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BOISE, IDAHO
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Council met in regular session Tuesday, October 2, 2007, Mayor DAVID H. BIETER, presiding.

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

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

Moved by CLEGG and seconded by BISTERFELDT that the minutes from the September 25, 2007, Boise City Council Meeting be approved.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for Reasons for Decision regarding CUP07-00026/Appeal/W.L. Overland, LLC.

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

Moved by EBERLE and seconded by CLEGG that the Reasons for Decision regarding CUP07-00026/Appeal/W.L. Overland, LLC be approved.

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

Motion carried.

Moved by CLEGG and seconded by EBERLE that the Boise City Checks No. 258655 thru 259272 in the total amount of \$1,466,679.88 as of September 26, 2007 be approved.

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

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Motion carried.

The Bid Results for RFP 07-208: West Boise Wastewater Treatment Facility Phosphorus Removal Professional Services, were before Mayor and Council as enumerated in staff report dated September 20, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that RFP 07-208: West Boise Wastewater Treatment Facility Phosphorus Removal Professional Services, be awarded to the lowest responsive and responsible bidder, CH2M Hill, in a total amount not to exceed \$2,500,000 over a 4 year period.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to CH2M Hill, in the total contract amount of \$2,500,000 over a 4 year period, subject to compliance with insurance requirements.

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

Motion carried.

The Bid Results for RFP 07-269: Miscellaneous Well Drilling and Water Development Engineering Services were before Mayor and Council as enumerated in staff report dated September 18, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that RFP 07-269: Miscellaneous Well Drilling and Water Development Engineering Services be awarded to the lowest responsive and responsible bidder, SPF Water Engineering, in a total amount not to exceed \$150,000 annually.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to SPF Water Engineering, in the total contract amount of \$150,000 annually, subject to compliance with insurance requirements.

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

Motion carried.

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The Bid Results for F/B 07-312: Fire Station No. 3 HVAC Upgrade, PWE 616 were before Mayor and Council as enumerated in staff report dated September 19, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works and Fire Department in recommending that F/B 07-312: Fire Station No. 3 HVAC Upgrade, PWE 616 be awarded to the lowest responsive and responsible bidder, KMD Mechanical, in a total amount not to exceed \$27,422.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to KMD Mechanical, in the total contract amount of \$27,422, subject to compliance with bonding and insurance requirements.

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

Motion carried.

The Bid Results for Award of Contract, 08-CON-020: Airport In-Flight Services for Catering were before Mayor and Council as enumerated in staff report dated September 18, 2007.

RECOMMENDATION: The Purchasing Division concurs with Aviation Department in recommending that Award of Contract, 08-CON-020: Airport In-Flight Services for Catering be awarded to the lowest responsive and responsible bidder, Sysco Food Services, in a total amount not to exceed \$48,400.00.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Sysco Food Services, in the total contract amount of \$48,400.00.

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

Motion carried.

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

- a) Ronda McLean, Personal Injury and Property Damage
- b) Natalie Roberts, Property Damage

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Moved by CLEGG and seconded by EBERLE 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 and SHEALY.

Motion carried.

The City Clerk requested November 13, 2007, in Council Chambers be confirmed for a public hearing on:

- a) CUP07-00083/Appeal/Jackson Food Stores is appealing the Hearing Examiner's denial of a conditional use permit for the construction of a drive-thru window on property located at 7373 W. Fairview Avenue in a C-2D (General Commercial with Design Review) zone.

Moved by CLEGG and seconded by EBERLE that November 13, 2007 in Council Chambers be confirmed as requested.

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

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: QuickView Manhole/Sewer Inspection Unit, Public Works Department
- b) Boise Public Library, Director's Report, September 2007
- c) Boise Public Library Board of Trustees Minutes, August 1, 2007
- d) Administrative Policy Group Minutes, July 30 and September 10, 2007

Moved by CLEGG and seconded by EBERLE 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 and SHEALY.

Motion carried.

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Proposed resolution (R-397-07) by the Council:

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

Titled: A RESOLUTION AUTHORIZING THE RECYCLING OF CERTAIN CITY RECORDS PURSUANT TO THE BOISE CITY RECORDS RETENTION AND DISPOSITION SCHEDULE; AUTHORIZING THE CITY CLERK TO DIRECT AND SUPERVISE THE RECYCLING OF THE RECORDS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-397-07) be adopted and that same be numbered Resolution 19810.

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

Motion carried.

Proposed resolution (R-398-07) by the Council:

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

Titled: A RESOLUTION DECLARING THE INTENT OF THE CITY OF BOISE CITY, BY AND THROUGH ITS DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES (HOUSING AND COMMUNITY DEVELOPMENT), TO SELL TO A LOW- TO MODERATE-INCOME FAMILY, AT APPRAISED OR FAIR MARKET VALUE, REAL PROPERTY OWNED BY THE CITY AND LOCATED AT 1250 WEST DUNDEE, BOISE, ADA COUNTY, IDAHO; INSTRUCTING THE CITY CLERK TO ESTABLISH AND PUBLISH NOTICE OF A HEARING DATE TO REVIEW THE PROPOSED SALE; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-398-07) be adopted and that same be numbered Resolution 19811.

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

Motion carried.

Proposed resolution (R-399-07) by the Council:

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

Titled: A RESOLUTION APPROVING A HOUSING REHABILITATION LOAN FOR MARALYN BURK, FOR REAL PROPERTY LOCATED AT 1710

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HELEN STREET, BOISE, IDAHO, 83705; 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 CLEGG and seconded by EBERLE that the proposed resolution (R-399-07) be adopted and that same be numbered Resolution 19812.

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

Motion carried.

Proposed resolution (R-400-07) 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 07-269; MISCELLANEOUS WELL DRILLING AND WATER DEVELOPMENT ENGINEERING SERVICES, BOISE CITY PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND SPF WATER ENGINEERING; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-400-07) be adopted and that same be numbered Resolution 19813.

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

Motion carried.

Proposed resolution (R-401-07) 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 07-312; FIRE STATION NO. 3 HVAC UPGRADE, PWE 616, BOISE CITY PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND KMD MECHANICAL; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-401-07) be adopted and that same be numbered Resolution 19814.

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

Motion carried.

Proposed resolution (R-402-07) 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-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 CLEGG and seconded by EBERLE that the proposed resolution (R-402-07) be adopted and that same be numbered Resolution 19815.

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

Motion carried.

Proposed resolution (R-403-07) 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 31 TO RFP 05-084A; MISCELLANEOUS CIVIL 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 CLEGG and seconded by EBERLE that the proposed resolution (R-403-07) be adopted and that same be numbered Resolution 19816.

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

Motion carried.

Proposed resolution (R-404-07) by the Council:

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Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, AN AGREEMENT FOR RFP 07-208; WEST BOISE WASTEWATER TREATMENT FACILITY PHOSPHORUS REMOVAL PROFESSIONAL SERVICES, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND CH2M HILL; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-404-07) be adopted and that same be numbered Resolution 19817.

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

Motion carried.

Proposed resolution (R-405-07) 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 1 TO RFP 07-208; WEST BOISE WASTEWATER TREATMENT FACILITY PHOSPHORUS REMOVAL PROFESSIONAL SERVICES, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND CH2M HILL; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-405-07) be adopted and that same be numbered Resolution 19818.

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

Motion carried.

Proposed resolution (R-406-07) by the Council:

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

Titled: A RESOLUTION (CAR07-00005) TO ADOPT THE COLLISTER NEIGHBORHOOD PLAN BY REFERENCE IN THE BOISE CITY COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-406-07) be adopted and that same be numbered Resolution 19819.

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

Motion carried.

Cranston Corner Subdivision SUB07-00077 Preliminary and Final Plat, Boise City (proposed single family residential subdivision with two buildable lots on .39 acres with a density of 5.13 lots per acre located on the north side of W. Kootenai Street approximately 76 feet east of S. Owyhee Street), was before Mayor and Council.

Councilmember CLEGG requested unanimous consent that Cranston Corner Subdivision SUB07-00077 Preliminary and Final Plat, Boise City be deferred to December 4, 2007.

Unanimous consent was granted.

Councilmember CLEGG 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-83-07) by the Council:

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

Titled: AN ORDINANCE BY PLANNING AND DEVELOPMENT SERVICES, AMENDING CHAPTER 4, TITLE 4, OF THE BOISE CITY CODE ("MOVING, DEMOLITION OF BUILDINGS"); ESTABLISHING CERTAIN MINIMUM STANDARDS AND REQUIREMENTS FOR SAFELY REGULATING THE MOVING OR DEMOLITION OF BUILDINGS AND STRUCTURES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

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-82-07) by the Council:

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

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Titled: AN ORDINANCE (CAR07-00032/LORLAN DEVELOPMENT, LLC. FOR PROPERTY LOCATED AT 8300 W. VICTORY ROAD) ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LANDS AS M-1D (LIMITED INDUSTRIAL WITH DESIGN REVIEW); PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Triplett Subdivision SUB04-00085 Bonding Time Extension, Boise City (single family residential subdivision with 19 buildable lots and 6 common lots on 19.34 acres located on the east side of Council Spring Road north of Warm Springs Avenue), was before Mayor and Council.

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

Moved by CLEGG and seconded by EBERLE that Triplett Subdivision SUB04-00085 Bonding Time Extension, Boise City (single family residential subdivision with 19 buildable lots and 6 common lots on 19.34 acres located on the east side of Council Spring Road north of Warm Springs Avenue) be granted as requested subject to conditions stated in staff.

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

Motion carried.

Buddha Condominiums SUB07-00058 Preliminary and Final Plat, Boise City (proposed condominium conversion of an existing five unit residential apartment building located on the north side of W. Bannock Street between N. 16th Street and N. 17th Street), was before Mayor and Council.

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

Moved by CLEGG and seconded by EBERLE that Buddha Condominiums SUB07-00058 Preliminary and Final Plat, Boise City (proposed condominium conversion of an existing five unit residential apartment building located on the north side of W. Bannock Street between N. 16th Street and N. 17th Street) be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Minuteman Subdivision SUB07-00076 Preliminary Plat, Boise City (proposed single family subdivision with 3 buildable lots on .77 acres with a density of 3.9 lots per acre located on the east side of Hilton Street approximately 860 feet north of Targee Street or 1920 S. Hilton Street), was before Mayor and Council.

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

Richard Blakely, applicant representative, addressed the Council in support of the subdivision.

Moved by CLEGG and seconded by EBERLE that Minuteman Subdivision SUB07-00076 Preliminary Plat, Boise City (proposed single family subdivision with 3 buildable lots on .77 acres with a density of 3.9 lots per acre located on the east side of Hilton Street approximately 860 feet north of Targee Street or 1920 S. Hilton Street) be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR06-00075 and CAR06-00074/Annexation/Bonar Development Group request for approval for annexation of +/-150.70 acres with a Development Agreement located at 6700 N. Bogus Basin Road with a zoning designation of A-1/DA (Agriculture-Low Density Residential with Development Agreement) and Bonar Subdivision SUB06-00124 Preliminary Plat, Boise City (proposed single family residential subdivision with 14 buildable lots and 5 common lots on 150.70 acres with a density of .093 buildable lots per acre located on the west side of Bogus Basin Road north of Curling Drive).

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

Geoffrey Wardle, 877 Main Street, Suite 1000,

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applicant representative, addressed the Council in support of the annexation and development.

Shawn Martin, Ada County Highway District (ACHD), answered the Council's questions.

Mayor BIETER announced that the public hearing was closed.

Moved by CLEGG and seconded by EBERLE that CAR06-00075/Annexation/Bonar Development Group request for approval of annexation of +/-150.70 acres with a Development Agreement located at 6700 N. Bogus Basin Road with a zoning designation of A-1/DA (Agriculture-Low Density Residential with Development Agreement) be approved.

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

Motion carried.

Moved by CLEGG and seconded by EBERLE that CAR06-00074/Development Agreement/Bonar Development Group, Karl Bonar request for a Development Agreement located at 6700 N. Bogus Basin Road with a zoning designation of A-1/DA (Agriculture-Low Density Residential with Development Agreement) be approved.

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

Motion carried.

Moved by CLEGG and seconded by EBERLE that Bonar Subdivision SUB06-00124 Preliminary Plat, Boise City (proposed single family residential subdivision with 14 buildable lots and 5 common lots on 150.70 acres with a density of .093 buildable lots per acre located on the west side of Bogus Basin Road north of Curling Drive) be deferred to October 9, 2007 and that the applicant and Public Works Staff work together to find an acceptable solution providing for public safety on the ridge road that does not include street lights along the ridge, but still lights the intersection; that only four street lights be allowed; and that if there is language that can be added to the subdivision conditions that would indicate that at final plat the developer would bring back design guidelines that would limit the palette and the reflective nature of the exterior materials.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR06-00032/Depot Bench Neighborhood Association request for approval for an amendment to the Boise City Comprehensive Plan to adopt the Depot Bench Neighborhood Plan by reference for approximately 985 acres of property, bounded by Crescent Rim Drive, Federal Way, Overland Road and Roosevelt Street. The Neighborhood Plan outlines long-range goals and policies for the future development of the neighborhood. The Boise City Council will hear a revised neighborhood plan.

Patricia Nilsson, Planning and Development Services, presented the staff report.

Karan Lockhart, 3606 Tulara Drive, Depot Bench Neighborhood Association Plan Team and Martha Borchers, 3107 Crescent Rim Drive, addressed the Council in support of the amendment to the Boise City Comprehensive Plan.

Mayor BIETER announced that the public hearing was closed.

Moved by CLEGG and seconded by BISTERFELDT that CAR06-00032/Depot Bench Neighborhood Association request for approval for an amendment to the Boise City Comprehensive Plan to adopt the Depot Bench Neighborhood Plan by reference for approximately 985 acres of property, bounded by Crescent Rim Drive, Federal Way, Overland Road and Roosevelt Street be approved as indicated in the revised neighborhood plan along with the two amendments presented by Councilmember JORDAN.

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

Motion carried.

There being no further business the meeting adjourned at 7:40 o'clock P.M.

APPROVE:

MAYOR

ATTEST:

CITY CLERK