I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

PRESENT:  McLean, Clegg (Remote), Woodings, Bageant (Remote), Hallyburton, Sánchez (Remote), Thomson
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 - Oct 6, 2020 4:00 PM

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

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

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

V. SPECIAL BUSINESS

1.  RES-496-20  A RESOLUTION RATIFYING REISSUED PUBLIC HEALTH EMERGENCY ORDER 20-12a (BUSINESSES; INDIVIDUALS; AIRPORT; BARS; BICYCLE BARS AND PUBLIC MEETINGS) ENACTED OCTOBER 9, 2020; AND PROVIDING AN EFFECTIVE DATE.
RESULT: APPROVED [UNANIMOUS]
MOVER: Holli Woodings, Council President Pro Tem
SECONDER: TJ Thomson, Council Member
AYES: Clegg, Woodings, Bageant, Hallyburton, Sánchez, Thomson

2. **CAR19-00025 / Revised Findings**

Presenter: Céline Acord, Planning and Development Services

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

Council President Clegg identified two changes she requested to the Revised Findings and stated that she had provided those to staff.

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

3. **Water Renewal Utility Plan**

Presenter: Steve Burgos, Public Works

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

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: Holli Woodings, Council President Pro Tem
SECONDER: TJ Thomson, Council Member
AYES: Clegg, Woodings, Bageant, Hallyburton, Sánchez, Thomson

* ******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 512196-512435 and ACH 64455-64532 in the total amount of $3,173,081.27 as of October 01, 2020.

B. PUBLIC HEARING REQUESTS

*1. CAR20-00011 / Energreen Development Company LLC / 1511 S Robert St / Rezone of 0.23 acres from C-2D (General Commercial with Design Review) to R-OD/DA (Residential Office with Design Review and Development Agreement)

*2. CPA20-00001 / Boise City Planning & Development Services / Comprehensive plan amendment for minor updates including text and map amendments in order to adopt new plans by reference and retire outdated plans

*3. CAA20-00127 / Cathy Cooke / 601 N 27th St / Appeal of the Planning & Zoning Commission’s approval of a wireless communication facility co-locating on a streetlight pole in a R-2 (Medium Density Residential) zone

*4. CAR20-00013 / Matt Brookshier / 5801 W Castle Dr / A development agreement modification to remove the existing modified development agreement on the 0.29-acre subject property in an R-1C/DA (Single Family Residential with Development Agreement) zone.

C. RESOLUTIONS

*1. RES-485-20 A RESOLUTION APPROVING THE RENEWAL OF RFP 17-400 (B), MISCELLANEOUS WASTEWATER & PLANNING CONSULTING SERVICES, BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND CAROLLO ENGINEERS, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*2. RES-486-20 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 10236 W SUMMERWIND DRIVE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*3. RES-487-20 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 10151 W
WHIRLAWAY DRIVE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*4. RES-488-20 A RESOLUTION APPROVING THE RENEWAL OF RFP 15-043(A), E-BILLING & E-PAYMENT SERVICES, BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF FINANCE AND ADMINISTRATION) AND RETAIL LOCKBOX, INC. FOR LOCKBOX SERVICE; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*5. RES-489-20 A RESOLUTION APPROVING THE RENEWAL OF RFP 15-043(B), E-BILLING & E-PAYMENT SERVICES FOR BILLING AND PAYMENT SERVICES, BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF FINANCE AND ADMINISTRATION) AND RETAIL LOCKBOX, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*6. RES-490-20 A RESOLUTION APPROVING THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD AGREEMENT FROM THE U.S. DEPARTMENT OF JUSTICE’S BUREAU OF JUSTICE ASSISTANCE TO THE CITY OF BOISE CITY, THROUGH THE BOISE POLICE DEPARTMENT; AUTHORIZING AND RATIFYING THE SIGNATURE OF THE CHIEF OF POLICE OR HIS DESIGNEE EXECUTING SAID GRANT AWARD AGREEMENT AS THE AUTHORIZED RECIPIENT OFFICIAL ON BEHALF OF THE CITY OF BOISE; AUTHORIZING THE BOISE POLICE DEPARTMENT TO ACCEPT RECEIPT OF THE JOINT GRANT FUNDS AWARD OF $136,557.00, WITH THE BOISE POLICE DEPARTMENT APPORTIONED $100,489.00, AND TO APPROVE THE 2020 INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOISE AND THE COUNTY OF ADA BY WHICH THE GRANT FUNDING WILL BE APPORTIONED IN THE AMOUNT OF $36,068.00 TO THE ADA COUNTY SHERIFF'S OFFICE; AND PROVIDING AN EFFECTIVE DATE.

*7. RES-491-20 A RESOLUTION APPROVING AN AGREEMENT AND AWARD FOR SFB 20-376; WBWRF GALLERY ACCESS AND AERATION BASIN FLOW DIVERSION MODIFICATION PROJECT, BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND ENGINEERED STRUCTURES,
INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT AND AWARD; AND PROVIDING AN EFFECTIVE DATE.


*A. RES-493-20 A RESOLUTION APPROVING CP 21-073 AUTHORIZATION TO PRO Cure SERVICE-NOW IT SERVICE MANAGEMENT SERVICES BETWEEN THE CITY OF BOISE CITY (INFORMATION TECHNOLOGY DEPARTMENT) AND CARAH SOFT TECHNOLOGY CORP OFF OF FEDERAL GOVERNMENT GENERAL SERVICES ADMINISTRATION (GSA), CONTRACT NUMBER GS-35F-0119Y; AND PROVIDING AN EFFECTIVE DATE.

*A. RES-494-20 A RESOLUTION APPROVING A REAL PROPERTY PURCHASE AND SALE AGREEMENT BY AND BETWEEN RTA HILLCREST, LLC, AS SELLER, AND THE CITY OF BOISE CITY (HOUSING AND COMMUNITY DEVELOPMENT DIVISION), FOR FOUR PARCELS TOTALING APPROXIMATELY 4.95 ACRES OF REAL PROPERTY LOCATED ON THE NORTHEAST CORNER OF PHILLIPPI STREET AND OVERLAND ROAD IN BOISE CITY, ADA COUNTY, IDAHO; AUTHORIZING THE MAYOR AND CITY CLERK TO RESPECTIVELY EXECUTE AND ATTEST SAID AGREEMENT; AUTHORIZING CITY STAFF TO DO ALL THINGS NECESSARY TO CONDUCT DUE DILIGENCE AND CLOSE ON THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

*A. RES-495-20 A RESOLUTION APPROVING A FIRST ADDENDUM TO MASTER LICENSE AGREEMENT FOR INSTALLATION AND DISPOSITION OF UTILITY TRANSMISSION SYSTEMS BY AND BETWEEN THE CITY OF BOISE CITY AND ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST
SAID FIRST AMENDMENT ON BEHALF OF BOISE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

D. SUBDIVISIONS - FINAL PLATS/TIME EXTENSIONS

* There were no Subdivisions - Final Plats/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-32-20 AN ORDINANCE (CAR19-00028) FOR PROPERTY LOCATED AT 9000 W STATE ST 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 HIGH DENSITY RESIDENTIAL WITH DESIGN REVIEW (R-3D); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE.

B. THIRD READING

Moved that further reading of (ORD-31-20) be dispensed with and the record show that it has been read the third time in full.

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

1. ORD-31-20 AN ORDINANCE AMENDING TITLE 11, CHAPTER 07, SECTION 03, SUBSECTION 05 BOISE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.
RESULT: APPROVED [UNANIMOUS]
MOVER: Holli Woodings, Council President Pro Tem
SECONDER: TJ Thomson, Council Member
AYES: Clegg, Woodings, Bageant, Hallyburton, Sánchez, Thomson

C. FIRST, SECOND, AND THIRD READING

Moved that all rules of the Council interfering with the immediate consideration of (ORD-33-20) 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: Holli Woodings, Council President Pro Tem
SECONDER: TJ Thomson, Council Member
AYES: Clegg, Woodings, Bageant, Hallyburton, Sánchez, Thomson

1. ORD-33-20 AN ORDINANCE AMENDING THE “EMERGENCY TEMPORARY SUSPENSION AND AMENDMENT OF PROVISIONS OF BOISE CITY CODE TITLE 3, CHAPTER 3, (ALCOHOLIC BEVERAGES), TITLE 3, CHAPTER 4 (SIDEWALK CAFÉS), AND TITLE 5, CHAPTER 2, SECTION 10 (ALCOHOL OPEN CONTAINER),” BOISE CITY CODE TITLE 1, CHAPTER 16, SECTION 9 TO EXTEND THE AUTOMATIC SUNSET PROVISION TO DECEMBER 31, 2021; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

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

VIII. UNFINISHED BUSINESS

There was no Unfinished Business.

IX. NEW BUSINESS

A. PUBLIC HEARINGS

1. CUP20-00010 / Kelly Olson and 14th Street Neighbors / 1406 W Eastman St & 1509 N 14th St / Appeal of the Planning & Zoning Commission’s approval of a conditional use permit to operate a private commercial school and church on property located in an R-1CH (Single Family Residential with Historic Overlay) zone. Also included is a parking reduction.
Cody Riddle, Planning and Development Services presented the item to Council.

Karena Youtz, Appellant, 1512 N 14th St, Boise, ID; Brent Marchbanks, Appellant, 1207 N 14th St, Boise, ID; Kelly Olson, Appellant, 1307 N 13th St, Boise, ID; Jon Swarthout, Applicant, 1406 Eastman St, Boise, ID; and Andy Erstad, Applicant's Representative, 310 N 5th St, Boise, ID testified on the item.

Mayor announced a short recess at 7:56 pm.

Autumn Street, Northeast Neighborhood Association, 1415 W Fort St, Boise, ID; Eric Pankey, 1333 W Brumback St, Boise, ID; Heather Harper, 1413 W Eastman St, Boise, ID; Nancy Neely, 2213 Judith St, Boise, ID; Scott Ki, 1408 N 15th St, Boise, ID; Suzanne Troje, 1408 N 15th St, Boise, ID; Alexis Davis, 1320 E Warm Springs Ave, Boise, ID; Wendy Blickenstaff, 1102 N 16th St, Boise, ID; Kimberly Thompson, 4300 Savoy St, Mount Pleasant, SC; Audrey Schwind, 1823 N 7th St, Boise, ID; Lynette Hayes, 1317 W Eastman St, Boise, ID; Josie Erskine, 20021 Hoskins Rd, Caldwell, ID; Dana Zuckerman, 905 N 18th St, Boise, ID; Michael Adams, 1315 N 14th St, Boise, ID; Sarah Foregger, 1415 N 14 St, Boise, ID; Decker Rolph, 609 W Ranch Rd, Boise, ID; Carlos Coto, 1411 W Eastman St, Boise, ID; Sarah Marang; 1411 W Eastman St, Boise, ID; Daniel Foregger, 1024 W Hays St, Boise, ID; and Mary Foregger, 1306 N 6th St, Boise, ID testified on the item.

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

Clerk's Note: Upon return from the break, it was announced that several members on the Council had prior interactions with the applicant and the following motions occurred.

Motion to find that there is a de minimis conflict with Council President Pro Tem Woodings.

Council President Pro Tem Woodings stated that she had been a donor to the applicant, TRICA, and had been involved with the Northeast Neighborhood Association in the past.

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

Motion to find that there is a de minimis conflict with Mayor McLean.
Mayor McLean stated that she had been a donor to the applicant, TRICA, in the past and also had been a member of the Planning and Zoning Commission in 2009 and had ruled on the original permit.

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

Motion to find that there is a de minimis conflict with Council Member Sanchez.

Council Member Sanchez stated that the applicant, Jon Swarthout, is a good friend.

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

X. ADJOURNMENT

Motion to adjourn the City Council meeting.

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

APPROVE:

Lauren McLean, Mayor

ATTEST:

Lynda Lowry, Ex-Officio City Clerk