



CITY OF BOISE
COUNCIL MEETING
MINUTES • JUNE 8, 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, Bageant, Hallyburton, Thomson, 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 - Budget Workshop - May 25, 2021 9:00 AM**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Lisa Sánchez, Council President Pro Tem
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

2. **City Council Minutes - Regular Day Meeting - May 25, 2021 12:00 PM**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Lisa Sánchez, Council President Pro Tem
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

V. SPECIAL BUSINESS

1. **FY 2021 Quarterly Report - Q2 (20 min)**
Presenter: Mike Sherack, Finance and Administration

RESULT:	DISCUSSED
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2. **Appeal DRH21-00072 / Revised Findings**
Presenter: Ted Vanegas, Planning and Development Services

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

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:	Lisa Sánchez, Council President Pro Tem
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 519128-519356 and ACH 66904-66978 in the total amount of \$1,997,359.61 as of May 13, 2021.
- *2. Request for approval of the Boise City checks 519388-519824 and ACH 66989-67065 in the total amount of \$4,649,786.51 as of May 20, 2021.
- *3. Request for approval of the Boise City checks 519839-520011 and ACH 67070-67155 in the total amount of \$4,445,739.96 as of May 27, 2021.

B. PUBLIC HEARING REQUESTS

- *1. SOS21-00008 / Donald & Denise Sweepe / 214 W Circle Way Dr / Appeal of the Planning & Zoning Commission’s denial of a waiver to the Subdivision Ordinance for access points on a double fronted lot on 0.31 acres in a R-1B (Single Family Residential) zone

C. MINUTES AND REPORTS

- *1. Design Review Committee Minutes, April 14, 2021
- *2. Boise Parks and Recreation Commission Minutes, April 15, 2021
- *3. Treasury Report April 2021

D. RESOLUTIONS

- *1. RES-238-21 A RESOLUTION APPROVING AN AGREEMENT FOR ADA COUNTY SHERIFF'S OFFICE TO USE SPACE AT BOISE FIRE DEPARTMENT STATION NO. 14 FOR THE PURPOSE OF PROVIDING POLICE PROTECTION TO THE RESIDENTS OF ADA COUNTY BY AND BETWEEN ADA COUNTY AND THE CITY OF BOISE CITY FOR THE COOPERATIVE PROVISION OF EMERGENCY RESPONSE SERVICES IN ADA COUNTY; AUTHORIZING THE MAYOR AND CITY CLERK TO ACKNOWLEDGE AND APPROVE SAID AGREEMENT ON BEHALF OF THE CITY OF BOISE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- *2. RES-239-21 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR RFQ 21-236B MISCELLANEOUS ARCHITECTURAL SERVICES BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND COLE ARCHITECTS.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.
- *3. RES-240-21 A RESOLUTION APPROVING THE FY21 RENEWAL OF THE LENDING SERVICE/ANNEXATION COMPENSATION AGREEMENT BETWEEN THE CITY OF BOISE CITY (LIBRARY) AND THE ADA COUNTY FREE LIBRARY DISTRICT D.B.A. ADA COMMUNITY LIBRARY; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *4. RES-241-21 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR RFP 21-290: SUPPLEMENTAL NUISANCE ABATEMENT, BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF FINANCE AND ADMINISTRATION) AND BOISE BIOHAZARD SERVICES LLC D.B.A. BIO-ONE BOISE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID

AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.

- *5. RES-242-21 A RESOLUTION NAMING THE 325-ACRE RESERVE IN THE NORTHWEST BOISE FOOTHILLS, SITUATED BETWEEN CARTWRIGHT ROAD AND SEAMAN'S GULCH ROAD, "ANTELOPE BITTERBRUSH RESERVE;" AUTHORIZING AND DIRECTING STAFF TO DO ALL THINGS NECESSARY TO ACCOMPLISH NAMING THE RESERVE AREA; AND ESTABLISHING AN EFFECTIVE DATE.
- *6. RES-243-21 A RESOLUTION APPROVING A TEMPORARY LICENSE AGREEMENT BETWEEN THE CITY OF BOISE (DEPARTMENT OF AVIATION) AND CRUSH THE CURVE IDAHO FOUNDATION, LLC FOR THE USE OF CERTAIN PREMISES UPON BOISE AIRPORT; AUTHORIZING THE BOISE AIRPORT DIRECTOR'S EXECUTION OF THE LICENSE AGREEMENT ON BEHALF OF THE CITY OF BOISE AND RATIFYING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
- *7. RES-244-21 A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PARKS AND RECREATION), BOISE STATE UNIVERSITY, AND THE PEREGRINE FUND; AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE MEMORANDUM OF AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE.
- *8. RES-245-21 A RESOLUTION APPROVING CHANGE ORDER #9 TO RFP 15-178, ILS SYSTEM, BETWEEN THE CITY OF BOISE CITY (BOISE PUBLIC LIBRARY) AND INNOVATIVE INTERFACES, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID CHANGE ORDER; AND PROVIDING AN EFFECTIVE DATE.
- *9. RES-246-21 A RESOLUTION APPROVING A RIGHT OF ENTRY PERMIT AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF AVIATION) AND THE DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION FOR THE RIGHT OF ENTRY OF CERTAIN FACILITIES AND PREMISES UPON BOISE AIRPORT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID A RIGHT OF ENTRY PERMIT AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- *10. RES-247-21 A RESOLUTION APPROVING, AS TO BOTH FORM AND CONTENT, THE FIRST AMENDMENT FOR SEASONAL CONCESSION AND LEASE AGREEMENT AT WILLOW LANE ATHLETIC COMPLEX BY AND BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PARKS AND RECREATION) AND ALOHA ICE TROPICAL SNO; RATIFYING AND AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION DIRECTOR'S EXECUTION OF SAID AGREEMENT ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.
- *11. RES-248-21 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR FB 21-266 ENHANCED PEDESTRIAN CROSSINGS BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES DEPARTMENT) AND WINSPEAR CONSTRUCTION, LLC; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.
- *12. RES-249-21 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR FB 21-288 FRANKLIN PARK PLAYGROUND AND SURFACING BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PARKS AND RECREATION) AND SONNTAG RECREATION, LLC; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.
- *13. RES-250-21 A RESOLUTION APPROVING A TERMINAL SPACE LEASE AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF AVIATION) AND JETBLUE AIRWAYS CORPORATION. FOR THE USE AND LEASE OF CERTAIN FACILITIES AND PREMISES UPON BOISE AIRPORT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID LEASE AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- *14. RES-251-21 A RESOLUTION IN SUPPORT OF RESTORING PASSENGER RAIL SERVICE, KNOWN AS THE PIONEER, FROM PORTLAND TO SALT LAKE CITY WITH A STOP AT THE BOISE DEPOT; ADVOCATING FOR A FRAMEWORK TO SUPPORT SUCH AN EFFORT; AND PROVIDING AN EFFECTIVE DATE.

- *15. RES-252-21 A RESOLUTION APPROVING A SPONSORSHIP AWARD AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND THE IDAHO STEM ACTION CENTER (STEM AC) FOR CLIMATE SCIENCE EDUCATION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING 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

1. ORD-28-21 AN ORDINANCE (CAR21-00003 FOR PROPERTY LOCATED AT 5454-5490 W GROVER 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-2D (MEDIUM DENSITY RESIDENTIAL WITH DESIGN REVIEW OVERLAY); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.
2. ORD-30-21 AN ORDINANCE AMENDING BOISE CITY CODE GEOTHERMAL SYSTEM REGULATIONS 10-3-2 TO UPDATE DEFINITIONS; AMENDING BOISE CITY CODE GEOTHERMAL SYSTEM REGULATIONS TO REMOVE REFERENCE TO NATURAL GAS PRICES; AND AMENDED TITLE 10 CHAPTER 3 FOR GENERAL CORRECTIONS; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.
3. ORD-31-21 AN ORDINANCE AMENDING BOISE CITY CODE TITLE 10, CHAPTER 1, IRRIGATION SYSTEM REGULATIONS; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

B. SECOND READING

There were no items on Second Reading.

C. THIRD READING

There were no items on Third Reading.

D. FIRST, SECOND AND THIRD READING

Moved that all rules of the Council interfering with the immediate consideration of (ORD-29-21) be suspended: that portions of Idaho Code 50-902 requiring an ordinance to be read on three different days, twice by title and once in full be dispensed with and the record show it has been read the third time in full.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Lisa Sánchez, Council President Pro Tem
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

1. ORD-29-21 AN ORDINANCE AMENDING THE DEVELOPMENT CODE REGARDING SPECIFIC PROCEDURES (SECTION 11-03-03(2)(B)(i)) CORRECTING CLERICAL ERRORS WITH RESPECT TO NOTIFICATION REQUIREMENTS FOR SUBDIVISIONS GREATER THAN FIVE ACRES, CONDITIONAL USE PERMITS GREATER THAN FIVE ACRES, AND GATEWAY STREETS; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Lisa Sánchez, Council President Pro Tem
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

VIII. UNFINISHED BUSINESS

There was no Unfinished Business.

IX. NEW BUSINESS**A. SUBDIVISIONS**

1. Workland Subdivision, SUB21-00016, Boise City Preliminary/Final Plat, (SUB21-00016 / Workland Subdivision / Autumn Gold Senior Services, Inc / 9009 W Cory Ln / Preliminary and final plat residential subdivision comprised of 9 buildable lots on 1.41 acres in a R-1C and R-1B (Single Family Residential) zones.)

Kevin Holmes, Planning and Development Services presented the item to Council.

Abbey Stover, Applicant's Representative, 1998 W Judith Lane, Boise, ID; and Cathy Venrick, Applicant, 813 E Fargo Ave, Nampa, ID testified on the item.

No one else in the audience or on the virtual meeting requested to testify on the item.

Mayor closed the public hearing.

Motion to Approve with a change in the Conditions that there be an HOA and that common lots are to be allowed in easements to be maintained by the adjacent homeowner as long as the perimeter landscape buffer conditions, as currently stated, are maintained.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Lisa Sánchez, Council President Pro Tem
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

B. PUBLIC HEARINGS

1. PUD21-00006 / Stephen Leonard & Neighbors / 2454 E Gowen Rd / Appeal of the Planning & Zoning Commission's approval of a conditional use permit for a planned residential development comprised of 270 multi-family units and a height exception on 11.21 acres in a C-4D (Planned Commercial with Design Review) and R-2D (Medium Density Residential with Design Review) zones.

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

Stephen Leonard, Appellant, 3704 E Alta Ridge Ct, Boise, ID; David Becker, Appellant, 2242 E Gowen Rd, Boise, ID; Anthony Fondino, Appellant, 6568 S Federal Way, Boise, ID; and Brandon Whallon, Applicant, 855 W Broad St, Suite 300, Boise, ID testified on the item.

Clerk's Note: Mayor announced a short recess at 7:31pm.

Rob Stark, 6865 E Warm Springs Ave, Boise, ID; and Elaine Hulderman, 5631 E Bay Trail Ct, Boise, ID testified on the item.

Rebuttal testimony was heard from the Applicant and Appellants.

No one else in the audience or on the virtual meeting requested to testify on the item.

Mayor closed the public hearing.

Motion to Deny appeal and uphold the decision of the Planning and Zoning Commission with the Finding that additional evidence shows a need for additional Conditions on the drive aisle and that those Conditions be as follows: (1) Access road to remain open for the full duration of the construction; (2) Any traffic calming to not include speed bumps; (3) Parking not be allowed to be "nose in" but be either diagonal or parallel as shown by evidence to be safe at the Design Review Committee; (4) Applicant to explore bike facilities either on the drive aisle or as part of a multi-use path along the sidewalk; (5) Applicant to explore cross-access agreement with the apartment complex to the north at the northwest corner; and direct staff to return with Findings.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Elaine Clegg, Council President
SECONDER:	Lisa Sánchez, Council President Pro Tem
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:	Lisa Sánchez, Council President Pro Tem
AYES:	Clegg, Sánchez, Bageant, Hallyburton, Thomson, Woodings

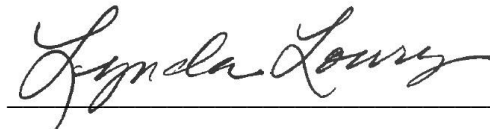
APPROVE:



Lauren McLean, Mayor



ATTEST:



Lynda Lowry, Ex-Officio City Clerk