

SEPTEMBER 11, 2007

BOISE, IDAHO
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Council met in regular session Tuesday, September 11, 2007, Council President ELAINE CLEGG, presiding.

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

Invocation was given by Robert Barros-Bailey, Deputy City Clerk.

Moved by EBERLE and seconded by SHEALY that the minutes from the August 28, 2007, Boise City Council Meeting be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of James Otradosky to the Building Code Committee/Board of Examiners and Appeals for a five year term expiring September 10, 2012.

Moved by EBERLE and seconded by SHEALY that the reappointment of James Otradosky to the Building Code Committee/Board of Examiners and Appeals for a five year term expiring September 10, 2012. be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of James Titmus, Jr. to the Public Works Commission for a four year term expiring September 15, 2011.

Moved by EBERLE and seconded by SHEALY that the reappointment of James Titmus, Jr. to the Public Works

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Commission for a four year term expiring September 15, 2011 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of Dennis Whitehead to the Public Works Commission for a four year term expiring September 15, 2011.

Moved by EBERLE and seconded by SHEALY that the reappointment of Dennis Whitehead to the Public Works Commission for a four year term expiring September 15, 2011 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of Don C. Reading to the Public Works Commission for a four year term expiring September 15, 2011.

Moved by EBERLE and seconded by SHEALY that the reappointment of Don C. Reading to the Public Works Commission for a four year term expiring September 15, 2011 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of Rod Mulder to the Electrical Board of Appeals for a three year term expiring June 21, 2010.

Moved by EBERLE and seconded by SHEALY that the reappointment of Rod Mulder to the Electrical Board of Appeals for a three year term expiring June 21, 2010 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of Cheryl A. Larabee to the Capital City Development Corporation for a five year term expiring March 31, 2012.

Moved by EBERLE and seconded by SHEALY that the reappointment of Cheryl A. Larabee to the Capital City Development Corporation for a five year term expiring March 31, 2012 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of Andrew Simonds to the Capital City Development Corporation for a five year term expiring September 10, 2012.

Moved by EBERLE and seconded by SHEALY that the reappointment of Andrew Simonds to the Capital City Development Corporation for a five year term expiring September 10, 2012 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of Ed Howland to the Plumbing, Heating and Mechanical Board of Appeals for a two year term expiring May 12, 2009.

Moved by EBERLE and seconded by SHEALY that the reappointment of Ed Howland to the Plumbing, Heating and Mechanical Board of Appeals for a two year term expiring May 12, 2009 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of Scott Privette to the Plumbing, Heating and Mechanical Board of Appeals for a two year term expiring May 12, 2009.

Moved by EBERLE and seconded by SHEALY that the reappointment of Scott Privette to the Plumbing, Heating and Mechanical Board of Appeals for a two year term expiring May 12, 2009 be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the reappointment of David Musgrove to the Plumbing, Heating and Mechanical Board of Appeals for a two year term expiring August 27, 2009.

Moved by EBERLE and seconded by SHEALY that the reappointment of David Musgrove to the Plumbing, Heating and Mechanical Board of Appeals for a two year term expiring August 27, 2009 be approved.

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

Motion carried.

Moved by EBERLE and seconded by SHEALY that the Boise City Checks No. 256299 thru 256824 in the total amount of \$12,121,714.26 as of August 29, 2007 be approved.

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

Motion carried.

Moved by EBERLE and seconded by SHEALY that the Boise City Checks No. 256825 thru 257341 in the total amount of \$1,963,074.65 as of September 5, 2007 be approved.

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

Motion carried.

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The Bid Results for RFP 07-261: Library Access Management Software and Services System were before Mayor and Council as enumerated in staff report dated August 28, 2007.

RECOMMENDATION: The Purchasing Division concurs with Boise Public Library in recommending that RFP 07-261 be awarded to the lowest responsive and responsible bidder, 3M Library Systems, in a total amount not to exceed \$50,000.00.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to 3M Library Systems, in the total contract amount of \$50,000.00.

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

Motion carried.

The Bid Results for F/B 07-263: Raymond Street Sanitary Sewer, SWS-194 were before Mayor and Council as enumerated in staff report dated August 29, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-263: Raymond Street Sanitary Sewer, SWS-19 be awarded to the lowest responsive and responsible bidder, T.A. Dibble Excavation, in a total amount not to exceed \$36,915.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to T.A. Dibble Excavation, in the total contract amount of \$36,915, subject to compliance with bonding and insurance requirements.

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

Motion carried.

The Bid Results for F/B 07-268: Verde Lane - Summerset Way Sewer, SWS-106 were before Mayor and Council as enumerated in staff report dated August 30, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-268: Verde Lane - Summerset Way Sewer, SWS-106 be awarded to the lowest

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responsive and responsible bidder, Superior Construction, in a total amount not to exceed \$276,121.68.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to Superior Construction, in the total contract amount of \$276,121.68, subject to compliance with bonding and insurance requirements.

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

Motion carried.

The Bid Results for F/B 07-273: Twenty Mile South Farm, Well 6 to Pivot 211 Main Irrigation Extension and Well 9 to Well 11 Interconnect, TMS-031 were before Mayor and Council as enumerated in staff report dated August 29, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-273: Twenty Mile South Farm, Well 6 to Pivot 211 Main Irrigation Extension and Well 9 to Well 11 Interconnect, TMS-031 be awarded to the lowest responsive and responsible bidder, Agri-Lines Irrigation, in a total amount not to exceed \$71,649.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to Agri-Lines Irrigation, in the total contract amount of \$71,649, subject to compliance with bonding and insurance requirements.

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

Motion carried.

The Bid Results for F/B 07-283: 2007 Sewer Main Line Replacement Phase I, RSP-163 were before Mayor and Council as enumerated in staff report dated August 29, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-283: 2007 Sewer Main Line Replacement Phase I, RSP-163 be awarded to the lowest responsive and responsible bidder, Sommer Construction, in a total amount not to exceed \$145,031.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to Sommer

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Construction, in the total contract amount of \$145,031, subject to compliance with bonding and insurance requirements.

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

Motion carried.

The Bid Results for F/B 07-255: Physical Fitness Equipment were before Mayor and Council as enumerated in staff report dated August 27, 2007.

RECOMMENDATION: The Purchasing Division concurs with Boise Fire Department in recommending that F/B 07-255: Physical Fitness Equipment be awarded to the lowest responsive and responsible bidder, Gym Outfitters, in a total amount not to exceed \$32,000 for FY07 and \$30,000 for FY08.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to Gym Outfitters, in the total contract amount of \$\$32,000 for FY07 and \$30,000 for FY08.

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

Motion carried.

Recommendation to Reject All Bids for F/B 07-270: Boise Art Museum Re-roof were before Mayor and Council as enumerated in staff report dated September 5, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in rejecting all bids for F/B 07-270: Boise Art Museum Re-roof.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and reject All Bids for F/B 07-270, Boise Art Museum Re-roof and that the project be modified for re-bidding in FY08.

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

Motion carried.

Authorization to Procure IT Computer Equipment 07-CON-307 from State of Idaho Contract Number PADD 1014 HP

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products were before Mayor and Council as enumerated in staff report dated August 23, 2007.

RECOMMENDATION: The Purchasing Division concurs with Information Technology Department in recommending authorization to Procure IT Computer Equipment 07-CON-307 from State of Idaho Contract Number PADD 1014 HP products be awarded to the lowest responsive and responsible bidder, HP direct or through an authorized resale dealer as identified on the State Contract, in a total amount not to exceed Equipment Budget for FY08.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to HP products be awarded to the lowest responsive and responsible bidder, HP direct or through an authorized resale dealer as identified on the State Contract in the total contract amount not to exceed Equipment Budget for FY08.

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

Motion carried.

Authorization to Procure IT Computer Software 07-CON-308 from State of Idaho Contract Number SBPO 1218-01 from ESRI Inc. were before Mayor and Council as enumerated in staff report dated August 23, 2007.

RECOMMENDATION: The Purchasing Division concurs with Information Technology Department in recommending that ESRI Inc.-Environmental Systems Research Institute be awarded in a total amount not to exceed Computer Software and Maintenance Budget for Fy08.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to ESRI Inc.-Environmental Systems Research Institute in the total not to exceed Computer Software and Maintenance Budget for Fy08.

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

Motion carried.

Authorization to Procure IT Computer Software 07-CON-309 from State of Idaho Contract Number SBPO 1116 from ASAP Software were before Mayor and Council as enumerated in staff report dated August 23, 2007.

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RECOMMENDATION: The Purchasing Division concurs with Information Technology Department in recommending Authorization to Procure IT Computer Software 07-CON-309 from State of Idaho Contract Number SBPO 1116 from ASAP Software in a total amount not to exceed Computer Software and Maintenance Budget for FY08.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to ASAP Software in the total not to exceed Computer Software and Maintenance Budget for FY08.

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

Motion carried.

Authorization to Procure IT Computer Equipment 07-CON-310 from State of Idaho Contract Number PADD 1015 from Dell were before Mayor and Council as enumerated in staff report dated August 23, 2007.

RECOMMENDATION: The Purchasing Division concurs with Information Technology Department in recommending authorization to Procure IT Computer Equipment 07-CON-310 from State of Idaho Contract Number PADD 1015 from not to exceed Computer Software and Maintenance Budget for FY08.

Moved by EBERLE and seconded by SHEALY that the recommendations be followed and the bid be awarded to Dell not to exceed Computer Software and Maintenance Budget for FY08.

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

Motion carried.

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

- a) Qwest Claim Numbers for Property Damage: 427023, 427025, 426171, 426193 and 427738
- b) Glenn F. Blaser, Property Damage
- c) Elizabeth Feezor, Property Damage
- d) Keith L. Jones, Property Damage
- e) Liberty Lakes Apartments, Property Damage
- f) Kathi Lewis, Personal Injury
- g) Danielle Kaiser, Property Damage

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Moved by EBERLE and seconded by SHEALY 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: CLEGG, EBERLE, SHEALY and TIBBS.

Motion carried.

The City Clerk requested October 30, 2007, in Council Chambers be confirmed for a public hearing on:

- a) CVA07-00025/Appeal/Tony Deangelis is appealing the Hearing Examiner decision to deny a Variance from the rear yard setback requirement on property located at 2005 N. Grace Street in a R-1CH (Single Family Residential with Historic Overlay) zone.

Moved by EBERLE and seconded by SHEALY that October 30, 2007 in Council Chambers be confirmed as requested.

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

Motion carried.

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

- a) Boise Co-op regarding Harvest Festival at the Boise Co-op on September 16, 2007

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

Roll call on the motion resulted as follows:
YEAS: CLEGG, EBERLE, 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:

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- a) Capital City Development Corporation FY 2008 Budget Book, October 1, 2007 through September 30, 2008
- b) Administrative Policy Group Minutes, May 14 and July 9, 2007
- c) Employee Health Plan Trust Trustee Minutes, May 23 and July 25, 2007
- d) Boise Public Library Board of Trustees Minutes, July 11, 2007
- e) Boise Public Library Director's Report, August 2007
- f) Sole Source Purchase: MicroFocus International Ltd. Net Express COBOL for Windows, Information Technology Department
- g) Urban Renewal Agency Resolutions: 1114 and 1115
- h) Boise City Building Construction Report, August 2007
- i) Boise City Building Construction Report, Calendar Report, Jan.-Aug. 2007
- j) Boise City Building Construction Report, Fiscal Report, Oct.-Aug. 2007
- k) Development Impact Fee Advisory Committee Minutes, July 11, 2007
- l) Public Safety Liaison Team Minutes, July 19, 2007

Moved by EBERLE and seconded by SHEALY 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: CLEGG, EBERLE, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-344-07) by the Council:

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

Titled: A RESOLUTION PARTIALLY VACATING A PLAT NOTE FOR A SIX-FOOT WIDE PUBLIC UTILITIES, DRAINAGE, AND IRRIGATION EASEMENT LOCATED ON EITHER SIDE OF THE COMMON LOT LINE OF LOTS 2 AND 3 OF BLOCK 3 OF TRUSTMARK SUBDIVISION, AS RECORDED WITH THE ADA COUNTY RECORDER IN BOOK 78 OF PLATS AT PAGE 8314, AND LOCATED ON THE SOUTHWEST CORNER OF WEST MONSANTO STREET AND NORTH DUPONT AVENUE, ADA COUNTY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

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Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-344-07) be adopted and that same be numbered Resolution 19757.

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

Motion carried.

Proposed resolution (R-345-07) by the Council:

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

Titled: A RESOLUTION APPROVING A REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND CHAMPION ADDITION, INC. FOR THE EXTENSION OF SEWER TO SERVE THE STAN'S HOMEPLACE NO. 2 SUBDIVISION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID REIMBURSEMENT AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-345-07) be adopted and that same be numbered Resolution 19758.

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

Motion carried.

Proposed resolution (R-346-07) by the Council:

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

Titled: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, RELATING TO THE DEFEASANCE REFUNDING OF CERTAIN PRIOR CITY REFUNDING BONDS, BETWEEN THE CITY OF BOISE, IDAHO, AND U.S. BANK NATIONAL ASSOCIATION, AS ESCROW AGENT, AND RELATED DOCUMENTS; AUTHORIZING THE EXECUTION OF AND APPROVING RELATED DOCUMENTS, AGREEMENTS AND ACTIONS; APPROVING THE FINANCING OF THIS DEFEASANCE REFUNDING PROJECT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-346-07) be adopted and that same be numbered Resolution 19759.

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

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Motion carried.

Proposed resolution (R-347-07) by the Council:

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

Titled: A RESOLUTION APPROVING A PUBLIC RIGHT OF WAY EASEMENT (SIDEWALK) BY AND BETWEEN THE CITY OF BOISE CITY (GRANTOR) AND THE ADA COUNTY HIGHWAY DISTRICT (GRANTEE) FOR THE CONSTRUCTION OF A CONCRETE SIDEWALK ON, OVER AND ACROSS PROPERTY OWNED BY THE CITY OF BOISE ON USTICK ROAD AT FIVE MILE ROAD; 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 SHEALY that the proposed resolution (R-347-07) be adopted and that same be numbered Resolution 19760.

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

Motion carried.

Proposed resolution (R-349-07) by the Council:

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

Titled: A RESOLUTION APPROVING AND ADOPTING ANNUAL MAXIMUM DAILY RATE PARKING FEE INCREASES OF FIVE PERCENT AT THE BOISE AIRPORT (DEPARTMENT OF AVIATION); AUTHORIZING THE AIRPORT TO COLLECT A PARKING FEE WHICH SHALL NOT EXCEED THE AUTHORIZED MAXIMUM DAILY RATES SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-349-07) be adopted and that same be numbered Resolution 19761.

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

Motion carried.

Proposed resolution (R-350-07) by the Council:

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

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Titled: A RESOLUTION APPROVING AN AMENDMENT NUMBER TWO TO AN OPERATING AND LEASE AGREEMENT BETWEEN BOISE CITY (DEPARTMENT OF AVIATION) AND ANTON AIRFOOD, INC FOR THE LEASE OF CERTAIN PREMISES UPON BOISE AIR TERMINAL (GOWEN FIELD); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AMENDMENT NUMBER TWO TO THE OPERATING AND LEASE AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-350-07) be adopted and that same be numbered Resolution 19762.

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

Motion carried.

Proposed resolution (R-351-07) by the Council:

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

Titled: A RESOLUTION APPROVING A REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND GEMSTAR PROPERTIES, LLC, FOR THE EXTENSION OF SEWER TO SERVE THE LOUGHS LANDING SUBDIVISION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID REIMBURSEMENT AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-351-07) be adopted and that same be numbered Resolution 19763.

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

Motion carried.

Proposed resolution (R-352-07) 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 07-283; 2007 SEWER MAIN LINE REPLACEMENT PHASE I, RSP-163, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND SOMMER CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

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Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-352-07) be adopted and that same be numbered Resolution 19764.

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

Motion carried.

Proposed resolution (R-353-07) 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 07-273; TWENTY MILE SOUTH FARM, WELL 6 PIVOT 211 IRRIGATION MAIN EXTENSION, TMS-031 PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND AGRI-LINES IRRIGATION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-353-07) be adopted and that same be numbered Resolution 19765.

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

Motion carried.

Proposed resolution (R-354-07) 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 07-268; VERDE LANE - SUMMERSET WAY SEWER, SWS-106 PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND SUPERIOR CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-354-07) be adopted and that same be numbered Resolution 19766.

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

Motion carried.

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Proposed resolution (R-355-07) 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 07-263; RAYMOND STREET SANITARY SEWER, SWS-194 PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND T.A. DIBBLE EXCAVATION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-355-07) be adopted and that same be numbered Resolution 19767.

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

Motion carried.

Proposed resolution (R-356-07) 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 07-261; LIBRARY ACCESS MANAGEMENT SOFTWARE AND SERVICES SYSTEM, BOISE PUBLIC LIBRARY, BETWEEN THE CITY OF BOISE CITY AND 3M LIBRARY SYSTEMS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-356-07) be adopted and that same be numbered Resolution 19768.

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

Motion carried.

Proposed resolution (R-357-07) 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 07-CON-248; SOFTWARE ASSURANCE FOR VLA PRO PLUS LICENSES AND VLA OFFICE WINDOWS 32 LICENSES, INFORMATION TECHNOLOGY DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND

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ASAP SOFTWARE; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-357-07) be adopted and that same be numbered Resolution 19769.

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

Motion carried.

Proposed resolution (R-358-07) 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 FOR RFP 06-108; ACTIVITY GUIDE, PRODUCTION, PRINTING, AND DISTRIBUTION, PARKS AND RECREATION DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND THE IDAHO STATESMAN; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-358-07) be adopted and that same be numbered Resolution 19770.

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

Motion carried.

Proposed resolution (R-359-07) 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 FOR F/B 06-133; BOISE CITY STREET LIGHT MAINTENANCE CONTRACT, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND ALLOWAY ELECTRIC, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-359-07) be adopted and that same be numbered Resolution 19771.

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

Motion carried.

Proposed resolution (R-360-07) 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 RFP 04-005A; BANKING AND LOCKBOX SERVICES, TREASURY DIVISION, BETWEEN THE CITY OF BOISE CITY AND RETAIL LOCKBOX, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-360-07) be adopted and that same be numbered Resolution 19772.

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

Motion carried.

Proposed resolution (R-361-07) 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 3 TO PO 12299; EMERGENCY REPAIR OF FIRE HYDRANTS, FIRE DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND OWYHEE CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-361-07) be adopted and that same be numbered Resolution 19773.

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

Motion carried.

Proposed resolution (R-362-07) 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 RFP 06-073B; MISCELLANEOUS ENVIRONMENTAL

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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 SHEALY that the proposed resolution (R-362-07) be adopted and that same be numbered Resolution 19774.

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

Motion carried.

Proposed resolution (R-363-07) 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 07-227; GREENBELT REPAIRS 2007 RIVER RUN; PARKS AND RECREATION DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND DIAMOND CONTRACTORS, LLC; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-363-07) be adopted and that same be numbered Resolution 19775.

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

Motion carried.

Proposed resolution (R-364-07) 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 29 TO RFP 05-084B; MISCELLANEOUS CIVIL ENGINEERING SERVICES, PUBLIC WORKS DEPARTMENT , BETWEEN THE CITY OF BOISE CITY AND J-U-B ENGINEERS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-364-07) be adopted and that same be numbered Resolution 19776.

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

Motion carried.

Proposed resolution (R-365-07) 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 1 TO TASK ORDER NUMBER CE-24 TO RFP 05-084C; MISCELLANEOUS CIVIL ENGINEERING SERVICES, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND KELLER ASSOCIATES, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-365-07) be adopted and that same be numbered Resolution 19777.

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

Motion carried.

Proposed resolution (R-366-07) by the Council:

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

Titled: A RESOLUTION ESTABLISHING A REVISED TWENTY MILE SOUTH FARM MINIMUM CROP COMMODITY 2007 PRICE FOR THE SALE OF TIMOTHY GRASS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-366-07) be adopted and that same be numbered Resolution 19778.

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

Motion carried.

Proposed resolution (R-367-07) by the Council:

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

Titled: A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN BOISE CITY (DEPARTMENT OF AVIATION) AND MOUNTAIN BIRD, INC. DBA SALMON AIR FOR THE LEASE OF CERTAIN PREMISES UPON BOISE

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AIR TERMINAL (GOWEN FIELD); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID LEASE AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by SHEALY that the proposed resolution (R-367-07) be adopted and that same be numbered Resolution 19779.

Roll call on the motion resulted as follows:
YEAS: CLEGG, EBERLE, 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-70-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00028/JEFF GRIFFETH FOR PROPERTY LOCATED AT 2700 AND 2708 S. APPLE 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-1C (SINGLE FAMILY RESIDENTIAL) TO N-OD (NEIGHBORHOOD OFFICE WITH DESIGN REVIEW); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-75-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00039/BOISE CITY) TO REPEAL TITLE 2, CHAPTER 18 (HISTORIC PRESERVATION COMMISSION), OF THE BOISE CITY CODE; SUBMIT THE FOLLOWING AS TEXT FOR CHAPTER 2-18; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-76-07) by the Council:

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

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Titled: AN ORDINANCE (CAR07-00033/BOISE CITY) TO AMEND SECTION 11-11-02 (DEFINITIONS); ADD SECTION 11-11.07.R/ELECTRONIC MESSAGE DISPLAYS; AND AMEND SECTION 11-11-08.H2/NON-ACCESSORY OR OFF-PREMISE SIGNS OF THE BOISE CITY CODE TO PROVIDE DEFINITIONS AND REGULATIONS FOR THE USE OF ELECTRONIC MESSAGE DISPLAYS ON ADVERTISING SIGNS; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-77-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00020/W.L. OVERLAND, LLC. FOR PROPERTY LOCATED AT 10121 W. OVERLAND ROAD) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM A-1 (OPEN LAND) TO R-1C (SINGLE FAMILY RESIDENTIAL) AND N-OD (NEIGHBORHOOD COMMERCIAL WITH DESIGN REVIEW); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-78-07) by the Council:

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

Titled: AN ORDINANCE AMENDING TITLE 5, CHAPTER 35, SECTION 03, PARAGRAPH D, BOISE CITY CODE, TO REMOVE REFERENCES TO SPECIFIC MASSAGE THERAPY AND BODYWORK CERTIFICATION ORGANIZATIONS; AUTHORIZING THE CITY CLERK TO APPROVE CERTIFYING ORGANIZATIONS FOR EXEMPTION OF MASSAGE THERAPISTS FROM THE CHAPTER'S REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-79-07) by the Council:

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

Titled: AN ORDINANCE UPDATING LANGUAGE RELATING TO PARKING SERVICES, INCREASING FINES AND CORRECTING ERRORS AND OMISSIONS BY AMENDING BOISE CITY CODE SECTIONS 5-04-02, 5-24-15, 10-01-01, 10-11-04, 10-11-11, 10-11-13, 10-11-15, 10-11-16, 10-11-19, 10-11-21, 10-11-22, 10-11-23, 10-11-25, 10-12-01, 10-17-03, 10-17-04, 10-17-07, 10-17-09, 10-17-11, 10-21-01 AND 10-21-04 TO CHANGE THE WORDS "CONTROL" TO "SERVICES", "CUSTOMER AND SUPPORT SERVICES" TO "FINANCE AND ADMINISTRATION", "PARKING CONTROL" TO "PARKING SERVICES OFFICE", AND "DEPARTMENT OF PARKING CONTROL" TO "DIVISION OF

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PARKING SERVICES"; CORRECTING THE FINE AMOUNTS IN 10-11-16(B)(1)(a) TO REFLECT THOSE PREVIOUSLY APPROVED AND PUBLISHED IN THE CHART CONTAINED IN 10-11-16, AMENDING BOISE CITY CODE SECTION 10-11-16 TO PROVIDE FOR AN INCREASED FINE FROM THIRTY FIVE DOLLARS TO THIRTY SIX DOLLARS FOR VIOLATIONS OF BOISE CITY CODE SECTIONS 10-10-12, 10-11-01, 10-11-04A12, 10-11-04A03, 10-11-04A04, 10-11-04A05, 10-11-04B01, 10-11-04B02, 10-11-04B03, 10-11-04B04, 10-11-04C02, AND 10-11-05; DELETING THE CHART IN 10-17-08 AND REPLACING IT WITH ONE IN NUMERICAL ORDER, AMENDING THE CHART IN 10-17-08 TO CORRECT 10-17-10D FROM "CITY HALL GARAGE" TO "EXPIRED METER", INCREASING THE FINES FOR 10-07-06 AND 10-17-11A FROM THIRTY FIVE DOLLARS TO THIRTY SIX DOLLARS, PROVIDING FOR AN INCREASE IN THE EXPIRED METER FINE FROM TEN DOLLARS TO TWELVE DOLLARS, AND CHANGING THE WORDS "CONTROL" TO "SERVICES"; CORRECTING THE FINE AMOUNTS IN 10-17-11 TO REFLECT THOSE PREVIOUSLY APPROVED AND PUBLISHED IN THE CHART CONTAINED IN 10-17-08; 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-71-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00030/DAVID BENOIT FOR PROPERTY LOCATED AT 1713 and 1717 W. JEFFERSON 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-3D (MULTI-FAMILY RESIDENTIAL WITH DESIGN REVIEW) TO R-1MD (MODULAR LOTTING WITH DESIGN REVIEW); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-72-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00031/JEFF WHERRY FOR PROPERTY LOCATED AT 3921 N. COLLISTER DRIVE) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM R-1A (SINGLE

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FAMILY RESIDENTIAL - 2.1 DU/ACRE) TO R-1C (SINGLE FAMILY RESIDENTIAL - 8.0 DU/ACRE); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-73-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00034/MICHAEL and DEBORAH DALE FOR PROPERTY LOCATED AT 1251 N. FIVE MILE ROAD) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO N-OD (NEIGHBORHOOD OFFICE WITH DESIGN REVIEW); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Moved by EBERLE and seconded by SHEALY that further reading of (O-63-07) and (O-69-07) 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: CLEGG, EBERLE, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-63-07) by the Council:

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

Titled: AN ORDINANCE ENACTING A SPECIAL EVENTS CHAPTER UNDER TITLE 5, CHAPTER 10, BOISE CITY CODE; MAKING FINDINGS AND STATING THE INTENT OF THE CHAPTER; PROVIDING DEFINITIONS; REQUIRING PERMITS TO CONDUCT SPECIAL EVENTS AND PROVIDING EXEMPTIONS; REQUIRING THE FILING OF AN APPLICATION, INSURANCE PROOF, INDEMNIFICATION, AND THE PAYMENT OF FEES; ESTABLISHING THE REQUIREMENTS FOR PERMIT ISSUANCE, CONDITIONS OF APPROVAL, AND GROUNDS FOR DENIAL; PROVIDING FOR PERMIT REVOCATION OR SUSPENSION; PROVIDING CERTAIN PROHIBITIONS AND PENALTIES FOR VIOLATIONS; REQUIRING A GOOD FAITH ESTIMATE OF THE ANTICIPATED ATTENDEES AND PARTICIPANTS; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

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Moved by EBERLE and seconded by SHEALY that the proposed ordinance (O-63-07) be passed and that the same be numbered Ordinance 6595.

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

Motion carried.

Proposed ordinance (O-69-07) by the Council:

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

Titled: AN ORDINANCE (CAR05-00058/DA/WR GANN CO., LLC. FOR PROPERTY LOCATED AT 5891 W. GARY LANE) 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/DA (OPEN LAND WITH A DEVELOPMENT AGREEMENT) TO R-2D (COMBINED RESIDENTIAL WITH DESIGN REVIEW); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by EBERLE and seconded by SHEALY that the proposed ordinance (O-69-07) be passed and that the same be numbered Ordinance 6597.

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

Motion carried.

Moved by EBERLE and seconded by SHEALY that all rules of the Council interfering with the immediate consideration of ordinance (O-64A-07) be suspended, that the portions of Idaho Code Section 50-902, requiring an ordinance to be read on three different days, twice by title and once in full be dispensed with and that the record show that it has been read for the third time in full.

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

Motion carried.

Proposed ordinance (O-64A-07) by the Council:

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

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Titled: FIRST, SECOND AND THIRD READING OF AN ORDINANCE AMENDING, TITLE 1, CHAPTER 11, BOISE CITY CODE TO: BRING THE CITY'S PURCHASING CODE INTO CONFORMITY WITH STATE CODE AMENDMENTS; ESTABLISH INFORMAL, SEMI-FORMAL AND FORMAL PROCUREMENT PROCEDURES; AUTHORIZE THE MAYOR TO DEVELOP ADMINISTRATIVE POLICIES AND PROCEDURES TO IMPLEMENT THE ORDINANCE; DELEGATE SIGNATURE AUTHORITY TO THE MAYOR AND DEPARTMENT HEADS; PROVIDE FOR THE DISPOSITION OF SURPLUS PROPERTY; PROVIDE FOR PROTESTS OF AWARDS AND DISBARMENT OF PROVIDERS; RESCINDING THAT CERTAIN DOCUMENT KNOWN AND THE PURCHASING MANUAL; PROVIDING FOR A WAIVER OF THE READING RULES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by EBERLE and seconded by SHEALY that the proposed ordinance (O-64A-07) be passed and that the same be numbered Ordinance 6596.

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

Motion carried.

Gowen Business Park Subdivision No. 3 SUB94-00010 Bonding Time Extension, Boise City (located at the southwest corner of the intersection of Gowen Road and Eisenman Road), was before Mayor and Council.

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

Jeff Jones, 751 E. Park River Lane, applicant representative, addressed the Council in support of the subdivision.

Moved by EBERLE and seconded by SHEALY that Gowen Business Park Subdivision No. 3 SUB94-00010 Bonding Time Extension, Boise City (located at the southwest corner of the intersection of Gowen Road and Eisenman Road) be granted as requested subject to conditions stated in staff.

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

Motion carried.

Knife Subdivision SUB07-00037 Preliminary and Final Plat, Boise City (proposed two lot residential subdivision on approximately .79 acres with a density of 2.53 buildable lots per acre located on the north side of

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Lewis Street approximately 200 feet east of Walnut Street or 1120 Lewis Street), 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 questions.

Daren Fluke, 250 S. Beechwood, applicant representative, addressed the Council in support of the subdivision.

Moved by EBERLE and seconded by SHEALY that Knipe Subdivision SUB07-00037 Preliminary and Final Plat, Boise City (proposed two lot residential subdivision on approximately .79 acres with a density of 2.53 buildable lots per acre located on the north side of Lewis Street approximately 200 feet east of Walnut Street or 1120 Lewis Street) be granted as requested subject to conditions stated in staff report and with the clarification that the applicant will consider substituting the attached with a detached sidewalk condition.

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

Motion carried.

Level Three Condominiums SUB07-00062 Preliminary and Final Plat, Boise City (proposed four office unit condominiums located on the south side of West Fairview Avenue approximately 900 feet west of Allumbaugh Street), was before Mayor and Council.

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

Moved by EBERLE and seconded by SHEALY that Level Three Condominiums SUB07-00062 Preliminary and Final Plat, Boise City (proposed four office unit condominiums located on the south side of West Fairview Avenue approximately 900 feet west of Allumbaugh Street) be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Isabella Condominiums SUB07-00063 Preliminary and Final Plat, Boise City (proposed 36 office unit condominiums located on the northwest corner of W. Broad Street and S. 4th Street), was before Mayor and Council.

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

Moved by SHEALY and seconded by EBERLE that Isabella Condominiums SUB07-00063 Preliminary and Final Plat, Boise City (proposed 36 office unit condominiums located on the northwest corner of W. Broad Street and S. 4th Street) be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Quarry Business Complex Condominiums SUB07-00066 Preliminary and Final Plat (located north of Gowen Road and southwest of S. Eisenman Road), was before Mayor and Council.

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

Moved by EBERLE and seconded by SHEALY that Quarry Business Complex Condominiums SUB07-00066 Preliminary and Final Plat (located north of Gowen Road and southwest of S. Eisenman Road) be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Councilmember CLEGG requested unanimous consent that Plymouth Ridge Subdivision SUB07-00071 Preliminary Plat, Ada County be pulled from tonight's Council agenda.

Unanimous consent was granted.

Council President CLEGG announced that this was the time and place set for a public hearing on F/B 07-236/Appeal/Beverly Banner for Professional Office Services of Idaho, Inc. appeal of the decision of the Boise City

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Purchasing Department's intent to award the bid of Library Shelving to Spacesaver Intermountain.

Kevin Booe and Denise McNeley, Boise Public Library and Tina McBride, Purchasing Division of Finance and Administration Department, presented the staff report.

Beverly Banner, appellant, addressed the Council in support of the appeal.

Jay Madison, 915 West Arbor Pointe Way, Nampa, Spacesaver Intermountain representative, addressed the Council in opposition to the appeal.

Council President CLEGG announced that the public hearing was closed.

Moved by SHEALY and seconded by EBERLE that F/B 07-236/Appeal/Beverly Banner for Professional Office Services of Idaho, Inc. appeal of the decision of the Boise City Purchasing Department's intent to award the bid of Library Shelving to Spacesaver Intermountain be denied.

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

Motion carried.

Council President CLEGG announced that this was the time and place set for a public hearing on CAR07-00040/Annexation/The Eldredge Corporation request for approval of an annexation of +/- .316 acres located at 1698 S. Ash Park Lane with a zoning designation of C-1D (Neighborhood Commercial with Design Review).

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

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

Council President CLEGG announced that the public hearing was closed.

Moved by EBERLE and seconded by SHEALY that CAR07-00040/Annexation/The Eldredge Corporation requests approval of an annexation of +/- .316 acres located at 1698 S. Ash Park Lane with a zoning designation of C-1D (Neighborhood Commercial with Design Review) be approved.

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

Motion carried.

RECESS: 7:18 P.M.

RECONVENE: 7:30 P.M.

Council President CLEGG announced that this was the time and place set for a public hearing on CAR07-00005/The Collister Neighborhood Association request for an amendment to the Boise City Comprehensive Plan to adopt the Collister Neighborhood plan by reference.

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

Julie Klocke, 4946 N. Contour Way, Collister Neighborhood Association representative, answered the Council's questions.

Council President CLEGG announced that the public hearing was closed.

Moved by EBERLE and seconded by TIBBS that CAR07-00005/The Collister Neighborhood Association requests an amendment to the Boise City Comprehensive Plan to adopt the Collister Neighborhood plan by reference be approved with the staff amendments as presented as well as the following: 1) to amend Section 2.5, the library language to state that it's the book mobile underserved area and 5.2 to correct the typo; 2) to amend 8.5.7, 8.5.8, 8.5.9; and 3) to eliminate 8.5.10 and incorporate into 8.3.2.

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

Motion carried.

Council President CLEGG announced that this was the time and place set for a public hearing on CAA07-00024/Appeal/The Winstead Park Neighborhood Association/Mountain View-Cruzen Chapter appeal of an administrative approval for the construction of a duplex located at 5316 W. Cruzen Street in a R-1C (Single Family Residential) zone. This approval was previously upheld by the Planning and Zoning Commission with modified conditions of approval.

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Cody Riddle, Planning and Development Services, presented the staff report.

R.C. Johnson, 5320 Cruzen Street, applicant representative; Sondra Johnson, 5321 Plymouth Street; Mike Edmondson, 1912 N. Phillippi Street; Amy Edmondson; 1912 N. Phillippi Street; Patrick Anderson, 1911 N. Laurel Street, addressed the Council in support to the appeal.

Stephanie Camarillo; 207 Ruby Street and Enrique Camarillo, 207 Ruby Street, addressed the Council in opposition of the appeal.

Council President CLEGG announced that the public hearing was closed.

Moved by EBERLE and seconded by SHEALY that CAA07-00024/Appeal/The Winstead Park Neighborhood Association/Mountain View-Cruzen Chapter is appealing an administrative approval for the construction of a duplex located at 5316 W. Cruzen Street in a R-1C (Single Family Residential) zone be denied and uphold the Planning and Zoning Commission decision with the following amendments: 1) that they change the coverage ratio from 38% to 45% open space; 2) that the height be restricted to 18 feet with four foot pony walls; 3) that both front doors face the street; and 4) that a certified engineer will sign off on the functionality of the rear redesign.

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

Motion carried.

RECESS: 9:30 P.M.

RECONVENE: 9:45 P.M.

Council President CLEGG announced that this was the time and place set for a public hearing on CAR07-00018/Rezone/Hale Development, Inc. request for approval to rezone +/- 1.45 acres located at 2350 W. Hill Road from R-1C (Single Family Residential) to R-2D (Combined Residential with Design Review); CUP07-00025/Appeal/David Hale appeal of the conditions associated with the Planning and Zoning Commission's approval of a conditional use permit to construct a planned residential development on +/- 3.26 acres located at 2350 W. Hill Road in an R-1C (Single Family Residential) and proposed R-2D (Combined Residential with

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Design Review) zone; Perennial Townhomes Subdivision SUB07-00040 Preliminary Plat, Boise City (proposed residential subdivision with 16 townhouse lots and one condominium lot (19 units) on 3.39 acres with a density of 10.32 dwelling units per acre located on the north side of W. Hill Road between N. 24th Street and N. Lancaster Drive); and Perennial Condominiums SUB07-00041 Preliminary Plat, Boise City (proposed 21 unit residential condominium on 1.45 acres with a density of 14.48 dwelling units per acre located on the north side of W. Hill Road between N. 24th Street and N. Lancaster Drive).

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

Terry Little, ACHD, answered the Council's questions.

David Hale, 1402 W. Grove, applicant, addressed the Council in support of the rezone and appeal.

Paul Werner, 3014 N. Mountain Road, Central Foothills Neighborhood Association representative; Bernie Clark, 1929 N. 17th Street, North End Neighborhood Association representative; Bill Starkey, 2404 Hill Road; Julia Wright, 2902 Hill Road; Michelle Cooper, 2817 Hillway Drive; Randy Eardley, 2734 Terrace Way; William Dryden, 2889 N. Mountain Road; Angela Wickham, 2779 Lancaster Drive; Tom Hitchman, 2203 Hill Road; Chuck Gilford, 2211 N. 14th Street and Dave Countryman, 3101 Ridgeway Drive, addressed the Council in opposition to the rezone and appeal.

Council President CLEGG announced that the public hearing was closed.

Moved by EBERLE and seconded by SHEALY that CAR07-00018/Rezone/Hale Development, Inc. request for approval to rezone +/- 1.45 acres located at 2350 W. Hill Road from R-1C (Single Family Residential) to R-2D (Combined Residential with Design Review) be approved.

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

Motion carried.

Moved by EBERLE and seconded by SHEALY that CUP07-00025/Appeal/David Hale appeal of the conditions associated with the Planning and Zoning Commission's approval of a conditional use permit to construct a planned residential development on +/- 3.26 acres located at 2350 W. Hill Road

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in an R-1C (Single Family Residential) and proposed R-2D (Combined Residential with Design Review) zone be upheld and direct staff to come back to Council with conditions of approval on September 18, 2007 and directing them to remove condition no. 3 and re-write condition no. 5 to reflect the discussion.

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

Motion carried.

Moved by EBERLE and seconded by SHEALY that Perennial Townhomes Subdivision SUB07-00040 Preliminary Plat, Boise City (proposed residential subdivision with 16 townhouse lots and one condominium lot (19 units) on 3.39 acres with a density of 10.32 dwelling units per acre located on the north side of W. Hill Road between N. 24th Street and N. Lancaster Drive) be approved.

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

Motion carried.

Moved by SHEALY and seconded by EBERLE that Perennial Condominiums SUB07-00041 Preliminary Plat, Boise City (proposed 21 unit residential condominium on 1.45 acres with a density of 14.48 dwelling units per acre located on the north side of W. Hill Road between N. 24th Street and N. Lancaster Drive) be approved with condition no. 5 to be amended and a bullet point added to require a second and third floor living space be redesigned go give the appearance of separation and strikes condition no. 3.

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

Motion carried.

Councilmember CLEGG requested unanimous consent that Council begin a process with ACHD to push forward mitigation on Hill Road from Harrison Blvd. to 28th Street.

Unanimous consent was granted.

There being no further business the meeting adjourned at 11:55 o'clock P.M.

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APPROVE :

MAYOR

ATTEST :

CITY CLERK