I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

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 - Sep 29, 2020 4:30 PM

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

2. City Council Minutes - Regular Evening Meeting - Sep 29, 2020 6:00 PM

RESULT: ACCEPTED [4 TO 0]
MOVER: Elaine Clegg, Council President
SECONDER: Lisa Sánchez, Council Member
AYES: Clegg, Woodings, Hallyburton, Sánchez
ABSTAIN: Thomson
ABSENT: Bageant

Pursuant to Idaho Code Section 74-204(4)(b), Council President Clegg moved to adopt the agenda as amended to include Special Business Item: CAR19-00025 / Reconsider Vote Request.
Council President Clegg commented that the public hearing on bike bars was noticed to occur tonight, but the item was not included on the agenda. Rather a discussion on the item will be placed on the Work Session for October 20, 2020. The item may be placed on a future public hearing schedule after that time upon Council's direction.

V. SPECIAL BUSINESS

1. **CAR19-00025/Reconsider Vote Request**
   Presenter: Celine Acord, Planning and Development Services
   
   Celine Acord, Planning and Development Services presented the item to Council.
   
   The item died due to lack of a motion.

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.*

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<th>RESULT:</th>
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<tr>
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<tr>
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<td>ABSENT:</td>
<td>Bageant</td>
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* Councilmember Sanchez requested RES-461-20, RES-462-20 and RES-463-20 be removed from the Consent Agenda for further discussion and consideration.
  
  A separate vote was taken on RES-461-20, RES-462-20 and RES-463-20.

* Motion to approve the Consent Agenda absent RES-461-20, RES-462-20, RES-463-20.

* ******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 511973-512191 and ACH 64378-64450 in the total amount of $2,848,679.64 as of September 24, 2020.

B. PUBLIC HEARING REQUESTS

*1. DRH20-00294 / Bob Stefanakos / 1316 N 6th Street / Historic Preservation Commission’s denial of Certificate of Appropriateness request to reclassify the contributing single-family structure to non-contributing in a R-1CH (Single-family Residential with Historic overlay) zone

C. RESOLUTIONS

*1. RES-461-20 A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE BOISE POLICE DEPARTMENT AND THE WEST ADA SCHOOL DISTRICT FOR THE PROVISION OF STUDENT RESOURCE OFFICER SERVICES FOR THE 2020-2021 SCHOOL YEAR; AUTHORIZING AND RATIFYING THE SIGNATURE OF THE CHIEF OF POLICE IN EXECUTING THE AGREEMENT AS AN AUTHORIZED OFFICIAL OF THE CITY OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE.

Item was pulled by Councilmember Sanchez for separate consideration.

Motion to approve item made by Council President Clegg, seconded by Council Pro Tem Woodings. Motion carried 4-1 (Sanchez).

*2. RES-462-20 A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE BOISE POLICE DEPARTMENT AND BISHOP KELLY HIGH SCHOOL FOR THE PROVISION OF STUDENT RESOURCE OFFICER SERVICES FOR THE 2020-2021 SCHOOL YEAR; AUTHORIZING AND RATIFYING THE SIGNATURE OF THE CHIEF OF POLICE IN EXECUTING THE AGREEMENT AS AN AUTHORIZED OFFICIAL OF THE CITY OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE.

Item was pulled by Councilmember Sanchez for separate consideration.

Motion to approve item made by Council President Clegg, seconded by Council Pro Tem Woodings. Motion carried 4-1 (Sanchez).

*3. RES-463-20 A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE BOISE POLICE DEPARTMENT AND THE BOISE SCHOOL DISTRICT FOR THE PROVISION OF STUDENT RESOURCE OFFICER
SERVICES FOR THE 2020-2021 SCHOOL YEAR; AUTHORIZING AND RATIFYING THE SIGNATURE OF THE CHIEF OF POLICE IN EXECUTING THE AGREEMENT AS AN AUTHORIZED OFFICIAL OF THE CITY OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE.

Item was pulled by Councilmember Sanchez for separate consideration.

Motion to approve item made by Council President Clegg, seconded by Council Pro Tem Woodings. Motion carried 4-1 (Sanchez).

*4. RES-464-20 A RESOLUTION APPROVING CHANGE ORDER # 3 TO RFP 19-030: MISC. HVAC MAINTENANCE SERVICES, BETWEEN THE CITY OF BOISE CITY (BOISE PUBLIC LIBRARY) AND ACCO ENGINEERED SERVICES; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID CHANGE ORDER; AND PROVIDING AN EFFECTIVE DATE.

*5. RES-465-20 A RESOLUTION APPROVING THE RENEWAL OF FB 19-027, BULK DRY POLYMER, BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND SNF POLYDYNE, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*6. RES-466-20 A RESOLUTION APPROVING AN AMENDMENT TO AND EXTENSION OF AN AIRLINE USE AND LEASE AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF AVIATION) AND DELTA AIR LINES, INC. FOR THE USE AND LEASE OF CERTAIN FACILITIES AND PREMISES UPON BOISE AIRPORT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AMENDMENT ON BEHALF OF BOISE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

*7. RES-467-20 A RESOLUTION APPROVING AN AMENDMENT TO AN AIRLINE AFFILIATE OPERATING AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF AVIATION) AND DELTA AIR LINES, INC. (AIRLINE) AND SKYWEST AIRLINES, INC. (AIRLINE AFFILIATE) FOR THE USE OF CERTAIN FACILITIES AND PREMISES UPON BOISE AIRPORT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AIRLINE AFFILIATE OPERATING AGREEMENT AMENDMENT ON BEHALF OF BOISE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.
8. RES-468-20 A RESOLUTION APPROVING A CONDUIT LICENSE AGREEMENT, BETWEEN THE CITY OF BOISE CITY (INFORMATION TECHNOLOGY) AND CABLE ONE, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

9. RES-469-20 A RESOLUTION APPROVING AN AMENDMENT NO. 3 TO AN AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND MICRON TECHNOLOGY INC., FOR WASTEWATER COLLECTION AND TREATMENT SERVICES; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

10. RES-470-20 A RESOLUTION APPROVING CHANGE ORDER NUMBER 3 TO FB 19-391, GENE HARRIS BANDSHELL RENOVATION, BETWEEN THE CITY OF BOISE CITY (PARKS AND RECREATION DEPARTMENT) AND PERKINS CONSTRUCTION; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID CHANGE ORDER; AND PROVIDING AN EFFECTIVE DATE.

11. RES-471-20 A RESOLUTION APPROVING A SITE SUPPLEMENT AGREEMENT BETWEEN VERIZON WIRELESS AND THE CITY OF BOISE CITY FOR THE INSTALLATION OF A 5G SMALL CELL TOWER LOCATED AT 4809 SUNDERLAND DRIVE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

12. RES-472-20 A RESOLUTION APPROVING A SITE SUPPLEMENT AGREEMENT BETWEEN VERIZON WIRELESS AND THE CITY OF BOISE CITY FOR THE INSTALLATION OF A 5G SMALL CELL TOWER LOCATED AT 398 W WASHINGTON STREET; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

13. RES-473-20 A RESOLUTION APPROVING A SITE SUPPLEMENT AGREEMENT BETWEEN VERIZON WIRELESS AND THE CITY OF BOISE CITY FOR THE INSTALLATION OF A 5G SMALL CELL TOWER LOCATED AT 2402 W MADISON AVENUE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
*14. RES-474-20 A RESOLUTION APPROVING A SITE SUPPLEMENT AGREEMENT, BETWEEN VERIZON WIRELESS AND THE CITY OF BOISE CITY FOR THE INSTALLATION OF A 5G SMALL CELL TOWER LOCATED AT 1301 W UNIVERSITY DRIVE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*15. RES-475-20 A RESOLUTION APPROVING A SITE SUPPLEMENT AGREEMENT, BETWEEN VERIZON WIRELESS AND THE CITY OF BOISE CITY FOR THE INSTALLATION OF A 5G SMALL CELL TOWER LOCATED AT 808 S VISTA AVENUE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*16. RES-476-20 A RESOLUTION APPROVING A SITE SUPPLEMENT AGREEMENT, BETWEEN CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, AND THE CITY OF BOISE CITY FOR THE INSTALLATION OF A 5G SMALL CELL TOWER LOCATED AT 3611 N COLE ROAD; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*17. RES-477-20 A RESOLUTION APPROVING A SITE SUPPLEMENT AGREEMENT BETWEEN VERIZON WIRELESS AND THE CITY OF BOISE CITY FOR THE INSTALLATION OF A 5G SMALL CELL TOWER LOCATED AT 1401 N RAYMOND STREET; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*18. RES-478-20 A RESOLUTION APPROVING A FORM LEASE AGREEMENT FOR PORTABLE HANGAR SITES AT THE CITY OF BOISE AIRPORT FOR THE STORAGE OF GENERAL AVIATION AIRCRAFT AND AUTHORIZING THE AIRPORT DIRECTOR TO EXECUTE SUCH AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

*19. RES-479-20 A RESOLUTION APPROVING AN OPERATIONS AND MAINTENANCE AGREEMENT BY AND BETWEEN THE GREATER BOISE AUDITORIUM DISTRICT AND THE CITY OF BOISE CITY (DEPARTMENT OF PARKS AND RECREATION); AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE OPERATIONS AND MAINTENANCE AGREEMENT ON
BEHALF OF CITY OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE.

*20. RES-480-20 A RESOLUTION APPROVING THE CONVEYANCE OF A PORTION OF PROPERTY ADJACENT TO THE MURGOITIO PARK SITE FROM ADA COUNTY TO THE CITY OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

*21. RES-481-20 A RESOLUTION APPROVING A TEMPORARY CONSTRUCTION EASEMENT AGREEMENT AND COMPENSATION SUMMARY BY AND BETWEEN THE CITY OF BOISE CITY (PARKS AND RECREATION DEPARTMENT) AND THE ADA COUNTY HIGHWAY DISTRICT NEAR FRANKLIN AND KOOTENAI STREETS WITHIN CASSIA PARK FOR THE CASSIA BIKEWAY PROJECT; AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE TEMPORARY CONSTRUCTION EASEMENT FOR AND ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

*22. RES-482-20 A RESOLUTION APPROVING AN ESTOPPEL AGREEMENT AS PART OF A WAREHOUSE LEASE AGREEMENT, BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS) AND STAR ENTERPRISES, LLC; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID ESTOPPEL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*23. RES-483-20 A RESOLUTION APPROVING A TEMPORARY CONSTRUCTION EASEMENT AGREEMENT AND COMPENSATION SUMMARY BY AND BETWEEN THE CITY OF BOISE CITY (PARKS AND RECREATION DEPARTMENT) AND THE ADA COUNTY HIGHWAY DISTRICT ALONG CASSIA STREET FOR THE CASSIA BIKEWAY PROJECT; AUTHORIZING THE MAYOR AND CITY CLERK, RESPECTIVELY, TO EXECUTE AND ATTEST THE TEMPORARY CONSTRUCTION EASEMENT FOR AND ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

*24. RES-484-20 A RESOLUTION APPROVING, AS TO BOTH FORM AND CONTENT, AN EASEMENT AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PARKS AND RECREATION) AND SUSAN K. PADUANO, BY WHICH THE CITY GRANTS AN EASEMENT ACROSS PARK PROPERTY TO THE GRANTEE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST
SAID AGREEMENT ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

D. SUBDIVISIONS - FINAL PLATS/TIME EXTENSIONS

*1. Dallas Harris South Subdivision No. 1, SUB20-00043, Boise City Final Plat, (SUB20-00043 / Dallas Harris South Subdivision No. 1 / Barber Valley Development / 4399 E Warm Springs Ave / Final Plat for a residential subdivision of 6 buildable and 2 common lots on 7.45 acres located at 4399 E Warm Springs Ave in a SP-01 (Harris Ranch Specific Plan District) zone.)

*2. Twentyfifth and Bannock Condominiums, SUB20-00004, Boise City Final Plat, (SUB20-00004 / Twentyfifth and Bannock Condominiums / Trig Point Capital, LLC / 2502 W Bannock St / Condominium plat for a residential subdivision comprised of 5 units and 1 common unit on 0.28 acres in a R-3D (Multi-Family Residential with Design Review) zone.)

VII. ORDINANCES

A. 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

1. ORD-31-20 AN ORDINANCE AMENDING TITLE 11, CHAPTER 07, SECTION 03, SUBSECTION 05 BOISE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

VIII. UNFINISHED BUSINESS

There was no Unfinished Business.

IX. NEW BUSINESS

A. SUBDIVISIONS

1. Sarel Subdivision, SUB20-00030, Boise City Preliminary/Final Plat, (SUB20-00030 / Sarel Subdivision / Cook Brothers Construction / 1715 S Longmont Ave / Preliminary and Final Plat for a residential subdivision comprised of 2 buildable lots on 0.14 acres in a R-2 (Medium Density Residential) zone.)

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

Ben Semple, Applicant, 1014 S La Pointe St, Ste 3, Boise, ID was available for questions.
RESULT: APPROVED [UNANIMOUS]
MOVER: Elaine Clegg, Council President
SECONDER: Lisa Sánchez, Council Member
AYES: Clegg, Woodings, Hallyburton, Sánchez, Thomson
ABSENT: Bageant

2. Cole Bluff Cottages, SUB20-00031, Boise City Preliminary Plat, (SUB20-00031 / Cole Bluff Cottages / NHS Community Services, LLC / 7563 W Fairview Ave / Preliminary Plat for a residential subdivision comprised of 55 buildable and 5 common lots on 2.56 acres in a C-2D/DA (General Commercial with Design Review and Development Agreement) zone.)

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

Bud Compher, Applicant Representative, 3380 W Americana, Ste 120, Boise, ID; and Tamara Thompson, Applicant Representative, 462 E Shore Dr, Ste 100, Eagle, ID were available for questions.

Bud Compher planned to provide a presentation to Council, however, due to technical difficulties was unable to present. Therefore, he will share the presentation electronically with Council after the meeting.

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

B. PUBLIC HEARINGS

1. CAR19-00021 / Boise State University / South of Belmont St, between Denver Ave and Vermont Ave / Rezone of 4 parcels totaling 0.83 acres from an R-2 (Medium Density Residential) zone to a U (University District) zone.

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

Drew Alexander, Applicant, 1910 University Dr, Boise, ID testified on the item.

No one in the audience or virtual meeting indicated they wanted to testify on the item.
RESULT: APPROVED [UNANIMOUS]
MOVER: Elaine Clegg, Council President
SECONDER: Lisa Sánchez, Council Member
AYES: Clegg, Woodings, Hallyburton, Sánchez, Thomson
ABSENT: Bageant

2. CAR20-00009 / CK Property Group, LLC / 1709 S Federal Way / Rezone of 0.92 acres from R-2 (Medium Density – 14.5 units/acre) to R-3D (Multi-Family Residential with Design Review – 43.5 units/acre).

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

Ben Semple, Applicant, 1014 S La Pointe St, Ste 3, Boise, ID testified on the item.

No one in the audience or virtual meeting indicated they wanted to testify on the item.

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

Tallapoosa Subdivision, SUB20-00033, Boise City Preliminary Plat, (SUB20-00033 / Tallapoosa Subdivision / CK Property Group, LLC / 1709 S Federal Way / Preliminary Plat for a residential subdivision comprised of 1 common and 20 buildable lots on 0.92 acres in a proposed R-3D (Multi-Family Residential with Design Review) zone.)

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


David Moser, Planning and Development Services presented the item to Council.

Jason Taylor, Public Works answered Council questions.

Hetthe Clark, Appellant Representative, 251 W Front St, Boise, ID; David Powell, Applicant Representative, 2447 S Vista Ave, Boise, ID; Jeffrey Kronenberg, 1059
W El Pelar Dr, Boise, ID; Stephen Holmes, 3610 N Sanada Way, Boise, ID; and Zeke Johnson, 2208 N 19th St, Boise, ID testified on the item.

Motion to uphold the appeal in the finding that additional conditions are required in order to ensure the stability of the western slope in this project, and those additional conditions include a site specific condition to protect the stability of the slope along the western property line; and 3 conditions added to the subdivision portions of approval that require that lots 1 and 2 be required to consider the western property line as the rear yard for set back purposes; that all building lots (pads) be graded with a 2% slope to run off to the east to collect all yard and hard surface run-off; that a 5 foot, no-water zone be established along the top edge of the ridge; and that at final plat the developer come back to Council with conditions that will ensure that the 5 foot zone is not watered.

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

Leoni Hills Subdivision No. 2, SUB20-00017, Boise City Preliminary Plat, (SUB20-00017 / Leoni Hills Subdivision No. 2 / Gem State Planning / 3773 N Cartwright Rd / Preliminary plat for a residential subdivision comprised of 4 buildable lots on 9.28 acres in a R-1B (Single Family Residential) zone and A-1 (Open Lands) zone.)

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

X. ADJOURNMENT

Motion to adjourn the City Council meeting.

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

Lauren McLean, Mayor

ATTEST:

Lynda Lowry, Ex-Officio City Clerk