not to exceed the approved CARES Act funding of **\$129,499.95**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

❖ (5) New Business ❖

**Item #5-14.** - Mayor Kling presented the request to **authorize** the **Mayor** to **sign a Use Agreement** that allows the **Vallivue School District** to use the **Optimist Park parking lot** as a pass through to mitigate traffic congestion concerns on **Birch Lane**. (approved by legal)

Parks and Recreation Director Darrin Johnson presented a staff report explaining that the Vallivue School District has approached the City of Nampa asking for a Use Agreement that would allow school traffic to pass through the Optimist Park parking lot during the school year. The request is made with the purpose to mitigate traffic concerns during certain hours of the school day on Birch Lane. Currently, when parents pick up their children from school, traffic gets backed up on Birch Lane. The letter from Vallivue school district is attached to this report. In addition, exhibits are attached that illustrate the request.

The Nampa Public Works Department has reviewed the requested traffic patten and is in support of the agreement. Attached are comments from Public Works Department that give support to the issue.

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Nampa Parks and Recreation supports the school district's request with the condition that Birch Elementary allows for the use of their gymnasium for Nampa Parks and Recreation youth basketball programs. In addition, Nampa Parks and Recreation is requesting the Vallivue School District pay half of the maintenance costs for specific portions of the parking lot. The details are explained in the attached Use Agreement. All costs for modifications are the responsibility of the Vallivue School District and there is no construction expense to the City of Nampa.

Mayor and Councilmembers asked questions and made comments.

**MOVED** by Bruner and **SECONDED** by Mutchie to **authorize** the **Mayor** to **sign** a **Use Agreement** that allows the **Vallivue School District** to use the Optimist Park parking lot as a pass through to mitigate traffic congestion concerns on Birch Lane. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the  
**MOTION CARRIED**

**Item #5-8.** – The following Resolution was presented:

THE STATE OF IDAHO AUTHORIZED THE CREATION OF **REGIONAL PUBLIC TRANSPORTATION** AUTHORITIES UNDER CHAPTER 21, TITLE 40 OF THE IDAHO CODE TO “. . . PROVIDE PUBLIC TRANSPORTATION SERVICES, ENCOURAGE PRIVATE TRANSPORTATION PROGRAMS AND COORDINATE BOTH PUBLIC AND PRIVATE TRANSPORTATION PROGRAMS, SERVICES AND SUPPORT FUNCTIONS . . .

**Whereas**, pursuant to Idaho Code, Chapter 21, Title 40, and as a result of the approval of the voters of Ada and Canyon counties on November 3, 1998, a regional public transportation authority (now known as “**Valley Regional Transit**”) was created to serve Ada and Canyon counties; and

**Whereas**, Idaho Code 40-2106(1) mandates the creation of a governing board appointed by and serving at the pleasure of the governing bodies of counties, incorporated cities, and highway districts located wholly or partially within the authority; and

**Whereas**, Idaho Code 40-2106(3) states board members shall be appointed by resolution of the appointing agency, and

**Whereas**, City of Nampa is established under the laws of the State of Idaho as an incorporated city located within the boundaries of the Regional Public Transportation Authority in Ada and Canyon County known as Valley Regional Transit; and

**NOW, THEREFORE, BE IT RESOLVED** by the City of Nampa pursuant to Idaho Code 40-2106, that the following persons be appointed to the Valley Regional Transit Board:

Mayor Debbie Kling as primary representative  
Councilmember Sandi Levi as primary representative

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Public Works Director Tom Points as alternate representative  
Deputy Public Works Director Jeff Barnes as alternate representative

**MOVED** by Bruner and **SECONDED** by Haverfield to pass the **resolution** as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **44-2020** and directed the clerk to record it as required.

MOTION CARRIED

**Item #5-9** - Mayor Kling presented the request to **authorize** the **Mayor** to **sign easement encroachment** with **Mr. Frederick Harms** for his property located at **405 N Horton**.

Tom Points presented a staff report explaining that Mr. Frederick Harms has requested approval to encroach into an existing public drainage easement located along his northerly property line in order to install a new carport for his recreational vehicle (see Exhibit B). The following facts are associated with this request:

- Mr. Harms lives at 405 N Horton Street, more particularly described as Lot 7, Block 3 of the Mayflower Addition No. 3 subdivision.
- The plat reflects a 5-ft wide public drainage easement along the side lot line in Note 2 of the Plat. (see Exhibit A)
- Mr. Harms is planning to submit for a carport permit with the Nampa Building Department and would like the carport to extend approximately 3-ft into the existing easement.
- Engineering Division staff have researched and visited the site and found no evidence of City of Nampa owned public utilities within the said easement and does not feel the improvement would negatively impact drainage along the lot line.
- Given the above facts, the Engineering Division supports this request.

**MOVED** by Bruner and **SECONDED** by Rodriguez to **approve** the requested **easement encroachment** by Mr. **Frederick Harms** for his property located at **405 N Horton Street** and allow the Mayor to sign the attached Encroachment Agreement. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #5-10.** - Mayor Kling presented the request to **authorize** the **Mayor** to **sign Non-Development Agreement** for **Carriage Hill West Subdivision No. 5** between the city and **Toll Southwest, LLC. (approved by legal)**

Tom Points presented a staff report explaining that the Developer of Carriage Hill West Subdivision No. 5 has requested a Non-Development Agreement for a portion of the subdivision.

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The non-development agreement allows the final plat to be recorded when only a specific portion of the phase has been completed. The remaining portions of the phase have the following restrictions placed on them:

- No lot sales may occur; and,
- No building permits may be applied for

The agreement is recorded against the affected lots in order to provide notice to potential buyers.

The attached Exhibit A shows the portions of Carriage Hill West Subdivision No. 5 requested to be encumbered by the Non-Development Agreement highlighted in magenta color.

The Developer is making this request due to market uncertainty in the wake of the COVID-19 pandemic. (Exhibit B)

The Engineering Division has reviewed the request and recommends approval of the request.

**MOVED** by Rodriguez and **SECONDED** by Bower for **authorization** for the **Mayor** to **sign** the **Non-Development Agreement for Carriage Hill West Subdivision No. 5** between the city and **Toll Southwest, LLC**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

**Item #5-11.** – The following Resolution was presented:

Tom Points presented a staff report explaining that the Greenhurst Road, Sunnybrook Drive to Canyon Street project will incorporate the following improvements to reduce or eliminate fatal and serious injury accidents for roadway users (see Exhibit A):

- Install a traffic signal with pedestrian crossing facilities at the intersection of Greenhurst Road and Sunnybrook Drive
- Install a pedestrian activated flashing beacon crossing light at the intersection of Greenhurst Road and Canyon Street
- Install street lighting along Greenhurst Road in front South Middle School west of 12th Avenue South
- Install raised medians between 12th Avenue South and Sunnybrook Drive

Design was completed via the Local Professional Services Agreement with Paragon Consulting, Inc. in 2018

Construction was originally scheduled for 2022. The City of Nampa requested that the project be advanced sooner if remaining federal funds were available. The project is now programmed in

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COMPASS' Transportation Improvement Program for construction in FY2021, saving a year in time.

The State-Local Agreement is to move forward with the bid and construction of the project. (see Exhibit B)

The project is funded 92.66% with Local Highway Safety Improvement Program funds secured through COMPASS with the City of Nampa providing 7.34% match using impact fees and streets funds. Total project construction and construction inspection cost is currently estimated at \$1,123,000.

Before advertisement for bids, the City of Nampa must pay to the State \$74,189 which is the estimated city match.

Nampa City match will be paid with impact fee dollars.

Council approval of the State-Local Agreement will facilitate getting this important signalization project constructed in FY2021.

**THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF NAMPA, HEREAFTER CALLED THE CITY, FOR CONSTRUCTION OF GREENHURST ROAD, SUNNYBROOK DRIVE TO CANYON STREET.**

**MOVED** by Bruner and **SECONDED** by Haverfield to pass the **resolution** as presented and approve the State-Local Agreement for Construction of Greenhurst Road, Sunnybrook Drive to Canyon Street and authorize the Mayor to sign the agreement. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **45-2020** and directed the clerk to record it as required.

**MOTION CARRIED**

**Item #5-12.** – The following Resolution was presented:

Tom Points presented a staff report explaining that the City of Nampa Engineering Division submitted a COMPASS Phase 1 & Phase 2 grant application in 2018 to address transportation safety issues along Holly Street adjacent to Northwest Nazarene University.

The Holly Street & Northwest Nazarene University Roadway project will reconfigure Holly Street, an existing four-lane roadway section, to a three-lane section with bicycle lanes to improve vehicle bicycle and pedestrian transportation safety issues around NNU. (see Exhibit A)

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The existing roadway geometrics, tight curves, cause difficulty for bikes and pedestrians. The number of travel lanes, four to five, act as a barrier to cross. The reduction of travel lanes allows for easier access to and from NNU as well as nearby shopping center. The revised sections will provide adequate vehicular capacity, bike lanes, bus turnouts, and a pedestrian crossing.

The State-Local Agreement is for securing consultant services for project development and design. (see Exhibit B)

The project is funded 92.66% with Surface Transportation Program-Urban (STP-U) funds secured through COMPASS with the City of Nampa providing 7.34% match using streets funds. The total project cost is currently estimated at \$434,000.

The City of Nampa will pay \$10,000 up front to ITD for administration fees which will be applied toward city match.

The project is currently programmed in COMPASS' Transportation Improvement Program for project development/design in FY20 for \$101,000 with a pending construction year.

Council approval of the State-Local Agreement will facilitate getting the reconfiguration design completed.

THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF NAMPA, HEREAFTER CALLED THE CITY, FOR **DEVELOPMENT OF THE HOLLY STREET & NORTHWEST NAZARENE UNIVERSITY ROADWAY.**

**MOVED** by Haverfield and **SECONDED** by Rodriguez to pass the **resolution** as presented and approve the State-Local Agreement (Project Development) for intersection of Holly Street and Northwest Nazarene University Roadway project and authorize the Mayor to sign the agreement. Mayor Kling asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **46-2020** and directed the clerk to record it as required.

MOTION CARRIED

**Item #5-13.** - Mayor Kling presented the request to **authorize the Mayor to Sign 2020 Nampa Municipal Airport Disadvantaged Business Enterprise Program Plan. (approved by legal)**

Deputy Public Works Director Jeff Barnes presented a staff report explaining that as a condition of receiving Department of Transportation (DOT) assistance, the City of Nampa has signed an assurance that it will comply with 49 CFR Part 26 of the Disadvantaged Business Enterprise (DBE) program. This document (Exhibit A) states that it is the policy of the City of Nampa to ensure that

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businesses have an equal opportunity to receive and participate in government assisted contracts. It is also the Nampa City's policy:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts
- To create a level playing field on which DBE's can compete fairly for DOT-assisted contracts
- To ensure that the DBE Program is narrowly tailored in accordance with applicable law
- To ensure that only firms that fully meet 49 DFR Part 26 eligibility standards are permitted to participate as DBE's
- To help remove
- e barriers to the participation of DBE's in DOT-assisted contracts
- To assist the development of firms that can compete successfully in the marketplace outside the DBE Program

The FAA requires DBE Program Plans be updated every 3-5 years. Our last DBE Program Plan was completed in 2017.

A 3-year DBE percentage goal is a required by the plan. It is a separate document that is in progress.

The Airport uses the State of Idaho approved list for DBE businesses.

On August 10, 2020, the Airport Commission reviewed the 2020 DBE Program Plan and recommended Nampa City Council authorize the Mayor to sign the 2020 Disadvantaged Business Enterprise Program Plan.

**MOVED** by Bruner and **SECONDED** by Haverfield to **authorize** the **Mayor** to **sign** the 2020 Nampa Municipal Airport Disadvantaged Business Enterprise Program Plan. 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.** – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **9778 E. CHERRY LANE**, EAST OF MIDLAND BOULEVARD, COMPRISING A TOTAL OF APPROXIMATELY 33.13 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 BC



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(COMMUNITY BUSINESS), CONSISTING OF 7.00 ACRES, AND IL (LIGHT INDUSTRIAL), CONSISTING OF A TOTAL OF 26.134 ACRES, **ZONES**; 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; DETERMINING THAT A SEGMENT OF CHERRY LANE LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND SHOULD BE ANNEXED INTO THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AND BE ASSIGNED A ZONING DESIGNATION CORRESPONDING TO ADJOINING PRIVATE LANDS; 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 Hatch Design Architecture representing Kiwi Enterprises, 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 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 **4522** and directed the Clerk to record it as required.

MOTION CARRIED

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

AN ORDINANCE **APPROPRIATING FUNDS** FOR A TWELVE MONTH PERIOD FROM THE FIRST DAY OF **OCTOBER, 2020** TO AND INCLUSIVE OF THE THIRTIETH DAY OF **SEPTEMBER, 2021** TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF NAMPA FOR SAID FISCAL YEAR, SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, DIRECTING THE CITY CLERK TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE COUNTY COMMISSIONERS AND IDAHO SECRETARY OF STATE, AND PROVIDING AN EFFECTIVE DATE.; REFERENCING SOURCES AND USES OF FUNDS AND APPROPRIATING MONIES; SPECIFYING A PROCESS FOR EXPENDITURE OF FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:

Section 1. That the following general fund total and enterprise/special revenue fund amounts or so much thereof as may be necessary, are hereby appropriated out of any money in the Nampa City Treasury for the purpose of maintaining a government for the City of Nampa, Idaho for the fiscal year beginning with the first day of October, 2020 to and inclusive of the thirtieth day of September, 2021 as follows:

<b>GENERAL FUND</b>		<b>ENTERPRISE &amp; SPECIAL REVENUE FUNDS</b>	
Nampa City Clerk	\$413,153	911 Fees	\$ 960,383
Code Enforcement	600,061	Airport	557,396
Economic Development	436,066	Capital Projects	48,556
Engineering	2,497,795	Cemetery	353,958
Facilities Development	1,806,865	Civic Center	1,064,019
Finance	1,239,686	Development Services	3,518,128
Fire	14,565,800	Fleet Management	1,606,545
General Government	1,507,292	Family Justice Center	310,350
Human Resource	626,593	Idaho Center	4,932,306
Information Technology	1,833,204	Library	2,161,192
Legal	1,143,481	Nampa Recreation Center	2,883,330
Mayor/City Council	642,340	Parks Admin	427,111
Police	23,945,953	Parks & Recreation	3,384,415
Public Works Admin	780,827	Golf	2,265,172
<b>SUBTOTAL</b>	<b>\$52,039,116</b>	Sanitation Collection	10,580,669
		Street	14,226,707
<b>GRANT FUNDS</b>	<b>\$ 2,061,337</b>	Utility Billing	1,230,956
		Wastewater	10,170,980
		Water	9,467,366
		<b>SUBTOTAL</b>	<b>\$ 70,149,539</b>
		<b>CAPITAL PROJECTS &amp; DEBT SERVICE FUNDS</b>	
		Capital Fund	\$57,566,208
		Development Impact Fees	975,000
		GO Bond Debt Service	2,696,350
		<b>SUBTOTAL</b>	<b>\$61,237,558</b>
		<b>TRANSFERS &amp; ALLOCATIONS</b>	<b>\$ 15,588,587</b>

**GRAND TOTAL** **\$ 201,076,137**

Section 2. That the amount of money derived from funds or sources created by law for specific purposes is hereby appropriated for such purposes.

Section 3. That the Finance Department is hereby authorized and required upon presentation of the proper vouchers, approved by the Council as provided by law, to draw checks on the funds stated and against the appropriations as made in the preceding sections of this Ordinance, in favor of the parties entitled thereto.

Section 4. That this Ordinance shall be in full force and effect upon publication.

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 Rodriguez 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 **4523** and directed the Clerk to record it as required.

**MOTION CARRIED**

**Item #7-5.** – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **946 W. MARYLAND AVE.**, COMPRISING APPROXIMATELY 1.66 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE **ANNEXED** INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE RS 4 (SINGLE FAMILY RESIDENTIAL – WITH A "REQUIRED PROPERTY AREA" OF AT LEAST 4,000 SQUARE FEET) **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 Sawyer Eckhardt-Anchor Homes 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 Rodriguez and **SECONDED** by Haverfield 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 **4524** and directed the Clerk to record it as required.

MOTION CARRIED

**Item #7-6.** – The first reading of Ordinance for 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)** was postponed until the next regular meeting of September 8, 2020.

**❖ (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 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)**
- 8-3. 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)**
- 8-4. 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)**
- 8-5. 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)
- 8-6. 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)
- 8-7. 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)
- 8-8. 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)
- 8-9. 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)
- 8-10. 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)
- 8-11. 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)
- 8-12. 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, on the north side of Roosevelt Ave and approximately .4 miles east of Middleton Rd. (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) (PH was 07-06-2020)

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- 8-13. Annexation and Zoning to RD for fourplex multi-family development at 2000 S. Midland Blvd, located on the southeast corner of S Midland Blvd and W Maryland Ave (lots 6 and 7 of Home Acres Subdivision #6, located in the SE ¼ of Section 33, T3N, R2W, BM, Nampa, Canyon County, Idaho) for Kurt Smith (ANN 174-20) (PH was 07-06-2020)
- 8-14. Annexation and Zoning to RS6 (Single-Family Residential 6,000 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) (PH was 08-03-2020)

❖ (9) Executive Session ❖

Item #9-1- None

**MOVED** by Mutchie and **SECONDED** by Haverfield to **adjourn** the **meeting** at 10:47 p.m. The Mayor declared the

MOTION CARRIED

Passed this 8th day of September 2020.

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MAYOR

ATTEST:

\_\_\_\_\_  
NAMPA CITY CLERK