



CITY COUNCIL AGENDA CITY OF BOISE

Regular Evening Meeting

Tuesday, December 5, 2017
6:00 PM

City Hall - Council Chambers
150 Capitol Blvd
Boise, ID 83702

MAYOR

David H. Bieter

CITY COUNCIL MEMBERS

Council President

Elaine Clegg

Council President Pro Tem

Lauren McLean

Council Member

Maryanne Jordan

Council Member

Ben Quintana

Council Member

Scot Ludwig

Council Member

TJ Thomson

Our Vision: To Make Boise the Most Livable City in the Country

BOISE, IDAHO
City Council Agenda
City Hall - Council Chambers, 6:00 PM
December 5, 2017
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I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. REQUEST FOR APPROVAL

1. City Council Minutes - Regular Day Meeting - Nov 28, 2017 12:00 PM

V. SPECIAL BUSINESS

1. Appointment of Elaine Clegg to the Boise City Ada County Housing Authority for a five year term ending October 31, 2022
2. Re-Appointment of Thomas Zabala to the Design Review Committee for a four year term ending November 22, 2021
3. Public Comment on Proposed E-Bike Ordinance

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.

***A. Expenses**

- *1. Request for approval of the Boise City checks 466868-467245 and ACH 53481-53537 in the total amount of \$8,779,998.51 as of October 12 2017.
- *2. Request for approval of the Boise City checks 467249-467653 and ACH 53541-53592 in the total amount of \$7,427,176.82 as of October 19 2017.
- *3. Request for approval of the Boise City checks 467671-467841 and ACH 53603-53622 in the total amount of \$1,735,757.80 as of October 26 2017.
- *4. Request for approval of the Boise City checks 467847-468160 and ACH 53627-53654 in the total amount of \$3,745,525.12 as of November 02 2017.

- *5. Request for approval of the Boise City checks 468180-468408 and ACH 53664-53699 in the total amount of \$3,774,903.85 as of November 9 2017.
- *6. Request for approval of the Boise City checks 468709-470761, 470777-471016 and ACH 53753-53786 in the total amount of \$2,858,813.49 as of November 22 2017.

***B. Travel Requests**

- *1. Dave Bieter, Mayor's Office, to attend US Conference of Mayors and Mayors Innovation Project in Washington, DC, on January 23-28, 2018.
- *2. Amber Pence, Mayor's Office, to attend US Conference of Mayors and Mayors Innovation Project Annual Meetings, in Washington, DC, on January 23-28, 2018.

***C. Minutes and Reports**

- *1. Planning & Zoning Commission Minutes, October 2, 2017
- *2. Planning & Zoning Commission Minutes, October 9, 2017
- *3. Airport Commission Minutes October 5, 2017

***D. Resolutions**

- *1. RES-614-17 A RESOLUTION (CPA17-00001) AMENDING THE CITY OF BOISE COMPREHENSIVE PLAN TO ADOPT THE RIVER STREET MASTER PLAN BY REFERENCE IN BLUEPRINT BOISE; AND PROVIDING AN EFFECTIVE DATE.
- *2. RES-615-17 A RESOLUTION APPROVING THE RENEWAL OF RFP15-052A, LAND PLANNING & DESIGN SERVICES, BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES) AND AGNEW BECK; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *3. RES-616-17 A RESOLUTION APPROVING THE RENEWAL OF RFP15-052D-LAND PLANNING & DESIGN SERVICES, BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES) AND MCKIBBEN AND COOPER; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

- *4. RES-617-17 A RESOLUTION APPROVING THE RENEWAL OF RFP15-052C-LAND PLANNING & DESIGN SERVICES, BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES) AND MAKERS ARCHITECTURE AND URBAN DESIGN; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *5. RES-618-17 A RESOLUTION APPROVING THE RENEWAL OF RFP15-052E-LAND PLANNING & DESIGN SERVICES, BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES) AND MIG; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *6. RES-619-17 A RESOLUTION APPROVING AN INTERAGENCY TEMPORARY LICENSE AGREEMENT, FOR THE USE OF PROPERTY OWNED BY THE ADA COUNTY HIGHWAY DISTRICT (“ACHD”) BY AND BETWEEN THE ADA COUNTY HIGHWAY DISTRICT AND THE CITY OF BOISE CITY; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID LICENSE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *7. RES-620-17 A RESOLUTION APPROVING A NON-EXCLUSIVE PERPETUAL STORM WATER DRAINAGE EASEMENT BY AND BETWEEN THE CITY OF BOISE CITY AND THE ADA COUNTY HIGHWAY DISTRICT (ACHD); AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID EASEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *8. RES-621-17 A RESOLUTION APPROVING A SIDEWALK EASEMENT BY AND BETWEEN THE CITY OF BOISE CITY AND THE ADA COUNTY HIGHWAY DISTRICT (ACHD); AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID EASEMENT; AND PROVIDING AN EFFECTIVE DATE.
- *9. RES-622-17 A RESOLUTION APPROVING THE DEDICATION OF RIGHT OF WAY FROM THE CITY OF BOISE CITY TO THE ADA COUNTY HIGHWAY DISTRICT (ACHD); AUTHORIZING THE MAYOR AND CITY CLERK TO

RESPECTIVELY EXECUTE AND ATTEST A WARRANTY DEED; AND PROVIDING AN EFFECTIVE DATE.

- *10. RES-623-17 A RESOLUTION APPROVING A COST SHARE AGREEMENT FOR LANDSCAPING AND ATTENDANT IRRIGATION AT THE INTERSECTION OF STATE STREET AND VETERANS MEMORIAL PARKWAY BY AND BETWEEN THE CITY OF BOISE CITY AND THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE AGREEMENT FOR AND ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.
- *11. RES-624-17 A RESOLUTION APPROVING A COST SHARE AGREEMENT FOR LANDSCAPING AND ATTENDANT IRRIGATION IN THE BUFFER AREA OF CLOVERDALE ROAD, FAIRVIEW AVENUE TO USTICK ROAD, BY AND BETWEEN THE CITY OF BOISE CITY AND THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE AGREEMENT FOR AND ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.
- *12. RES-625-17 A RESOLUTION APPROVING A PERPETUAL, NON-EXCLUSIVE EASEMENT AGREEMENT, BETWEEN THE CITY OF BOISE CITY AND ST. LUKE'S REGIONAL MEDICAL CENTER, LTD.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE.

VII. ORDINANCES

A. First Reading

- 1. ORD-33-17 AN ORDINANCE (CAR17-00007 / MOUNTAIN COVE, LLC FOR PROPERTY LOCATED AT 1725 N. MOUNTAIN COVE ROAD) ANNEXING 2.01 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 2.01 ACRES AS A-1/DA (OPEN LAND, VERY LOW DENSITY WITH 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.

2. ORD-34-17 AN ORDINANCE (CAR17-00007 FOR PROPERTY LOCATED AT 1725 N. MOUNTAIN COVE ROAD) 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 LAND RESERVE (A-2) TO OPEN LAND VERY LOW DENSITY WITH DEVELOPMENT AGREEMENT (A-1/DA); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.
3. ORD-35-17 AN ORDINANCE AMENDING TITLE 10, CHAPTER 1, SECTION 1 BOISE CITY CODE TO AMEND THE DEFINITION OF "BICYCLE" AND TO ADD A NEW DEFINED TERM, "ELECTRIC POWER-ASSISTED BICYCLE" (OR "E-BIKE"); AMENDING TITLE 10, CHAPTER 14, SECTIONS 1 THROUGH 19 TO AMEND THE DEFINITION OF "BICYCLE," TO ADD A NEW DEFINED TERM, "ELECTRIC POWER-ASSISTED BICYCLE" (OR "E-BIKE"), TO ADD A NEW DEFINED TERM, "FOOTHILLS TRAILS," TO MAKE CERTAIN LAWS REGULATING THE USE OF BICYCLES APPLICABLE TO THE USE OF E-BIKES, TO REGULATE THE USE OF E-BIKES ON FOOTHILLS TRAILS, ADDING A REQUIREMENT THAT BICYCLE AND E-BIKE USERS OBEY POSTED SPEED LIMITS; AND ADDING NEW SECTIONS 20 THROUGH 28 TO TITLE 10, CHAPTER 14, BOISE CITY CODE, TO ESTABLISH A PROCEDURE FOR SERVING CITATIONS TO PERSONS VIOLATING ANY PROVISION OF TITLE 10, CHAPTER 14, BOISE CITY CODE, TO SPECIFY THE REQUIRED CONTENTS OF CITATIONS, TO ADD A SECTION ENTITLED

“PENALTIES,” TO ESTABLISH A PROCEDURE BY WHICH VIOLATIONS MAY BE CONTESTED IN COURT, TO ESTABLISH REGULATIONS FOR THE TREATMENT OF DELINQUENT CITATIONS, TO ADD A NEW SECTION ENTITLED “TITLING AND REGISTRATION OF AN E-BIKE,” TO ADD A SECTION REQUIRING E-BIKE MANUFACTURERS TO LABEL E-BIKES, TO ADD A SECTION PROHIBITING TAMPERING WITH AN E-BIKE, TO ADD A SECTION REQUIRING E-BIKES TO COMPLY WITH CERTAIN EQUIPMENT AND MANUFACTURING REQUIREMENTS ESTABLISHED BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION, AND TO ADD A SEVERABILITY CLAUSE; APPROVING BY SUMMARY AND ESTABLISHING AN EFFECTIVE DATE.

4. ORD-36-17 AN ORDINANCE (CAR17-00008 FOR PROPERTY LOCATED AT 12216 AND 12250 W. BRIARWOOD DRIVE) 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 SINGLE FAMILY RESIDENTIAL-2.1 UNITS/ACRE (R-1A) TO SINGLE FAMILY RESIDENTIAL-4.8 UNITS/ACRE (R-1B); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.
5. ORD-37-17 AN ORDINANCE (CAR17-00009) FOR PROPERTY LOCATED AT 902 N. 8TH STREET AMENDING THE 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 WITH HISTORIC DESIGN REVIEW (R-2HD) TO RESIDENTIAL OFFICE WITH HISTORIC DESIGN REVIEW AND A DEVELOPMENT AGREEMENT (R-OHD/DA); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.
6. ORD-38-17 AN ORDINANCE (CAR17-00010 FOR PROPERTY LOCATED AT 511 N. MAPLE GROVE ROAD) 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 NEIGHBORHOOD COMMERCIAL WITH DESIGN REVIEW (C-1D) TO LIGHT INDUSTRIAL WITH DESIGN

REVIEW (M-1D); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.

7. ORD-39-17 AN ORDINANCE (CAR17-00011 FOR PROPERTY LOCATED AT 8603 W. SLOAN 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 SINGLE FAMILY RESIDENTIAL (R-1A) TO MEDIUM DENSITY RESIDENTIAL WITH DESIGN REVIEW (R-2D); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.

8. ORD-40-17 AN ORDINANCE REAFFIRMING A PREVIOUS FINDING THAT SPECIFICALLY DESCRIBED CITY-OWNED PROPERTY IS UNDERUTILIZED OR NOT BEING USED FOR PUBLIC PURPOSES; APPROVING THE SALE OF 162,094 ± SQUARE FEET WHICH IS A PORTION OF THAT REAL PROPERTY OWNED BY THE CITY OF BOISE CITY (DEPARTMENT OF AVIATION) THAT IS ADDRESSED AS 5121 WEST GOWEN ROAD, IN BOISE CITY, ADA COUNTY, IDAHO, TO THE ADA COUNTY HIGHWAY DISTRICT, A TAX SUPPORTED GOVERNMENTAL UNIT FOR USE AS PUBLIC RIGHT-OF-WAY; APPROVING, AS TO BOTH FORM AND CONTENT, A SALE AND PURCHASE AGREEMENT AND A WARRANTY DEED; AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST BOTH THE SALE AND PURCHASE AGREEMENT AND THE WARRANTY DEED; AUTHORIZING CITY STAFF TO DO ALL THINGS NECESSARY TO CLOSE THE SALE AND CONVEYANCE OF THE SUBJECT REAL PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

B. Second Reading

1. ORD-32-17 AN ORDINANCE (CAR17-00005 FOR PROPERTY LOCATED AT 3212 N. MAPLE GROVE ROAD) 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 SINGLE FAMILY RESIDENTIAL (R-1C) TO NEIGHBORHOOD COMMERCIAL WITH DESIGN REVIEW (C-1D); SETTING FORTH A REASONED STATEMENT IN

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

C. Third Reading

NO ORDINANCES SCHEDULED FOR THE THIRD READING CALENDAR.

VIII. UNFINISHED BUSINESS

NO UNFINISHED BUSINESS SCHEDULED.

IX. NEW BUSINESS

A. Subdivisions

1. ACME Fast Freight Condominium / Spink Butler (PZC 2 min), SUB17-00039, Boise City Preliminary/Final Plat, (SUB17-00039 / ACME Fast Freight Condominium / Spink Butler / 1101 W. Front / Preliminary and final plat for a 16-unit condominium of a previously approved project on 1.7 acres in a C-5DD (Central Business District with Downtown Design Review) zone)
2. Muldoon Subdivision / Providence Properties (PZC 2 min), SUB17-00040, Boise City Preliminary/Final Plat, (Muldoon Subdivision / Providence Properties / 8730 W. Northview Street / Preliminary and final plat for a residential subdivision comprised of 4 buildable lots on a 1.02 acre site in the R-1C (Single Family Residential - 8 DU/acre) zone)

B. Public Hearings

1. Reconsideration of CAR16-00037 / Conger Management Group / Annexation / 6405 E Columbia Road / Annexation of approximately 110 acres with R-1C (Single Family Residential) and R-1M (Residential Town Lot) zoning.

SUB16-00067 / Conger Management Group / Reconsideration
2. SOS17-00015 / Brighton Corporation / 3387 E. Trifecta Lane / Brighton Corporation is requesting a partial vacation of a sewer easement and the associated plat note as it pertains to Lot 38, Block 2 of the Barber Valley Townhomes Subdivision #4. The property is generally addressed as 3387 E. Trifecta Lane.
3. CAR17-00012 / Pacific Partners / 13450 Baldcypess Street / Rezone of 2.43 acres from A-1 (Open Land) to R-3D (Multi-Family Residential with Design Review).
4. CAR17-00017 / Hawkins Companies / 711 N. Curtis Road / Modification of a development agreement associated with a 5.25-acre property in a C-1D (Neighborhood Commercial with Design Review) zone. Changes include revisions to the conceptual site plan.

5. CAR17-00018 / Sylvester Castaneda / 1714 W. Highland Street / Rezone of 0.57 acres from R-1C (Single Family Residential) to R-2D (Medium Density Residential with Design Review).
6. Orchard Street Extension R-O-W Surplus: Declaration of Intent to Convey Real Property to ACHD

X. ADJOURNMENT

LEGEND:		ZONING DESIGNATION:	
BCC	BOISE CITY CODE	A	OPEN LAND
CAA	DAYCARE, GRANDFATHER RIGHTS, FENCE,	CD	CONSERVATION DISTRICT OVERLAY
HOME	OCCUPATION, VARIANCE, STAFF LEVEL EXPANSIONS	D	DESIGN REVIEW
CAR	ANNEXATIONS/REZONES	DD	DOWNTOWN DESIGN REVIEW OVERLAY
CFH	FLOODPLAIN/HILLSIDE	HD	HISTORIC DESIGN REVIEW OVERLAY
CLP	CITY LIGHTING PROJECT	C-1	NEIGHBORHOOD COMMERCIAL
CP	COMPREHENSIVE PLAN	C-2	GENERAL COMMERCIAL
CSN	SIGN APPLICATIONS	C-3	SERVICE COMMERCIAL
CSP	CITY SEWER PROJECT	C-4	PLANNED COMMERCIAL
CUP	CONDITIONAL USE/MODIFICATIONS	C-5	CENTRAL BUSINESS DISTRICT
CZC	ZONING CERTIFICATES, ZONING LETTERS	H	HISTORIC OVERLAY
	CONVERSION OF DUPLEX TO TOWNHOUSE	H-S	HEALTH SERVICE
DRH	DESIGN REVIEW/MODIFICATIONS	L-O	LIMITED OFFICE
DRI	DESIGN REVIEW INSPECTION (SEWERS)	M-1	LIGHT INDUSTRIAL
F/B	FORMAL BID	M-2	HEAVY INDUSTRIAL
GEO	GEO THERMAL	M-4	PLANNED INDUSTRIAL
LID	LOCAL IMPROVEMENT DISTRICT	N-O	NEIGHBORHOOD OFFICE
RFP	REQUEST FOR PROPOSAL	PC	PEDESTRIAN COMMERCIAL
RSP	REHABILITATION SEWER PROJECT	R-1	SINGLE FAMILY RESIDENTIAL
V	VARIANCE	R-2	COMBINED RESIDENTIAL
ZO	ZONING ORDINANCE AMENDMENT	R-3	MULTI-FAMILY RESIDENTIAL
		R-O	RESIDENTIAL OFFICE
		T-1	TECHNOLOGICAL-INDUST. PARK
		T-2	TECHNOLOGICAL-MANUFACTURING PARK
		U	UNIVERSITY

Arrangements for auxiliary aids and services necessary for effective communication for qualified persons with disabilities or language assistance requests need to be made as soon as possible, but no later than three working days before the scheduled meeting. Please contact the City Clerk if an auxiliary aid is needed.

RECONSIDERATION OF VOTE

(A council member who voted on the prevailing side of an agenda item at the last regularly scheduled meeting may move for reconsideration under the rules of procedure adopted by the council, Boise City Code 1-02-16). This may occur at anytime during the Council meeting.