

BOISE, IDAHO
JANUARY 30, 2007

Council met in regular session Tuesday, January 30, 2007, Mayor DAVID H. BIETER, presiding.

Roll call showed the following members present: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS. Absent: CLEGG.

Invocation was given by Pastor Gary D. Anderson, Capitol City Christian Church.

Moved by EBERLE and seconded by BISTERFELDT that the minutes from the January 23, 2007, Boise City Council Work Session Meeting be approved.

Roll call on the motion resulted as follows: YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Moved by EBERLE and seconded by BISTERFELDT that the minutes from the January 23, 2007, Boise City Council Meeting be approved.

Roll call on the motion resulted as follows: YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Mayor BIETER announced that it was the time and place set for the reappointment of Geoffrey Baker to the Boise City Ethics Commission for a four-year term expiring February 22, 2011

Moved by EBERLE and seconded by JORDAN that the reappointment of Geoffrey Baker be approved.

Roll call on the motion resulted as follows: YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

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Mayor BIETER announced that it was the time and place set for the approval of the selected works for the Boise Visual Chronicle.

Moved by JORDAN and seconded by SHEALY to approve the selected works for the Boise visual Chronicle as presented.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The Bid Results for RFP 05-083: Nuisance Abatement, Planning and Development Services Department, Code Enforcement Division were before Mayor and Council as enumerated in staff report dated January 18, 2007.

RECOMMENDATION: The Purchasing Division concurs with Planning and Development Services Department in recommending that RFP 05-083: Nuisance Abatement be awarded to the lowest responsive and responsible bidder, Metro Direct, in a total amount not to exceed \$50,000.00.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be awarded to Metro Direct in the total contract amount of \$50,000.00, subject to compliance with bonding and insurance requirements.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requested the following claim(s) be acknowledged and referred to the office of the Treasurer:

- a) Mitchil Luke James, Property Damage
- b) Karen Smith, Property Damage
- c) State Farm Insurance Companies for David L. Mondry, Personal Injury and Property Damage
- d) Marita Oglesbee, Property Damage

Moved by EBERLE and seconded by JORDAN that the claim(s) be acknowledged and referred to the office of the Treasurer as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

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Motion carried.

The City Clerk requested March 6, 2007, in Council Chambers be confirmed for a public hearing on:

- a) CAR06-00073/Annexation/Robert Hueth requests approval for annexation of +/-1.11 acres located at 7200 N. Gary Lane with a zoning designation of R-1C (Single Family Residential).

Moved by EBERLE and seconded by JORDAN that March 6, 2007 in Council Chambers be confirmed as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requested the following minutes, reports and requests be received by Council and directed filed in the office of the City Clerk:

- a) Employee Health Plan Trust Trustees Minutes, December 4, 2006
- b) Parks and Recreation Commissioners Minutes, November 16, 2006
- c) Employee Advisory Committee Minutes, November 15, 2006
- d) Sole Source Recommendation - Police Department, DTG Maps

Moved by EBERLE and seconded by JORDAN that the minutes, reports and requests be received and directed filed in the office of the City Clerk as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-40-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION (CAR06-00058/PLEASANT VALLEY SOUTH, LLC.) TO AMEND THE BOISE CITY COMPREHENSIVE PLAN LAND USE MAP TO CHANGE THE DESIGNATION OF 601.30 (+/-) ACRES FROM "AIRPORT CONSERVATION AREA" DESIGNATION TO "PLANNED

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COMMUNITY" DESIGNATION AS SHOWN IN EXHIBIT A; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-40-07) be adopted and that same be numbered Resolution 19455.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-41-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN BOISE CITY THROUGH THE BOISE PUBLIC LIBRARY (LESSOR) AND IDAHO HUMAN RIGHTS EDUCATION CENTER, INC., AN IDAHO CORPORATION (LESSEE) FOR THE REAL PROPERTY LOCATED AT 777 S. 8TH STREET, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-41-07) be adopted and that same be numbered Resolution 19456.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-42-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION VACATING THE TWELVE-FOOT PUBLIC UTILITIES EASEMENT BISECTING LOT 3 OF BLOCK 1 OF THE PARKHILL SUBDIVISION, RECORDED WITH THE ADA COUNTY RECORDER IN BOOK 9 OF PLATS AT PAGE 1266, AND LOCATED AT 1024 PARKHILL DRIVE, BOISE, ADA COUNTY; AND PROVIDING AN EFFECTIVE DATE , was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-42-07) be adopted and that same be numbered Resolution 19457.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

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Motion carried.

Proposed resolution (R-43-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION VACATING A PORTION OF THE PLAT NOTE DESIGNATING THE TWELVE-FOOT PUBLIC UTILITIES EASEMENT BISECTING LOT 3 OF BLOCK 1 OF THE PARKHILL SUBDIVISION, RECORDED WITH THE ADA COUNTY RECORDER IN BOOK 9 OF PLATS AT PAGE 1266, AND LOCATED AT 1024 PARKHILL DRIVE, BOISE, ADA COUNTY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-43-07) be adopted and that same be numbered Resolution 19458.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-44-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A HOUSING REHABILITATION LOAN FOR TOM P. AGRESTI, FOR REAL PROPERTY LOCATED AT 2121 W. STATE STREET, BOISE, IDAHO, 83702; THROUGH THE PLANNING AND DEVELOPMENT SERVICE'S DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID LOAN DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-44-07) be adopted and that same be numbered Resolution 19459.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-45-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

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Titled: A RESOLUTION APPROVING AN ADDITION TO THE BOISE CITY EMPLOYEE HANDBOOK TO PROVIDE FOR ALTERNATIVE FINANCING TECHNIQUES; SPECIFICALLY POLICY B 1.01; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID POLICY ADDITION ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-45-07) be adopted and that same be numbered Resolution 19460.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-47-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION ACCEPTING THE GRANT OF A SANITARY SEWER EASEMENT FROM BOISE STATE UNIVERSITY TO THE CITY OF BOISE CITY FOR THE MAINTENANCE OF AN EXISTING TRUNK SEWER PIPELINE CONSTRUCTED UNDER CITY SEWER PROJECTS CSP-289, CSP-424 AND CSP-507; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-47-07) be adopted and that same be numbered Resolution 19461.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-48-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, AN AGREEMENT FOR RFP 05-083; NUISANCE ABATEMENT; PLANNING AND DEVELOPMENT SERVICES, CODE ENFORCEMENT DIVISION, BETWEEN THE CITY OF BOISE CITY AND METRO DIRECT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-48-07) be adopted and that same be numbered Resolution 19462.

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Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-49-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, AMENDMENT NUMBER 2 TO TASK ORDER NUMBER CE-20 TO RFP 02-070B; MISCELLANEOUS CIVIL ENGINEERING SERVICES, BOISE CITY PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND JUB ENGINEERS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-49-07) be adopted and that same be numbered Resolution 19463.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-50-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, CHANGE ORDER NUMBER 1 TO F/B 06-087; MOHAWK DR., SUMMERSET WAY AND ONEIDA DRIVE SEWERS (SWS-165), PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND AMERICAN GENERAL CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-50-07) be adopted and that same be numbered Resolution 19464.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-51-07) by the Council:

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BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, CHANGE ORDER NUMBER 2 TO F/B 06-087; MOHAWK DR., SUMMERSET WAY AND ONEIDA DRIVE SEWERS (SWS-165), PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND AMERICAN GENERAL CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-51-07) be adopted and that same be numbered Resolution 19465.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-52-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, A RENEWAL OF RFP 05-053C; STRUCTURAL PLAN CHECK SERVICES, PLANNING AND DEVELOPMENT SERVICES, BETWEEN THE CITY OF BOISE AND STAPLEY ENGINEERING; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-52-07) be adopted and that same be numbered Resolution 19466.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-53-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, A RENEWAL OF RFP 05-053B; STRUCTURAL PLAN CHECK SERVICES, PLANNING AND DEVELOPMENT SERVICES, BETWEEN THE CITY OF BOISE AND AHJ ENGINEERING; AND PROVIDING AN EFFECTIVE DATE, was read in full.

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Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-53-07) be adopted and that same be numbered Resolution 19467.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-54-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, A RENEWAL OF RFP 05-053A; STRUCTURAL PLAN CHECK SERVICES, PLANNING AND DEVELOPMENT SERVICES, BETWEEN THE CITY OF BOISE AND CH2M HILL ENGINEERING; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-54-07) be adopted and that same be numbered Resolution 19468.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Councilmember EBERLE requested unanimous consent that all ordinances on first reading be read by number and title only and filed for the Second Reading Calendar.

Unanimous consent was granted.

Proposed ordinance (O-10-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR01-00020/BRUCE BLASER FOR PROPERTY LOCATED AT 11794 W. BRONTE 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 A (OPEN) TO R-1C (SINGLE FAMILY RESIDENTIAL); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

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Proposed ordinance (O-11-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE TO RENUMBER BOISE CITY CODE TITLE 9, CHAPTER 14 AS BOISE CITY CODE TITLE 13, CHAPTER 1; TO ADD DEFINITIONS; TO GRANT THE CITY CLERK AUTHORITY TO ISSUE PERMITS FOR THE USE OF FIREWORKS WITHIN ANN MORRISON PARK, SUBJECT TO PRIOR COMMISSION REVIEW AND APPROVAL; TO CLARIFY AND CONSOLIDATE THE PROVISIONS REGARDING POSSESSION OF BEER AND WINE IN PARKS; TO CORRECT TYPOGRAPHICAL ERRORS; TO ALLOW NIGHT PARKING BY PERMIT IN DESIGNATED AREAS; TO CHANGE THE REVIEW PROCESS FOR PROPOSED EASEMENTS ON PARK PROPERTY; TO CHANGE THE MAXIMUM FINE FOR A VIOLATION OF THE CHAPTER FROM THREE HUNDRED DOLLARS (\$300.00) TO ONE THOUSAND DOLLARS (\$1000.00) TO CONFORM WITH MISDEMEANOR PENALTIES PRESCRIBED BY STATE LAW AND OTHER SIMILAR PROVISIONS OF THE BOISE CITY CODE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-12-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE APPROVING THE EXCHANGE OF APPROXIMATELY 13,810+/- SQUARE FEET (0.32 ACRES) OF REAL PROPERTY BELONGING TO THE CITY OF BOISE AND LOCATED ON FRONT STREET BETWEEN FIFTH AND SIXTH STREETS, BOISE, ADA COUNTY, IDAHO, FOR FOUR UNDEVELOPED LOTS LOCATED IN A.O. MILLER'S ADDITION BOISE, ADA COUNTY, IDAHO, AND BELONGING TO THE URBAN RENEWAL AGENCY OF BOISE CITY, IDAHO, AKA CAPITAL CITY DEVELOPMENT CORPORATION, A TAX SUPPORTED GOVERNMENTAL UNIT; REAFFIRMING A PREVIOUS FINDING THAT THE CITY-OWNED PROPERTY IS UNDERUTILIZED AND NOT BEING USED FOR PUBLIC PURPOSES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Councilmember EBERLE requested unanimous consent that all ordinances on second reading be read by number and title only and filed for the Third Reading Calendar.

Unanimous consent was granted.

Proposed ordinance (O-9-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: SECOND READING OF AN ORDINANCE AMENDING BOISE CITY CODE TITLE 5, CHAPTER 6, SECTIONS 1 AND 16 PERTAINING TO

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SIDEWALK CAFES TO PROVIDE SPECIFIC HOURS OF OPERATION AND TO INCLUDE ADDITIONAL VIOLATIONS, APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Moved by EBERLE and seconded by JORDAN that further reading of (O-3-07), (O-5-07), (O-6-07), (O-7-07) and (O-8-07) be dispensed with and the record show that they have been read the third time in full.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-3-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR05-00056/DA/MIKE HOMAN FOR PROPERTY LOCATED AT 4041 N. EDELWEISS 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 A-1 (OPEN LAND) TO R-1B-DA (SINGLE FAMILY RESIDENTIAL WITH A DEVELOPMENT AGREEMENT); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by EBERLE and seconded by JORDAN that the proposed ordinance (O-3-07) be passed and that the same be numbered Ordinance 6531.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-5-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR06-00059/LG INVESTMENTS, LLC. FOR PROPERTY LOCATED AT 1330 S. DIVISION) 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-2 (COMBINED RESIDENTIAL) AND R-1C (SINGLE FAMILY RESIDENTIAL) TO R-3D (MULTI-FAMILY RESIDENTIAL WITH DESIGN REVIEW OVERLAY);

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SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by EBERLE and seconded by JORDAN that the proposed ordinance (O-5-07) be passed and that the same be numbered Ordinance 6532.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-6-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR06-00052/ALEX GALENKO FOR PROPERTY LOCATED AT 12242 W. GINGER CREEK) 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-1A (SINGLE FAMILY RESIDENTIAL) TO R-1B (SINGLE FAMILY RESIDENTIAL); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by EBERLE and seconded by JORDAN that the proposed ordinance (O-6-07) be passed and that the same be numbered Ordinance 6533.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-7-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR06-00042/QUASAR DEVELOPMENT FOR PROPERTY LOCATED AT 916 E. PARK BOULEVARD) 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 C-3D (SERVICE COMMERCIAL WITH DESIGN REVIEW TO R-OD (RESIDENTIAL OFFICE WITH DESIGN REVIEW); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

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Moved by EBERLE and seconded by JORDAN that the proposed ordinance (O-7-07) be passed and that the same be numbered Ordinance 6534.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-8-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR06-00036/THERRIN ROBERTSON FOR PROPERTY LOCATED AT 5103 W. BETHEL 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 C-2D (GENERAL COMMERCIAL WITH DESIGN REVIEW OVERLAY) TO M-1D (LIMITED INDUSTRIAL WITH DESIGN REVIEW OVERLAY); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by EBERLE and seconded by JORDAN that the proposed ordinance (O-8-07) be passed and that the same be numbered Ordinance 6535.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Hulst Condominiums SUB06-00104 Preliminary and Final Plat, Subdivision, was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report.

Moved by EBERLE and seconded by JORDAN that Hulst Condominiums be granted as requested subject to conditions stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

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Greenfield Park Subdivision SUB06-00110
Preliminary and Final Plat, Subdivision, was before Mayor
and Council.

David Abo, Planning and Development Services,
presented the staff report.

Moved by EBERLE and seconded by JORDAN that
Greenfield Park Subdivision be granted as requested subject
to conditions stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Slough Subdivision SUB06-00111 Preliminary and
Final Plat, Subdivision, was before Mayor and Council.

David Abo, Planning and Development Services,
presented the staff report.

Terry Little, Ada County Highway District (ACHD),
answered the Council's questions.

Moved by EBERLE and seconded by SHEALY that Slough
Subdivision be granted as requested subject to conditions
stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Fort Boise Condominiums Subdivision was before
Mayor and Council.

David Abo, Planning and Development Services,
presented the staff report.

Pat Tealey, 187 East 50th Street, Garden City,
Idaho, applicant representative, addressed the Council in
support of the condominiums.

Moved by EBERLE and seconded by SHEALY that Fort
Boise Condominiums be granted as requested subject to
conditions stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

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Motion carried.

Hedge Brook Subdivision, was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report.

Moved by SHEALY and seconded by JORDAN that Hedge Brook Subdivision be granted as requested subject to conditions stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Hosac Subdivision No. 3 Subdivision, was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report.

Moved by EBERLE and seconded by TIBBS that Hosac Subdivision No. 3 be granted as requested subject to conditions stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Capstone Condominiums Subdivision, was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report.

Moved by EBERLE and seconded by JORDAN that Capstone Condominiums be granted as requested subject to conditions stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

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Mayor BIETER announced that this was the time and place set for a public hearings on the Solid Waste Fee Increase, Resolution (R-46-07).

Proposed resolution (R-46-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A SOLID WASTE CUSTOMER FEE SCHEDULE FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES; AND PROVIDING EFFECTIVE DATES, was read in full.

Neal Oldemeyer, Public Works Department, presented the staff report.

There was no one in the audience to testify on this issue.

Mayor BIETER announced that the public hearing was closed.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-46-07) be adopted and that same be numbered Resolution 19469.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearings on the Sewer Fee Increase, Ordinance (O-4-07).

Proposed ordinance (O-4-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING BOISE CITY CODE TITLE 8, CHAPTER 11, SECTION 6.03 TO ELIMINATE THE SOUTHWEST INTERCEPTOR FEE; AMENDING TITLE 8, CHAPTER 11, SECTION 7.01 TO INCREASE THE RESIDENTIAL TRUNK CONNECTION FEES, RESIDENTIAL TREATMENT CONNECTION FEES, THE COMMERCIAL CONNECTION FEES, EQUIVALENT ASSESSMENT FEES AND PUBLIC SERVICE LINE FEES AND TO ELIMINATE THE SOUTHWEST INTERCEPTOR FEES; ENACTING TITLE 8, CHAPTER 11, SECTION 7.03(I) TO ESTABLISH A DECANT FACILITY SERVICE FEE; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

JANUARY 30, 2007

Neal Oldemeyer, Public Works Department, presented the staff report.

There was no one in the audience to testify on this issues.

Mayor BIETER announced that the public hearing was closed.

Moved by EBERLE and seconded by JORDAN that further reading of (O-4-07) be dispensed with and the record show that it has been read the third time in full.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Moved by EBERLE and seconded by JORDAN that the proposed ordinance (O-4-07) be passed and that the same be numbered Ordinance 6536.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR06-00068/Rezone/Costa Pacific Communities request for approval for a rezone of +/- 11 acres located at 10230 W. Franklin Road from M-1D (Limited Industrial with Design Review) to PC-D (Pedestrian Commercial with Design Review Overlay).

Hal Simmons, Planning and Development Services, presented the staff report.

Christine Skillenger, 28801 SW 110th Avenue, Wilsonville, Oregon, applicant representative, addressed the Council in support of the rezone.

Mayor BIETER announced that the public hearing was closed.

Moved by JORDAN and seconded by EBERLE that CAR06-00068/Rezone/Costa Pacific Communities request for approval for a rezone of +/-11 acres located at 10230 W. Franklin Road from M-1D (Limited Industrial with Design Review) to PC-D (Pedestrian Commercial with Design Review Overlay) be approved.

JANUARY 30, 2007

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR06-00070/Rezone/Benco Properties, Inc. request for approval for a rezone of +/- 0.25 acres located at 8199 W. Overland Road from R-1C (Single Family Residential) to N-OD (Neighborhood Office with Design Review Overlay).

Hal Simmons, Planning and Development Services, presented the staff report.

There was no one in the audience to testify on this issue.

Mayor BIETER announced that the public hearing was closed.

Moved by EBERLE and seconded by JORDAN that CAR06-00070/Rezone/Benco Properties, Inc. request for approval for a rezone of +/-0.25 acres located at 8199 W. Overland Road from R-1C (Single Family Residential) to N-OD (Neighborhood Office with Design Review Overlay) be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR06-00067/City of Boise request for an amendment to Boise City Code Title 11, Chapter 2, Sections 4 & 5 to eliminate the requirement that one member of the Design Review Committee be a member of the Planning and Zoning Commission, and to add a requirement that one member of the Planning and Zoning Commission shall be a non-voting, ex-officio liaison to the Design Review Committee.

Hal Simmons, Planning and Development Services, presented the staff report.

There was no one in the audience to testify on this issue.

JANUARY 30, 2007

Mayor BIETER announced that the public hearing was closed.

Moved by JORDAN and seconded by EBERLE that CAR06-00067/City of Boise request for an amendment to Boise City Code Title 11, Chapter 2, Sections 4 & 5 to eliminate the requirement that one member of the Design Review Committee be a member of the Planning and Zoning Commission, and to add a requirement that one member of the Planning and Zoning Commission shall be a non-voting, ex-officio liaison to the Design Review Committee be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on DRH06-00197/Appeal/Mark and Teresa Tavelli appeal of the Historic Preservation Commission's denial of their request to demolish an attached two-car garage and construct a two-story addition to an existing single family residence located at 1718 N. 22nd Street in an R-1CH (Single Family Residential with Historic Overlay) zone.

Sarah Schafer, Planning and Development Services, presented the staff report.

David Shurtliff, 3113 W. State Street, appellant representative and Teresa Tavelli, 1718 N. 22nd Street, appellant, addressed the Council in support of the appeal.

Mayor BIETER announced that the public hearing was closed.

Moved by EBERLE and seconded by BISTERFELDT that DRH06-00197/Appeal/Mark and Teresa Tavelli appeal of the Historic Preservation Commission's denial of their request to demolish an attached two-car garage and construct a two-story addition to an existing single family residence located at 1718 N. 22nd Street in an R-1CH (Single Family Residential with Historic Overlay) zone be upheld.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, EBERLE and JORDAN. NAYS: SHEALY and TIBBS.

Motion carried.

There being no further business the meeting
adjourned at 8:30 o'clock P.M.

APPROVE:

MAYOR

ATTEST:

CITY CLERK