

BOISE, IDAHO  
APRIL 3, 2007

Council met in regular session Tuesday, April 3, 2007, Mayor DAVID H. BIETER, presiding.

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

Invocation was given by Annette P. Mooney, Boise City Clerk.

Moved by CLEGG and seconded by JORDAN that the minutes from the March 20, 2007, Boise City Council Work Session Meeting be approved.

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

Motion carried.

Moved by CLEGG and seconded by JORDAN that the minutes from the March 20, 2007, Boise City Council Meeting be approved.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for the Central District Urban Renewal District.

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

Moved by CLEGG and seconded by JORDAN that the Central District Urban Renewal District 2007 Plan be referred to the Ada County Highway District; the Planning and Zoning Commission and scheduled for a public hearing before the Council on June 5, 2007.

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

Motion carried.

Mayor BIETER announced that it was the time and place set for the reappointment of N. Charles Hedemark to the Capital City Development Corporation to a five year term expiring January 1, 2012.

Moved by EBERLE and seconded by SHEALY that the reappointment of N. Charles Hedemark to the Capital City Development Corporation to a five year term expiring January 1, 2012 be approved.

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

Motion carried.

Mayor BIETER announced that it was the time and place set for the appointment of Andrew Simmonds to the Capital City Development Corporation Board to fill a current vacancy with a term ending September 10, 2007.

Moved by EBERLE and seconded by SHEALY that the appointment of Andrew Simmonds to the Capital City Development Corporation Board to fill a current vacancy with a term ending September 10, 2007 be approved.

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

Motion carried.

Moved by EBERLE and seconded by JORDAN that the Boise City Checks No. 242466 thru 243035 in the total amount of \$1,065,715.36 as of March 21, 2007 be approved.

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

Motion carried.

Moved by EBERLE and seconded by JORDAN that the Boise City Checks No. 243036 thru 243565 in the total amount of \$1,368,079.74 as of March 28, 2007 be approved.

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

Motion carried.

The Bid Results for Approval of Contract Renewal 04-CON-095, Trojan UV 4000 System for disinfection of waste water, Public Works Department were before Mayor and Council as enumerated in staff report dated March 20, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that 04-CON-095, Trojan UV 4000 System be awarded to Trojan Technologies, Inc., in a total amount not to exceed \$120,000.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be awarded to Trojan Technologies, Inc., in a total amount not to exceed \$120,000.

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

Motion carried.

The Bid Results for Award of Proposal; Approval of Contracts; RFP 07-048: Miscellaneous Real Estate Services, Planning and Development Services Department were before Mayor and Council as enumerated in staff report dated March 16, 2007.

RECOMMENDATION: The Purchasing Division concurs with Planning and Development Services Department in recommending that RFP 07-048: Miscellaneous Real Estate Services be awarded to the highest proposer, Thornton Oliver Keller Commercial Real Estate, Colliers International and W.D. Schock Company, Inc. on a task order basis.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be awarded to the highest proposer, Thornton Oliver Keller Commercial Real Estate, Colliers International and W.D. Schock Company, Inc. on a task order basis.

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

Motion carried.

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The Bid Results for Amendment of Agreement, 07-CON-142: Parking Operations Agreement for Grove Street Parking Garage, Department of Finance and Administration, Parking Services Division were before Mayor and Council as enumerated in staff report dated March 13, 2007.

RECOMMENDATION: The Purchasing Division concurs with Department of Finance and Administration, Parking Services Division in recommending that Amendment of Agreement, 07-CON-142: Parking Operations Agreement for Grove Street Parking Garage be awarded to Republic Parking Northwest, Inc., in a total amount not to exceed \$100,000.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be awarded to Republic Parking Northwest, Inc., in a total amount not to exceed \$100,000.

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

Motion carried.

The Bid Results for Approval of Sole Source Purchase, 07-CON-157: Update City's Classification System from HayGroup, Human Resources were before Mayor and Council as enumerated in staff report dated March 23, 2007.

RECOMMENDATION: The Purchasing Division concurs with Human Resources in recommending that 07-CON-157: Update City's Classification System be recommended as a Sole Source contract to HayGroup, in a total amount not to exceed \$51,000.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be awarded to HayGroup, in a total amount not to exceed \$51,000.

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

Motion carried.

The Bid Results for Approval of Procurement from State of Idaho Bid, 07-CON-147: 6 x 4 Truck Chassis, for Public Works Department were before Mayor and Council as enumerated in staff report dated March 9, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that 07-CON-147: 6 x 4

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Truck Chassis be procured from State of Idaho Contract, ITB Number 02810 from Northwest Equipment Sales, Inc., in a total amount of \$98,845.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be procured from State of Idaho Contract, ITB Number 02810 from Northwest Equipment Sales, Inc., in a total amount of \$98,845.

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

Motion carried.

The Bid Results for authorization to procure as needed by the State of Idaho Annual Public Safety Communication Equipment contract, PADD 1004-01 Purchasing contract 07-CON-150: 2007 Purchase of Mobile Radios, Boise Police Department were before Mayor and Council as enumerated in staff report dated March 15, 2007.

RECOMMENDATION: The Purchasing Division concurs with Boise Police Department in recommending that State of Idaho Annual Public Safety Communication Equipment contract, PADD 1004-01 Purchasing contract 07-CON-150: 2007 Purchase of Mobile Radios be granted.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be granted to buy communication equipment as needed from the State of Idaho Public Safety Communication Equipment Contract, PADD 1004-01.

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

Motion carried.

The Bid Results for Award of Bid, Approval of Contract, F/B 07-101: West Boise WWTF-Digester No. 3, WBP 003, new Anaerobic Digester, Public Works Department were before Mayor and Council as enumerated in staff report dated March 26, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-101: West Boise WWTF-Digester No. 3, WBP 003, new Anaerobic Digester be awarded to the lowest responsive and responsible bidder, Performance Systems, Inc., in a total amount of \$7,202,675.

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Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the bid be awarded to Performance Systems, Inc., in a total amount of \$7,202,675. subject to compliance with bonding and insurance requirements.

Roll call on the motion resulted as follows:  
YEAS: BISTERFELDT, CLEGG, 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) James McPheters, Personal Injury
- b) Qwest Claim No. 408238, Property Damage
- c) Qwest Claim No. 409869, Property Damage
- d) Qwest Claim No. 410761, Property Damage
- e) Qwest Claim No. 410069, Property Damage
- f) Randall Hoffer, Personal Injury
- g) Steve Phipps, 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, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requested May 15, 2007, in Council Chambers be confirmed for a public hearing on:

- a) CUP06-00132/Rezone/Brian Sopatyk is appealing the Hearing Examiner decision to deny a Conditional Use Permit for a parking reduction and to rebuild a legal non-conforming residence destroyed by fire on property located at 1016 S. Longmont Ave, in an R-3D (Multi-Family Residential) zone.

Moved by EBERLE and seconded by JORDAN that May 15, 2007 in Council Chambers be confirmed as requested.

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

Motion carried.

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The City Clerk requested June 5, 2007, in Council Chambers be confirmed for a public hearing on:

- a) CAR07-00010/Rezone/4A, LLC requests approval to rezone +/-1.72 acres located at 2750 N. Linda Vista Lane from R-1B (Single Family Residential/4.8 Dwelling Units per Acre) to R-1C (Single-Family Residential/8 Dwelling Units per Acre).
- b) CUP07-00018/Appeal No. 1/4A, LLC is appealing the Planning and Zoning Commission approval of a Conditional Use Permit to construct a planned residential development comprised of 13 residential units on +/-1.72 acres located at 2750 N. Linda Vista Lane in a proposed R-1C (Single Family Residential) zone.
- c) CUP07-00018/Appeal No. 2/Mark and Barbara Andrews are appealing the Planning and Zoning Commission approval of a Conditional Use Permit to construct a planned residential development comprised of 13 residential units on +/-1.72 acres located at 2750 N. Linda Vista Lane in a proposed R-1C (Single Family Residential) zone.

Moved by EBERLE and seconded by JORDAN that June 5, 2007 in Council Chambers be confirmed as requested.

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

Motion carried.

The City Clerk requests the following applications for Alcohol Beverage Catering Permits be acknowledged and approved:

- a) Downtown Boise Association regarding Alive After Five at The Grove on June 6, June 13, June 20, June 27, July 11, July 18, July 25, August 1, August 8, August 15, August 22, August 29, September 5, September 19 and September 26, 2007
- b) Downtown Boise Association regarding JAZZ on the Grove on September 7, 2007

Moved by EBERLE and seconded by JORDAN that the Alcohol Beverage Catering Permits be acknowledged and approved as requested.

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Roll call on the motion resulted as follows:  
YEAS: BISTERFELDT, CLEGG, 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) Sole Source Purchase: Waste Tech FSM Algae Screen Replacement Parts, Public Works Department
- b) Sole Source Purchase: Hay Management Consultants- Human Resources
- c) Parks and Recreation Commissioners Minutes, February 15, 2007
- d) Boise City Administrative Policy Group Minutes, February 12, 2007
- e) Ada County Highway District Commission Minutes, February 7, February 14, February 21, and February 28, 2007
- f) Boise Public Library Board of Trustees Minutes, February 14, 2007
- g) Boise Public Library Director's Report, March 2007

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, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-122-07) 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 PLANNING and DEVELOPMENT SERVICES DEPARTMENT, AN AGREEMENT FOR RFP 07-048C; MISCELLANEOUS COMMERCIAL REAL ESTATE SERVICES, PLANNING and DEVELOPMENT SERVICES DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND W.D. SCHOCK COMPANY INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-122-07) be adopted and that same be numbered Resolution 19535.

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

Motion carried.

Proposed resolution (R-123-07) 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 PLANNING and DEVELOPMENT SERVICES DEPARTMENT, AN AGREEMENT FOR RFP 07-048B; MISCELLANEOUS COMMERCIAL REAL ESTATE SERVICES, PLANNING and DEVELOPMENT SERVICES DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND COLLIERS INTERNATIONAL; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-123-07) be adopted and that same be numbered Resolution 19536.

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

Motion carried.

Proposed resolution (R-124-07) 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 PLANNING & DEVELOPMENT SERVICES DEPARTMENT, AN AGREEMENT FOR RFP 07-048A; MISCELLANEOUS COMMERCIAL REAL ESTATE SERVICES, PLANNING AND DEVELOPMENT SERVICES DEPARTMENT, BETWEEN THE CITY OF BOISE AND THORNTON OLIVER KELLER COMMERCIAL REAL ESTATE; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-124-07) be adopted and that same be numbered Resolution 19537.

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

Motion carried.

Proposed resolution (R-125-07) 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, AN AGREEMENT FOR 07-CON-157; UPDATE CITY'S CLASSIFICATION SYSTEM; DEPARTMENT OF HUMAN RESOURCES, BETWEEN THE CITY OF BOISE CITY AND HAYGROUP; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-125-07) be adopted and that same be numbered Resolution 19538.

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

Motion carried.

Proposed resolution (R-126-07) 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, TASK ORDER NUMBER AR-27 RFP 05-026E; MISCELLANEOUS ARCHITECTURAL SERVICES, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND TROUT ARCHITECTS AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-126-07) be adopted and that same be numbered Resolution 19539.

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

Motion carried.

Proposed resolution (R-127-07) 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 2 TO TASK ORDER NUMBER 10 FOR RFP 05-026D; MISCELLANEOUS ARCHITECTURAL SERVICES, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND INSIGHT ARCHITECTS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-127-07) be adopted and that same be numbered Resolution 19540.

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

Motion carried.

Proposed resolution (R-128-07) 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 3 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-128-07) be adopted and that same be numbered Resolution 19541.

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

Motion carried.

Proposed resolution (R-129-07) 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, TASK ORDER NUMBER 12 TO RFP 05-093C; MISCELLANEOUS WASTE WATER TREATMENT FACILITIES AND SYSTEM PLANNING PROFESSIONAL ENGINEERING SERVICES, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND CH2M HILL; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-129-07) be adopted and that same be numbered Resolution 19542.

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

Motion carried.

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Proposed resolution (R-130-07) 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, 07-CON-142, AN AMENDMENT TO THE AGREEMENT FOR REIMBURSABLE EXPENDITURES FOR OPERATION OF THE GROVE STREET PARKING GARAGE, FINANCE AND ADMINISTRATION DEPARTMENT, PARKING SERVICES DIVISION, BETWEEN THE CITY OF BOISE CITY AND REPUBLIC PARKING NORTHWEST, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-130-07) be adopted and that same be numbered Resolution 19543.

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

Motion carried.

Proposed resolution (R-132-07) by the Council:

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

Titled: A RESOLUTION APPROVING A FIRST ADDENDUM AND AMENDMENT TO THE MASTER AGREEMENT BETWEEN BOISE CITY AND VALLEY REGIONAL TRANSIT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID MASTER AGREEMENT, AS AMENDED, ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-132-07) be adopted and that same be numbered Resolution 19544.

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

Motion carried.

Proposed resolution (R-133-07) by the Council:

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

Titled: A RESOLUTION RATIFYING AND APPROVING A REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN GERALDINE C. WRIGHT, INDIVIDUALLY AND AS TRUSTEE UNDER TRUST AS SELLER, AND THE CITY OF BOISE CITY, BY AND THROUGH THE BOISE FIRE DEPARTMENT, AS BUYER; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST ANY ADDITIONAL DOCUMENTS NECESSARY FOR SUCH PURCHASE 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-133-07) be adopted and that same be numbered Resolution 19545.

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

Motion carried.

Proposed resolution (R-134-07) 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 F/B 07-101; WEST BOISE WWTF-DIGESTER NO. 3, WBP 003, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND PERFORMANCE SYSTEMS, INC; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-134-07) be adopted and that same be numbered Resolution 19546.

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

Motion carried.

Councilmember CLEGG 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-30-07) by the Council:

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

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Titled: AN ORDINANCE (CAR06-00018/M&H LAND ACQUISITIONS, LLC. FOR PROPERTY LOCATED AT 1841 S. VINELLE 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-1A (SINGLE FAMILY RESIDENTIAL) 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 second time.

Proposed ordinance (O-31 -07) by the Council:

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

Titled: AN ORDINANCE (CAR06-00063/COURLY DEVELOPMENT, LLC. FOR PROPERTY LOCATED AT 11801 & 11803 W. FLORIDA DR.) 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 WITH A MAXIMUM ALLOWABLE DENSITY OF 2.1 UNITS PER ACRE) TO R-1B (SINGLE FAMILY RESIDENTIAL WITH A MAXIMUM ALLOWABLE DENSITY OF 4.8 UNITS PER ACRE); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Moved by EBERLE and seconded by JORDAN that further reading of (O-25-07) be dispensed with and the record show that they have been read the first, second and third time in full.

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

Motion carried.

Proposed ordinance (O-25-07) by the Council:

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

Titled: AN ORDINANCE (CAR06-00030/BOISE STATE UNIVERSITY) AMENDING BOISE CITY CODE, SECTIONS 11-04-11 FOR UNIVERSITY DISTRICT USES, IMPROVEMENTS, AND PARKING; 11-10-06 FOR OFF-STREET PARKING REQUIREMENTS; AND 11-10-08 FOR INTERIM PARKING LOTS IN ORDER TO BETTER ACCOMMODATE THE FUTURE USES OF BOISE STATE UNIVERSITY; APPROVING A SUMMARY OF THE ORDINANCE; PROVIDING A WAIVER OF THE READING RULES AND PROVIDING AN EFFECTIVE DATE, was read for the first, second and third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-25-07) be passed and that the same be numbered Ordinance 6557.

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

Motion carried.

Boulder Heights Subdivision No. 2 SUB04-00032 Bonding Time Extension, Boise City, was before Mayor and Council.

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

Moved by EBERLE and seconded by SHEALY that Boulder Heights Subdivision No. 2 SUB04-00032 Bonding Time Extension be granted as requested subject to conditions stated in staff.

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

Motion carried.

Graewood Pines Condominiums SUB06-00132 Preliminary Plat, Boise City, was before Mayor and Council.

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

Moved by CLEGG and seconded by JORDAN that Graewood Pines Condominiums SUB06-00132 Preliminary Plat be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Covino Estates Subdivision SUB07-00024 Preliminary Plat, Boise City, was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report. Hal Simmons Planning Development Services Department addressed Councils questions.

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Sabrina Whitehead 1800 W. Overland Road addressed Council's questions.

Moved by SHEALY, recommends approval of Covino Estates Subdivision SUB07-00024 Preliminary Plat be granted as requested subject to conditions stated in staff report.

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

Motion carried.

RECESS: 7:01 P.M.

RECONVENE: 7:10 P.M.

Mayor BIETER announced that this was the time and place set for a public hearing on CAA06-00291/Appeal/The Salvation Army appeal of the Boise City Planning and Zoning Commission's denial of its appeal of the Planning Director's determination that its conditional use permit must be modified for property located at 1617 N. 24th Street in an R-1CH (Single Family Residential within a Historic District) zone and CAA06-00292/Appeal/The Booth Neighbors appeal of the Boise City Planning and Zoning Commission's denial of its appeal of Planning Director's determination regarding use issues for property located at 1617 N. 24th Street in an R-1CH (Single Family Residential within a Historic District) zone.

Hal Simmons, Planning and Development Services, address Council. Scott Spjute Planning Development Services Department presented the staff report.

Traci Glover 1519 N. 24<sup>th</sup> Street and Steve Lord 800 W. State Street addressed Council in favor of the appeal.

RECESS: 8:39 P.M.

RECONVENE: 8:49 P.M.

Jacqueline Rose 1405 N. 24<sup>th</sup> Street, Toni Kowling-Newman 1401 N. 24<sup>th</sup> Street, Garth Newman 1404 N. 24<sup>th</sup> Street, Peter Rose 1420 Heron, Barbara Oldham 1507 N. 22<sup>nd</sup> Street, Burnie Clark 1929 N. 17<sup>th</sup> Street, Carl Hoerger 1610 N. 24<sup>th</sup> Street, Suzanne Janzen 1910 N. 24<sup>th</sup> Street, Josephine O'Connor 1606 N. 24<sup>th</sup> Street, Gary Wiener 1411 N. 24<sup>th</sup> Street, and John Tillman 1302 N. 24<sup>th</sup> Street, addressed Council in favor of the appeal CAA06-00291.

Mayor BIETER announced that the public hearing was closed.

Moved by JORDAN and seconded by SHEALY that CAA06-00291/Appeal/The Salvation Army appeal of the Boise City Planning and Zoning Commission's denial of its appeal of the Planning Director's determination that its conditional use permit must be modified for property located at 1617 N. 24th Street in an R-1CH (Single Family Residential within a Historic District) zone be upheld by the Planning and Zoning Commission and the Planning Directors decision.

Captain Daniel Freeman 1904 W. Bannock, Captain Doreen Freeman 1904 W. Bannock, Rick Hempsmyer 1904 W. Bannock, Micki Hempsmyer 1904 W. Bannock, Mark Seeiet 2527 N. Grenville Place and Rhonda Murray 1617 N. 24<sup>th</sup> Street addressed Council in favor of the appeal CAA06-00292.

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

Motion carried.

Moved by JORDAN and seconded by JORDAN that CAA06-00292/Appeal/The Booth Neighbors appeal of the Boise City Planning and Zoning Commission's denial of its appeal of Planning Director's determination regarding use issues for property located at 1617 N. 24th Street in an R-1CH (Single Family Residential within a Historic District) zone be upheld by the Planning and Zoning Commission and the Planning Directors decision.

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

Motion carried.

There being no further business the meeting adjourned at 10:55 o'clock P.M.

APPROVE:

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MAYOR

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APRIL 3, 2007

ATTEST:

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CITY CLERK