



CITY OF BOISE
COUNCIL MEETING
MINUTES • APRIL 13, 2021
REGULAR EVENING MEETING

City Hall - Maryanne Jordan City Council Chambers
6:00 PM

Final

150 N CAPITOL BLVD
BOISE, ID 83702

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

PRESENT: Clegg, Sánchez (Remote), Bageant (Remote), Hallyburton, Thomson (Remote), Woodings, McLean
ABSENT:

Pursuant to Idaho Code Section 74-204(4), all agenda Items are action items, and a vote may be taken on these items.

IV. REQUEST FOR APPROVAL

1. City Council Minutes - Work Session - Apr 6, 2021 4:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Holli Woodings, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

2. City Council Minutes - Regular Evening Meeting - Apr 6, 2021 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Holli Woodings, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

V. SPECIAL BUSINESS

1. Reappointment of Craig Brasher to the Building Code Board for a 4 year term ending May 2025

RESULT:	APPROVED BY UNANIMOUS CONSENT
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VI. CONSENT AGENDA

*****Items scheduled on Consent Agenda.

All items with an asterisk() are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council Member or citizen so requests in which case the item will be removed from the general order of business and considered in its normal sequence.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Jimmy Hallyburton, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

* *****Items scheduled on Consent Agenda.

* All items with an asterisk(*) are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council Member or citizen so requests in which case the item will be removed from the general order of business and considered in its normal sequence.

A. EXPENSES

- *1. Request for approval of the Boise City checks 517811-518059 and ACH 66477-66536 in the total amount of \$2,903,913.27 as of April 1, 2021.

B. PUBLIC HEARING REQUESTS

- *1. CAR21-00005 / South Beck & Baird / 580 N Cole Rd / Modification to a Development Agreement for permitted uses and site layout on 2.13 acres in a C-2D/DA (General Commercial with Design Review and Development Agreement) zone
- *2. CAR21-00003 / Green Mountain Resources & Planning / 5454 W Grover St / Rezone of approximately 2.75 acres from R-1C (Single Family Residential – 8 units/acre) to R-2D (Medium Density Residential with Design Review – 14.5 units/acre)
- *3. DRH20-00543 / Luke Caldwell / 1714 N. 26th Street / Appeal of the Historic Preservation Commission's approval for a Certificate of Appropriateness request to construct a single-family residential structure and detached garage on a vacant substandard lot in an R-1CH (Single-family Residential with Historic overlay) zone

C. MINUTES AND REPORTS

- *1. Historic Preservation Commission Minutes, February 22, 2021
- *2. Internal Audit Quarterly Report, March 2021

D. RESOLUTIONS

- *1. RES-160-21 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR RFP 21-207(A): CITY LANDSCAPE MAINTENANCE, BETWEEN THE CITY OF BOISE CITY (PARKS AND RECREATION DEPARTMENT) AND IRONCREEK, LLC DBA: METCALF LANDSCAPING; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.
- *2. RES-161-21 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR RFP 21-207(B): CITY LANDSCAPE MAINTENANCE, BETWEEN THE CITY OF BOISE CITY (PARKS AND RECREATION DEPARTMENT & FACILITY PROGRAM MANAGEMENT) AND STARK LANDSCAPE, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.
- *3. RES-162-21 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR RFP 21-207(C): CITY LANDSCAPE MAINTENANCE, BETWEEN THE CITY OF BOISE CITY (PARKS AND RECREATION DEPARTMENT & HOUSING AND COMMUNITY DEVELOPMENT) AND SUNSHINE LANDSCAPE, LLC; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.
- *4. RES-163-21 A RESOLUTION APPROVING THE RENEWAL OF RFP 19-271(B), GEOTHERMAL SYSTEM UPGRADES, BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND TITAN TECHNOLOGIES INC; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *5. RES-164-21 A RESOLUTION APPROVING THE RENEWAL OF RFP 17-087, HOMELESS MANAGEMENT INFORMATION SYSTEM LEAD AGENCY, BETWEEN THE CITY OF BOISE CITY (PLANNING & DEVELOPMENT/HCD) AND INSTITUTE FOR COMMUNITY ALLIANCES; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND

ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

- *6. RES-165-21 A RESOLUTION APPROVING THE RENEWAL OF RFP 19-269 (A), POND WATER TREATMENT SERVICES, BETWEEN THE CITY OF BOISE CITY (PARKS & RECREATION) AND AQUATECHNEX, LLC; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *7. RES-166-21 A RESOLUTION APPROVING THE RENEWAL OF RFP 20-205(A), CITY WIDE FUEL, BETWEEN THE CITY OF BOISE CITY FLEET SERVICES AND JACKSONS FOOD STORES, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *8. RES-167-21 A RESOLUTION APPROVING, AS TO BOTH FORM AND CONTENT, AN AMENDED EASEMENT AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PARKS AND RECREATION) AND IDAHO POWER BY WHICH THE CITY GRANTS IDAHO POWER A PERMANENT AND PERPETUAL EASEMENT AND RIGHT OF WAY; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENT ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

Councilmember Thomson abstained from RES-167-21 as it is an easement with the company he works for, Idaho Power.

- *9. RES-168-21 A RESOLUTION APPROVING THE TRANSFER AND ACCEPTANCE OF PUBLIC ART ASSETS FROM THE CAPITAL CITY DEVELOPMENT CORPORATION (CCDC) TO THE CITY OF BOISE CITY; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST THE ACCEPTANCE OF THE DECLARATIONS OF GIFT; AND PROVIDING AN EFFECTIVE DATE.
- *10. RES-169-21 A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT, BETWEEN THE CITY OF BOISE CITY (HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF PLANNING AND DEVELOPMENT SERVICES) AND CHARITABLE ASSISTANCE TO COMMUNITY'S HOMELESS (CATCH), INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND

ATTEST SAID AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

- *11. RES-170-21 A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES DEPARTMENT) AND COMMUNITY HEALTH CLINICS, INC. D/B/A TERRY REILLY HEALTH SERVICES., FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CARES FUNDS THROUGH AN ACTIVITY KNOWN AS BOISE MEDICAL & BEHAVIORAL HEALTH CLINIC, AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE.
- *12. RES-171-21 A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES DEPARTMENT) AND CATCH, INC., FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CARES FUNDS THROUGH AN ACTIVITY KNOWN AS HOMELESS SERVICES, AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE.

E. SUBDIVISIONS - FINAL PLATS/TIME EXTENSIONS

- * There were no Subdivisions, Final Plats or Time Extensions.

VII. ORDINANCES

A. FIRST READING

Moved that all ordinances on first reading be read by number and title only and filed for the Second Reading Calendar.

RESULT:	APPROVED BY UNANIMOUS CONSENT
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1. ORD-12-21 AN ORDINANCE (CAR20-00015 FOR PROPERTY LOCATED AT 3435 N 33RD STREET) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM R-1C (SINGLE-FAMILY RESIDENTIAL, URBAN) TO R-1MD (TOWN LOT RESIDENTIAL WITH DESIGN REVIEW OVERLAY); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.

2. ORD-13-21 AN ORDINANCE (CAR20-00023 FOR PROPERTY LOCATED AT 1717 S FEDERAL WAY) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM MEDIUM DENSITY RESIDENTIAL (R-2) TO MULTI-FAMILY RESIDENTIAL WITH DESIGN REVIEW (R-3D); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.
3. ORD-14-21 AN ORDINANCE (CAR20-00016/ WILLIAMS FAMILY #2 TRUST FOR PROPERTY LOCATED AT 6506 N EUGENE LANE) ANNEXING 2.9 ACRES OF CERTAIN LANDS AND TERRITORY SITUATED IN ADA COUNTY, IDAHO, ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID 2.9 ACRES AS A-1/DA (OPEN LANDS WITH A DEVELOPMENT AGREEMENT); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ANNEXATION AND ZONE CHANGE; DIRECTING THE CITY ENGINEER TO LODGE AND FILE A LEGAL DESCRIPTION AND MAP FOR SAID ANNEXED LANDS AND TERRITORY; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY AUDITOR, THE ADA COUNTY TREASURER, THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING THAT A COPY OF SAID LEGAL DESCRIPTION AND MAP OF SAID ANNEXED LANDS AND TERRITORY BE RECORDED WITH THE ADA COUNTY RECORDER AND FILED WITH THE ADA COUNTY ASSESSOR AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.
4. ORD-15-21 AN ORDINANCE REPEALING BOISE CITY CODE TITLE 9, CHAPTER 12 AND REPLACING IT WITH BOISE CITY CODE TITLE 9, CHAPTER 12, MOVING, DECONSTRUCTION, OR DEMOLITION OF BUILDINGS, ADOPTING STANDARDS FOR THE MOVING, DECONSTRUCTION, AND DEMOLITION OF BUILDINGS; INCLUDING MATERIAL AND WASTE MANAGEMENT PRACTICES; PERMITTING; ADMINISTRATIVE PROCEDURES, AND PENALTIES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

B. SECOND READING

Moved that all ordinances on second reading be read by number and title only and filed for the Third Reading Calendar.

RESULT:	APPROVED BY UNANIMOUS CONSENT
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1. ORD-11-21 AN ORDINANCE (CAR20-00004 FOR PROPERTY LOCATED AT 13984 W JASMINE LN, BOISE, ID 83713) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM OPEN LANDS (A-1) TO GENERAL COMMERCIAL WITH DESIGN REVIEW AND DEVELOPMENT AGREEMENT (C-2D/DA); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.

C. THIRD READING

Moved that further reading of (ORD-8-21), (ORD-9-21) and (ORD-10-21) be dispensed with and the record show that they have been read the third time in full.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Holli Woodings, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

1. ORD-8-21 AN ORDINANCE AMENDING BOISE CITY CODE TITLE 6, CHAPTER 10, ARTICLE A, "PARKING REGULATIONS" TO AMEND THE "BLOCK FACE" DEFINITION IN SECTION 4; TO AMEND SECTION 11 TO REFINE VEHICLE EXTENDED PARKING PROHIBITION; TO AMEND SECTION 12 TO REFINE NONVEHICULAR EXTENDED PARKING PROHIBITION; TO ADD A NEW SECTION 13 THAT REQUIRES MOVEMENT FROM A BLOCK FACE AFTER THE EXPIRATION OF THE METERED OR SIGNED PARKING PERIOD; TO RENUMBER ALL THE SECTIONS SUBSEQUENT TO THE NEWLY ADDED SECTION 13; AND PROVIDE AN EFFECTIVE DATE.

RESULT:	APPROVED [5 TO 1]
MOVER:	Patrick Bageant, Council Member
SECONDER:	Holli Woodings, Council Member
AYES:	Clegg, Bageant, Hallyburton, Thomson, Woodings
NAYS:	Sánchez

2. ORD-9-21 AN ORDINANCE (CAR20-00014 FOR PROPERTY LOCATED AT 313 S ORCHARD ST AND 5151 & 5007 W FRANKLIN RD) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM A-1 (OPEN LANDS, PARK) TO PCD (PEDESTRIAN COMMERCIAL WITH DESIGN REVIEW OVERLAY); SETTING FORTH A REASONED STATEMENT IN

SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Holli Woodings, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

3. ORD-10-21 AN ORDINANCE AMENDING BOISE CITY CODE TITLE 10, CHAPTER 4, SECTIONS 1-2, 1-5, 2-1 THROUGH 2-6, 3, 3-1 THROUGH 3-6, 4-3, AND 4-1, DELETING SECTION 4-4, AND ADDING SECTION 1-6 AND 2-7 TO ADD LEGAL AUTHORITY; TO PROVIDE DEFINITIONS; TO ADD AND AMEND SCOPE OF APPLICABILITY; TO REORGANIZE AND AMEND RESIDENTIAL COLLECTION, CONTAINER, TRASH, RECYCLING AND COMPOST PROVISIONS, INCLUDING LIMITATIONS TO BULKY ITEMS FOR COLLECTION; TO ADD SERVICE ACCOUNTS FOR NONPROPERTY OWNERS; TO REORGANIZE AND AMEND COMMERCIAL COLLECTION, CONTAINER, FREQUENCY AND SERVICE AGREEMENT PROVISIONS; TO CLARIFY CONSTRUCTION AND DEMOLITION HAULING PROVISIONS; TO AMEND GENERAL REQUIREMENTS AND PROHIBITIONS; TO REORGANIZE AND AMEND PROVISIONS RELATING TO FRANCHISE AGREEMENTS AND PERMITS; TO AMEND PROVISIONS RELATING TO FEES FOR SERVICES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Holli Woodings, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

VIII. UNFINISHED BUSINESS

There was no Unfinished Business.

IX. NEW BUSINESS

A. PUBLIC HEARINGS

1. ZOA20-00003 / Boise City Planning and Development Services / Amendment to Section 11-03-04.11 of the Development Code to establish an administrative review process for demolition of structures located outside the Design Review and Historic District overlays.

Cody Riddle, Planning and Development Services presented the item to Council.

Marcene Taylor, 12453 W Briarwood Dr, Boise, ID testified on the item.

Jason Blais, Building Official, responded to questions from Council.

There was no one else in the audience or the virtual meeting requesting to testify on the item.

Mayor closed the public hearing.

Motion to direct staff to move the item forward to the First Reading calendar with the addition of specifically calling out agricultural and religious buildings under Commercial.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Jimmy Hallyburton, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

- 2. ZOA21-00001 / Boise City Planning and Development Services / Minor amendment to Chapter 11-08 (Flood Hazard Regulations) of the development code to update and clarify existing regulations.

Cody Riddle, Planning and Development Services presented the item to Council.

There was no one in the audience or the virtual meeting requesting to testify on the item.

Mayor closed the public hearing.

Motion to move the item forward to the First Reading Calendar.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Holli Woodings, Council Member
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

- 3. CAR21-00002 / Ivar Katich / 8410 W Vincent St / Rezone of 0.96 acres from R-1A (Single Family Residential – 2.1 units/acres) to R-1B/DA (Single Family Residential with Development Agreement – 4.8 units/acre).

Crystal Rain, Planning and Development Services presented the item to Council.

Ivar Katich, Applicant, 8410 W Vincent St, Boise, ID was in agreement with the terms and conditions of the Staff Report.

There was no one else in the audience or the virtual meeting requesting to testify on the item.

Mayor closed the public hearing.

RESULT: APPROVED [UNANIMOUS]
MOVER: Elaine Clegg, Council President
SECONDER: Holli Woodings, Council Member
AYES: Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

X. ADJOURNMENT

Motion to adjourn the City Council meeting.

RESULT: APPROVED [UNANIMOUS]
MOVER: Elaine Clegg, Council President
SECONDER: Holli Woodings, Council Member
AYES: Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings


APPROVE:



Lauren McLean, Mayor



ATTEST:



Lynda Lowry, Ex-Officio City Clerk