

OCTOBER 9, 2007

BOISE, IDAHO
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Council met in regular session Tuesday, October 9, 2007, Mayor DAVID H. BIETER, presiding.

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

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

Moved by CLEGG and seconded by EBERLE that the minutes from the October 2, 2007, Boise City Council Work Session Meeting be approved.

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

Motion carried.

Moved by CLEGG and seconded by EBERLE that the minutes from the October 2, 2007, Boise City Council Meeting be approved.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for 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.

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

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Moved by CLEGG and seconded by JORDAN that Bonar Subdivision SUB06-00124 Preliminary Plat be approved as amended in the Conditions of Approval presented tonight.

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

Motion carried.

Moved by CLEGG and seconded by EBERLE that the Boise City Checks No. 259273 thru 259894 in the total amount of \$6,262,672.64 as of October 3, 2007 be approved.

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

Motion carried.

The Bid Results for Award of RFP, Approval of Contracts, for RFP 07-238A-C; Miscellaneous GIS Services, Boise City Information Technology Department were before Mayor and Council as enumerated in staff report dated September 26, 2007.

RECOMMENDATION: The Purchasing Division concurs with Information and Technology Department in recommending that Award of RFP, Approval of Contracts, for RFP 07-238A-C; Miscellaneous GIS Services, be awarded to the best qualified firms, Woolpert, Resource Data Inc. and Power Engineers, on a task order basis.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to the best qualified firms, Woolpert, Resource Data Inc. and Power Engineers, on a task order basis, subject to compliance with insurance requirements.

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

Motion carried.

The Bid Results for F/B 07-244; West Boise WWTF Digester Gas Distribution, WBP-006, Public Works Department were before Mayor and Council as enumerated in staff report dated September 25, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-244; West Boise

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WWTF Digester Gas Distribution, WBP-006, be awarded to the lowest responsive and responsible bidder, Capital City Plumbing, in a total amount not to exceed \$269,850.15.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Capital City Plumbing, in the total contract amount of \$269,850.15.

Roll call on the motion resulted as follows:
YEAS: 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) Stephanie McKenzie, Property Damage

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: CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

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

- a) CAR07-00046/Rezone/Silver Springs Homes, LLC requests approval to rezone +/-1.02 acres located at 3811 and 3861 W. Nez Perce Street from R-1C (Single Family Residential) to R-2 (Combined Residential).
- b) CAR07-00056/Rezone/Boise New Hope-Church of the Nazarene requests approval to rezone +/-1.84 acres located at 8555 and 8585 W. Overland Road from R-1A (Single Family Residential) to L-OD (Limited Office with Design Review).

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: CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requested December 4, 2007, in Council Chambers be confirmed for a public hearing on:

- a) CAR07-00057/Development Agreement/Emeritus requests approval to modify a development agreement to include +/-0.29 additional acres supporting the expansion of an assisted living facility located at 5899 and 5955 W. Castle Drive in R-2D/DA (Combined Residential with Design Review and a Development Agreement) and R-1C (Single Family Residential) zones.

Moved by CLEGG and seconded by EBERLE that December 4, 2007 in Council Chambers be confirmed as requested.

Roll call on the motion resulted as follows:
YEAS: 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: Advanced Inventory Software and Maintenance for Hansen Software - Public Works Department
- b) Employee Health Plan Trust Trustee Minutes, August 22 and September 7, 2007
- c) Boise City Employee Advisory Committee Minutes, May 16, June 20 and July 18, 2007
- d) Boise Public Works Commission Minutes, August 9, 2007
- e) Foothills Conservation Advisory Committee Minutes, September 5, 2007
- f) Boise City Building Construction Report, September 2007
- g) Boise City Building Construction Report, Calendar Report, Jan.-Sept. 2007
- h) Boise City Building Construction Report, Fiscal Report, Oct.-Sept. 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.

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

Motion carried.

Proposed resolution (R-407-07) 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 SKYLINE 2 DEVELOPMENT, INC., FOR THE EXTENSION OF SEWER TO SERVE THE SONATA HILLS 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 CLEGG and seconded by EBERLE that the proposed resolution (R-407-07) be adopted and that same be numbered Resolution 19820.

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

Motion carried.

Proposed resolution (R-408-07) 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 SKYLINE I DEVELOPMENT, INC., FOR THE EXTENSION OF SEWER TO SERVE THE SONATA HILLS NO. 1 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 CLEGG and seconded by EBERLE that the proposed resolution (R-408-07) be adopted and that same be numbered Resolution 19821.

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

Motion carried.

Proposed resolution (R-409-07) by the Council:

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

Titled: A RESOLUTION APPROVING A RENEWAL OF THE AGREEMENT FOR MAINTENANCE SERVICES OF THE PUBLIC SAFETY BUILDING BETWEEN ADA COUNTY AND THE CITY OF BOISE FOR FISCAL YEAR 2008; AUTHORIZING THE MAYOR, CHIEF OF POLICE 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 CLEGG and seconded by EBERLE that the proposed resolution (R-409-07) be adopted and that same be numbered Resolution 19822.

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

Motion carried.

Proposed resolution (R-410-07) by the Council:

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

Titled: A RESOLUTION APPROVING AN EASEMENT AGREEMENT BY AND BETWEEN BOISE CITY (DEPARTMENT OF AVIATION) AND IDAHO POWER COMPANY FOR PROPERTY NEAR THE BOISE AIRPORT FOR A FEDERAL AVIATION ADMINISTRATION CONSTRUCTION PROJECT NEAR THE WEST END OF THE AIRPORT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID EASEMENT AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-410-07) be adopted and that same be numbered Resolution 19823.

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

Motion carried.

Proposed resolution (R-411-07) by the Council:

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

Titled: A RESOLUTION APPROVING AN EASEMENT AGREEMENT BY AND BETWEEN BOISE CITY (DEPARTMENT OF AVIATION) AND IDAHO POWER COMPANY FOR PROPERTY NEAR THE BOISE AIRPORT FOR A FEDERAL AVIATION ADMINISTRATION CONSTRUCTION PROJECT ON THE EAST END OF THE AIRPORT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID EASEMENT AGREEMENT ON BEHALF OF

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BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-411-07) be adopted and that same be numbered Resolution 19824.

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

Motion carried.

Proposed resolution (R-412-07) 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 07-238C; MISCELLANEOUS GIS SERVICES, BOISE CITY INFORMATION AND TECHNOLOGY DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND RESOURCE DATA, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-412-07) be adopted and that same be numbered Resolution 19825.

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

Motion carried.

Proposed resolution (R-413-07) 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 07-238B; MISCELLANEOUS GIS SERVICES, BOISE CITY INFORMATION AND TECHNOLOGY DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND POWER ENGINEERS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-413-07) be adopted and that same be numbered Resolution 19826.

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

Motion carried.

Proposed resolution (R-414-07) 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 07-238A; MISCELLANEOUS GIS SERVICES, BOISE CITY INFORMATION AND TECHNOLOGY DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND WOOLPERT, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-414-07) be adopted and that same be numbered Resolution 19827.

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

Motion carried.

Proposed resolution (R-415-07) by the Council:

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

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, A RENEWAL OF RFP 06-090; BENEFITS CONSULTANT; DEPARTMENT OF HUMAN RESOURCES, BETWEEN THE CITY OF BOISE CITY AND THE SEGAL COMPANY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-415-07) be adopted and that same be numbered Resolution 19828.

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

Motion carried.

Proposed resolution (R-416-07) 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, A RENEWAL OF IRFP 05-065; PLANNING AND DEVELOPMENT HEARING OFFICER, PLANNING AND DEVELOPMENT SERVICES DEPARTMENT, BETWEEN THE CITY OF

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BOISE AND JAY WEBB; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-416-07) be adopted and that same be numbered Resolution 19829.

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

Motion carried.

Proposed resolution (R-417-07) 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 33 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 CLEGG and seconded by EBERLE that the proposed resolution (R-417-07) be adopted and that same be numbered Resolution 19830.

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

Motion carried.

Proposed resolution (R-418-07) 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 FB 07-097; CITY HALL IT SERVER ROOM EMERGENCY POWER PROJECT, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND ELECTRICAL SERVICE AND CONTRACTING COMPANY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-418-07) be adopted and that same be numbered Resolution 19831.

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

Motion carried.

Proposed resolution (R-419-07) 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 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 CLEGG and seconded by EBERLE that the proposed resolution (R-419-07) be adopted and that same be numbered Resolution 19832.

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

Motion carried.

Proposed resolution (R-420-07) 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 07-244; WEST BOISE WWTF DIGESTER GAS DISTRIBUTION, WBP-006, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND CAPITAL CITY PLUMBING, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-420-07) be adopted and that same be numbered Resolution 19833.

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

Motion carried.

Proposed resolution (R-421-07) by the Council:

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

Titled: A RESOLUTION AMENDING RESOLUTION NO. 19157 TO SET THE LEASE RATE AT 918 S. ORCHARD CONSISTENT WITH ALL OTHER HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF PLANNING AND

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DEVELOPMENT SERVICES CITY OWNED RENTAL UNITS IN THE ORCHARD VICINITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-421-07) be adopted and that same be numbered Resolution 19834.

Roll call on the motion resulted as follows:
YEAS: 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-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 second time.

Moved by CLEGG and seconded by EBERLE that further reading of (O-82-07) be dispensed with and the record show that it has been read the third time in full.

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

Motion carried.

Proposed ordinance (O-82-07) by the Council:

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

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

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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 third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-82-07) be passed and that the same be numbered Ordinance 6607.

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

Motion carried.

Boise State University, SOS07-00013, Consent to Vacate Public Alley Right-of-Way (between Beacon Street and Belmont Street east of Michigan Avenue in Block 10 of the South Boise First Subdivision), was before Mayor and Council.

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

Whitney Rearik, 1910 University Drive, applicant representative, addressed the Council in support of the vacation.

Moved by CLEGG and seconded by EBERLE that Boise State University, SOS07-00013, Consent to Vacate Public Alley Right-of-Way (between Beacon Street and Belmont Street east of Michigan Avenue in Block 10 of the South Boise First Subdivision) be granted as requested subject to conditions stated in staff.

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

Motion carried.

Ada County Highway District, SOS07-00014, Consent to Vacate a Portion of Public Street Right-of-Way (located on the north side of Irving Street west of Maple Grove Road affecting approximately 300 feet of the existing south right-of-way boundary of Irving Street), was before Mayor and Council.

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

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

Moved by CLEGG and seconded by EBERLE that Ada County Highway District, SOS07-00014, request to Consent to Vacate a Portion of Public Street Right-of-Way (located on the north side of Irving Street west of Maple Grove Road affecting approximately 300 feet of the existing south right-of-way boundary of Irving Street) be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Councilmember EBERLE requested unanimous consent that CAR07-00035/Rezone/The Idaho Athletic Club request for approval to rezone a +/- .35 acre parcel located at 2999 N. Harbor Lane from L-OD (Limited Office with Design Review) to C-2D (General Commercial with Design Review) be deferred to October 30, 2007.

Unanimous consent was granted.

Barkers Homestead Falls Subdivision SUB07-00059 Preliminary and Final Plat, Boise City (proposed single family townhouse subdivision with 5 buildable lots on .42 acres with a density of 11.5 lots per acre located on the southwest corner of Shoshone Street and Targee Street or 2201 S. Shoshone Street), was before Mayor and Council.

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

Julie Benintendi, 720 W. Idaho, applicant representative, addressed the Council in support of the subdivision.

Moved by CLEGG and seconded by EBERLE that Barkers Homestead Falls Subdivision SUB07-00059 Preliminary and Final Plat, Boise City (proposed single family townhouse subdivision with 5 buildable lots on .42 acres with a density of 11.5 lots per acre located on the southwest corner of Shoshone Street and Targee Street or 2201 S. Shoshone 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: CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Donavon Place Subdivision (Redivision of Lots 1-8, Block 1 of Donavon Subdivision) SUB07-00073 Preliminary and Final Plat, Boise City (proposed mix of single family residential, attached townhouses and a duplex subdivision with 11 buildable lots and one common lot on .69 acres located on the north side of W. Brennen Street between S. Alabas Avenue and S. Harding Street) and Donavon Court Subdivision (Redivision of Lots 1-8, Block 3 of the Donavon Subdivision) SUB07-00074 Preliminary and Final Plat, Boise City (proposed single family residential and townhouse subdivision with 13 residential lots on .73 acres), were before Mayor and Council.

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

Moved by CLEGG and seconded by EBERLE that Donavon Place Subdivision (Redivision of Lots 1-8, Block 1 of Donavon Subdivision) SUB07-00073 Preliminary and Final Plat, Boise City be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Moved by CLEGG and seconded by EBERLE that Donavon Court Subdivision (Redivision of Lots 1-8, Block 3 of the Donavon Subdivision) SUB07-00074 Preliminary and Final Plat, Boise City be granted as requested subject to conditions stated in staff report.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR07-00045/Annexation/Joplin Cemetery/Wintercreek Properties, LLC request for approval of an annexation of +/-5.84 acres located at 11230 W. Joplin Road with a zoning designation of M-1D (Limited Industrial with Design Review).

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

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

Mayor BIETER announced that the public hearing was closed.

Moved by CLEGG and seconded by EBERLE that CAR07-00045/Annexation/Joplin Cemetery/Wintercreek Properties, LLC request for approval of an annexation of +/-5.84 acres located at 11230 W. Joplin Road with a zoning designation of M-1D (Limited Industrial with Design Review) be approved.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR07-00015/Boxwood Ranch, LLC, Ed Bews, Primeland Development Company, LLP, William Craig, & the Richard Nelson Trust request approval of an amendment to text of the Comprehensive Plan to create the "Ten Mile Creek Planning Area" on +/-337 acres outside the current Boise City Area of Impact, generally located on the northeast corner of Hubbard and Cloverdale Roads and CAR07-00022/Clint Boyle requests approval of an amendment to the text of the Comprehensive Plan to create the "Uplands Planning Area" of +/-653.26 acres outside the current Boise City Area of Impact, generally located south of the New York Canal, between Cloverdale Road and Cole Road.

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

Becky McKay, 1029 N. Rosario Street, Suite 100, Meridian, applicant representative; Chris Todd, 332 N. Broadmore Way, Nampa, Idaho, applicant representative and Ben Nelson, 8114 S. Cloverdale Road, addressed the Council in support of the amendments.

Betty Bermensolo, 1970 Canonero, Southwest Ada County Alliance and Joan Mattox, 8300 Gantz, Cloverdale-Columbia Neighborhood Association representative, addressed the Council in regards to additional criteria they would like added to the text and concerns with the amendment.

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Mayor BIETER announced that the public hearing was closed.

Moved by JORDAN and seconded by CLEGG that CAR07-00015/Boxwood Ranch, LLC, Ed Bews, Primeland Development Company, LLP, William Craig, & the Richard Nelson Trust request for approval of an amendment to text of the Comprehensive Plan to create the "Ten Mile Creek Planning Area" on +/-337 acres outside the current Boise City Area of Impact, generally located on the northeast corner of Hubbard and Cloverdale Roads be approved with direction to staff to return policies as revised this evening for final approval at next weeks meeting.

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

Motion carried.

Moved by CLEGG and seconded by JORDAN that CAR07-00022/Clint Boyle requests approval of an amendment to the text of the Comprehensive Plan to create the "Uplands Planning Area" of +/-653.26 acres outside the current Boise City Area of Impact, generally located south of the New York Canal, between Cloverdale Road and Cole Road be approved.

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

Motion carried.

There being no further business the meeting adjourned at 8:28 o'clock P.M.

APPROVE:

MAYOR

ATTEST:

CITY CLERK