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BOISE, IDAHO  
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Council met in regular session Tuesday, November 13, 2007, Council President ELAINE CLEGG, presiding.

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

Invocation was given by Pastor Matt Henry, Whitney United Methodist Church.

Moved by JORDAN and seconded by BISTERFELDT that the minutes from the October 30, 2007, Boise City Council Work Session Meeting be approved.

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

Motion carried.

Moved by JORDAN and seconded by BISTERFELDT that the minutes from the October 30, 2007, Boise City Council Meeting be approved.

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

Motion carried.

Council President CLEGG announced that it was the time and place set for the appointment of Cissy Madigan to the Board of Park and Recreation Commissioners to complete an unexpired term ending May 1, 2012.

Moved by JORDAN and seconded by BISTERFELDT that the appointment of Cissy Madigan to the Board of Park and Recreation Commissioners to complete an unexpired term ending May 1, 2012 be approved.

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

Motion carried.

Council President CLEGG announced that this was the time and place set for the Reasons for Decision regarding CVA07-00025/Appeal/Tony Deangelis.

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

Moved by JORDAN and seconded by BISTERFELDT that the Reasons for Decision regarding CVA07-00025/Appeal/Tony Deangelis be approved.

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

Motion carried.

Moved by JORDAN and seconded by SHEALY that the Boise City Checks No. 261730 thru 262256 in the total amount of \$1,528,400.17 as of October 31, 2007 be approved.

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

Motion carried.

Moved by JORDAN and seconded by SHEALY that the Boise City Checks No. 262257 thru 262830 in the total amount of \$3,512,773.39 as of November 7, 2007 be approved.

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

Motion carried.

The Bid Results for Approval of Contract, 08-CON-023: African Plains Exhibit, Boise Arts Commission were before Mayor and Council as enumerated in staff report dated October 26, 2007.

RECOMMENDATION: The Purchasing Division concurs with the Boise Arts Commission in recommending approval of Contract, 08-CON-023: African Plains Exhibit and be awarded to the lowest responsive and responsible bidder, Boise State University, in a total amount not to exceed \$39,250.00.

Moved by JORDAN and seconded by SHEALY that the recommendations be followed and the bid be awarded to Boise

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State University, in the total amount not to exceed \$39,250.00.

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

Motion carried.

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

- a) K. Gaylord Erickson, Property Damage
- b) Jason Robb, Personal Injury
- c) Shane O. Orand, Property Damage and Personal Injury
- d) Larry Beddes, Property Damage
- e) Michelle Ashbrook, Property Damage and Personal Injury
- f) Heather A. Carpenter, Personal Injury
- g) Susan Barr, Property Damage and Personal Injury

Moved by JORDAN 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: BISTERFELDT, CLEGG, JORDAN and SHEALY.

Motion carried.

The City Clerk requested January 15, 2008, in Council Chambers be confirmed for a public hearing on:

- a) CAR07-00060/Rezone/Double Vision Group, LLC requests approval to rezone +/-1.57 acres located at 2876 S. Canonero Way and 11461 W. Tioga Court from R-1A (Single Family Residential - 2.1 DU/Acre) to R-1B (Single Family Residential - 4.8 DU/Acre).
- b) CAR07-00055/Rezone/Jess Brauner requests approval to rezone +/-3.1 acres located at 2944 N. Linda Vista Lane and 2935 N. Kimball Street from R-1B (Single Family Residential - 4.8 DU/Acre) to R-1C (Single Family Residential - 8.0 DU/Acre).

Moved by JORDAN and seconded by SHEALY that January 15, 2008 in Council Chambers be confirmed as requested.

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

Motion carried.

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

- a) Aramark at BSU regarding BSU Athletic Pre-game BBQ at Caven Williams Patio on November 17, 2007
- b) Aramark at Taco Bell Arena regarding BSU Alumni BBQ at the BSU Alumni Center on November 17, 2007

Moved by JORDAN 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: BISTERFELDT, CLEGG, 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) Public Works Commission Minutes, October 11, 2007
- b) Sole Source Purchase: Nautilus Environmental - Public Works Department
- c) Ada County Highway District vacation and dedication of portions of Avenue B for the purpose of completing Avenue B between Myrtle Street and Front Street in Boise, Idaho
- d) Boise City Building Construction Report, October 2007
- e) Boise City Building Construction Report, Calendar Report, Jan.-Oct. 2007

Moved by JORDAN 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: BISTERFELDT, CLEGG, JORDAN and SHEALY.

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Motion carried.

Proposed resolution (R-440-07) by the Council:

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

Titled: A RESOLUTION APPROVING AN INSURANCE AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (FINANCE DEPARTMENT) AND ACE USA; AUTHORIZING THE MAYOR AND RISK MANAGER TO EXECUTE AND ATTEST SAID AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-440-07) be adopted and that same be numbered Resolution 19861.

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

Motion carried.

Proposed resolution (R-451-07) by the Council:

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

Titled: A RESOLUTION APPROVING AN ARENA USE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY, BY AND THROUGH ITS DEPARTMENT OF PARKS AND RECREATION, AND BLOCK 22, LICENSING THE USE OF CERTAIN PORTIONS OF THE QWEST ARENA FOR THE CITY'S OWN RECREATIONAL PROGRAMS AND ACTIVITIES AND TO THIRD PARTIES WHO WISH TO PURCHASE ICE TIME AT QWEST ARENA; 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 JORDAN and seconded by SHEALY that the proposed resolution (R-451-07) be adopted and that same be numbered Resolution 19862.

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

Motion carried.

Proposed resolution (R-452-07) by the Council:

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

Titled: A RESOLUTION VACATING THE PLAT NOTE REQUIRING A

TEN-FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT AND THE EAST FIVE FEET OF THE TEN-FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT LOCATED ALONG THE WEST BOUNDARY LINE OF LOT 1, BLOCK 1 OF PALAZZO TOWNHOMES SUBDIVISION, AS RECORDED WITH THE ADA COUNTY RECORDER IN BOOK 96 OF PLATS AT PAGE 12039, AND LOCATED ON THE NORTH SIDE OF WEST PALAZZO LANE WHICH IS ON THE EAST SIDE OF NORTH FIVE MILE ROAD APPROXIMATELY 600 FEET SOUTH OF FAIRVIEW AVENUE, ADA COUNTY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-452-07) be adopted and that same be numbered Resolution 19863.

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

Motion carried.

Proposed resolution (R-453-07) by the Council:  
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION TO PARTIALLY VACATE A PLAT NOTE AND THREE PUBLIC UTILITY EASEMENTS LOCATED ON LOTS 1, 2, AND 5 OF BLOCK 1 OF THE ACADIA ACRES SUBDIVISION, AS RECORDED WITH THE ADA COUNTY RECORDER IN BOOK 80 OF PLATS AT PAGE 8706, AND LOCATED ON THE NORTHWEST CORNER OF WEST OVERLAND ROAD AND SOUTH CLOVERDALE ROAD; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-453-07) be adopted and that same be numbered Resolution 19864.

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

Motion carried.

Proposed resolution (R-454-07) 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 TO CONTRACT RFP 06-131A; IMPLEMENTATION OF CITY OF BOISE STRATEGIC PLAN; OFFICE OF THE MAYOR, BETWEEN THE CITY OF BOISE CITY AND GALENA CONSULTING; AND PROVIDING AN EFFECTIVE DATE, was read in full.

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Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-454-07) be adopted and that same be numbered Resolution 19865.

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

Motion carried.

Proposed resolution (R-455-07) 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 06-131A; STRATEGIC PLAN DETAILED REVIEW AND IMPLEMENTATION PROPOSAL, OFFICE OF THE MAYOR, BETWEEN THE CITY OF BOISE CITY AND GALENA CONSULTING; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-455-07) be adopted and that same be numbered Resolution 19866.

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

Motion carried.

Proposed resolution (R-456-07) 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 TO CONTRACT RFP 06-131B; IMPLEMENTATION OF CITY OF BOISE STRATEGIC PLAN; OFFICE OF THE MAYOR, BETWEEN THE CITY OF BOISE CITY AND LEADERSHIP ADVISORS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-456-07) be adopted and that same be numbered Resolution 19867.

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

Motion carried.

Proposed resolution (R-457-07) 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 06-131B; STRATEGIC PLAN DETAILED REVIEW AND IMPLEMENTATION PROPOSAL, OFFICE OF THE MAYOR, BETWEEN THE CITY OF BOISE CITY AND LEADERSHIP ADVISORS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-457-07) be adopted and that same be numbered Resolution 19868.

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

Motion carried.

Proposed resolution (R-458-07) 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 TO CONTRACT RFP 07-064; STATE GOVERNMENT RELATIONS SERVICES; OFFICE OF THE MAYOR, BETWEEN THE CITY OF BOISE CITY AND THE GALLATIN GROUP; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-458-07) be adopted and that same be numbered Resolution 19869.

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

Motion carried.

Proposed resolution (R-459-07) 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 TO CONTRACT RFP 07-009; STATE AND/OR FEDERAL GOVERNMENT RELATIONS SERVICES; OFFICE OF THE MAYOR, BETWEEN THE CITY OF BOISE CITY AND BALL JANIK, LLC; AND PROVIDING AN EFFECTIVE

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DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-459-07) be adopted and that same be numbered Resolution 19870.

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

Motion carried.

Proposed resolution (R-460-07) 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 07-118 ARCHITECTURAL SERVICES FOR BRANCH LIBRARIES, BOISE PUBLIC LIBRARY AND PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND FLETCHER FARR AYOTTE INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-460-07) be adopted and that same be numbered Resolution 19871.

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

Motion carried.

Proposed resolution (R-461-07) 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 07-264, POLECAT TRAILHEAD PARKING LOT; PARKS AND RECREATION DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND TREASURE VALLEY INDUSTRIES; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-461-07) be adopted and that same be numbered Resolution 19872.

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

Motion carried.

Proposed resolution (R-462-07) 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 08-CON-023; AFRICAN PLAINS EXHIBIT, BOISE CITY ARTS COMMISSION, BETWEEN THE CITY OF BOISE CITY AND BOISE STATE UNIVERSITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-462-07) be adopted and that same be numbered Resolution 19873.

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

Motion carried.

Proposed resolution (R-463-07) by the Council:

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

Titled: A RESOLUTION APPROVING A RELEASE AND SETTLEMENT AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND THE NORTHWEST BOISE SEWER DISTRICT FOR SETTLEMENT OF CERTAIN SEWER CHARGES BILLED BY THE CITY TO THE DISTRICT FOR THE YEAR 2006; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID RELEASE AND SETTLEMENT AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-463-07) be adopted and that same be numbered Resolution 19874.

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

Motion carried.

Proposed resolution (R-464-07) by the Council:

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

Titled: A RESOLUTION APPROVING THE EXECUTION OF A QUITCLAIM DEED FROM THE CITY OF BOISE TO THE CITY OF BOISE FOR THE

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PURPOSE OF CORRECTING OVERLAPPING PROPERTY DESCRIPTIONS ON REAL PROPERTY OWNED BY THE CITY OF BOISE AND LOCATED AT 2529 WEST ARK STREET, PROPERTY MORE COMMONLY KNOWN AS "25TH AND FAIRVIEW", BOISE, ADA COUNTY, IDAHO; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-464-07) be adopted and that same be numbered Resolution 19875.

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

Motion carried.

Proposed resolution (R-465-07) by the Council:

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

Titled: A RESOLUTION APPROVING AN EXCHANGE AGREEMENT FOR REAL PROPERTY BY AND BETWEEN THE CITY OF BOISE CITY AND SURGICAL HOSPITAL, LLC; REAFFIRMING THAT THE PROPERTIES BEING CONVEYED ARE NO LONGER NEEDED FOR PUBLIC PURPOSES; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-465-07) be adopted and that same be numbered Resolution 19876.

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

Motion carried.

Proposed resolution (R-466-07) by the Council:

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

Titled: A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN BOISE CITY BY AND THROUGH ITS PLANNING AND DEVELOPMENT SERVICES DEPARTMENT, AND BOGUS BASIN RECREATIONAL ASSOCIATION, INC. FOR THE LEASE OF REAL PROPERTY; 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 JORDAN and seconded by SHEALY that the proposed resolution (R-466-07) be adopted and that same be numbered Resolution 19877.

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

Motion carried.

Proposed resolution (R-467-07) by the Council:

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

Titled: A RESOLUTION APPROVING A LEASE OF REAL PROPERTY BETWEEN THE BOISE CITY/ADA COUNTY HOUSING AUTHORITY, AND THE CITY OF BOISE, FOR THE CATCH PROGRAM, SUCH REAL PROPERTY LOCATED AT 1276 RIVER STREET, BOISE, ADA COUNTY, IDAHO; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID LEASE ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by SHEALY that the proposed resolution (R-467-07) be adopted and that same be numbered Resolution 19878.

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

Motion carried.

Councilmember JORDAN 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-90-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00041/BLACK ENTERPRISE, LLC.) FOR PROPERTY LOCATED AT 2879 S. FRY STREET, 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 first time.

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Proposed ordinance (O-94-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00051/LARRY AND BARBARA WOOLF FOR PROPERTY LOCATED AT 9545 USTICK 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-1C (SINGLE FAMILY RESIDENTIAL) 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 first time.

Proposed ordinance (O-95-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00040/1698 S. ASH PARK LANE) FOR PROPERTY LOCATED AT 1698 S. ASH PARK LANE, 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 C-1D (NEIGHBORHOOD COMMERCIAL 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 first time.

Moved by JORDAN and seconded by SHEALY that further reading of (O-88-07) and (O-91-07) be dispensed with and the record show that they have been read the third time in full.

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

Motion carried.

Proposed ordinance (O-88-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00048/ROBERT NASH FOR PROPERTY LOCATED AT 10681 W. MCMILLAN 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-1C (SINGLE FAMILY

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RESIDENTIAL) AND R-2 (COMBINED 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 third time.

Moved by JORDAN and seconded by SHEALY that the proposed ordinance (O-88-07) be passed and that the same be numbered Ordinance 6613.

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

Motion carried.

Proposed ordinance (O-91-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00018/HALE DEVELOPMENT, INC. FOR PROPERTY LOCATED AT 2350 W. HILL 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-1C (SINGLE FAMILY RESIDENTIAL) 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 JORDAN and seconded by SHEALY that the proposed ordinance (O-91-07) be passed and that the same be numbered Ordinance 6614.

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

Motion carried.

Moved by JORDAN and seconded by SHEALY that all rules of the Council interfering with the immediate consideration of (O-93-07) be suspended and that the portions of Idaho Code 50-902, requiring an ordinance to be read on three different days, twice by title and once in full be dispensed with and the record show it has been read the third time in full.

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

Motion carried.

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Proposed ordinance (O-93-07) by the Council:

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

Titled: AN ORDINANCE (CAR06-00037/BOISE/GOWEN 93, LLC. FOR PROPERTY LOCATED AT 951 E. GOWEN 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-2D/DA (GENERAL INDUSTRIAL WITH DESIGN REVIEW OVERLAY WITH A DEVELOPMENT AGREEMENT); 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; PROVIDING A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE, was read for the first, second and third time.

Moved by JORDAN and seconded by SHEALY that the proposed ordinance (O-93-07) be passed and that the same be numbered Ordinance 6615.

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

Motion carried.

Mendenhall Subdivision SUB04-00081 Time Extension for Boise City Engineer Certification (located on the southeast corner of the intersection of South Eagleson Road and West Albatros Street, generally east of South Curtis Road), was before Mayor and Council.

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

David Crawford, 5505 W. Franklin Road, applicant representative, addressed the Council in support of the Time Extension.

Moved by JORDAN and seconded by SHEALY that Mendenhall Subdivision SUB04-00081 Time Extension for Boise City Engineer Certification be granted as requested subject to conditions stated in staff.

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

Motion carried.

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Trappers Island Condominiums SUB07-00085  
Preliminary Plat, Boise City (proposed residential  
condominium project with 104 units located on 9.52 acres  
with a density of 10.92 dwelling units per acre located at  
the western terminus of W. Americana Terrace which is west  
of N. Americana Boulevard and south of W. Shoreline Drive),  
was before Mayor and Council.

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

James Murray, 250 S. 5<sup>th</sup> Street, applicant  
representative, addressed the Council in support of the  
condominiums.

Renee Jensen, 9435 W. Malad, asked what was going  
to done with the road.

Moved by SHEALY and seconded by JORDAN that  
Trappers Island Condominiums SUB07-00085 Preliminary Plat be  
granted as requested subject to conditions stated in staff  
report.

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

Motion carried.

Depot View Lofts Condominiums SUB07-00086  
Preliminary and Final Plat (proposed 2 unit residential  
condominium project located on the east side of S. Peasley  
Street approximately 650 feet north of Rose Hill Street or  
120 and 128 S. Peasley Street), was before Mayor and  
Council.

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

Moved by JORDAN and seconded by SHEALY that Depot  
View Lofts Condominiums SUB07-00086 Preliminary and Final  
Plat be granted as requested subject to conditions stated in  
staff report.

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

Motion carried.

Council President CLEGG announced that this was  
the time and place set for a public hearing on the

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Declaration of Intent to Convey Real Property located at 1250 W. Dundee Street, Boise, Idaho 83706, proposed ordinance (O-84-07).

Proposed ordinance (O-84-07) by the Council:

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

Titled: AN ORDINANCE 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 VALUE, REAL PROPERTY OWNED BY THE CITY AND LOCATED AT 1250 WEST DUNDEE, BOISE, ADA COUNTY, IDAHO; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

James Birdsall, 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 JORDAN and seconded by SHEALY that the proposed ordinance (O-84-07) be passed and that the same be numbered Ordinance 6612.

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

Motion carried.

Council President CLEGG announced that this was the time and place set for a public hearing on CAR07-00056/Rezone/Boise New Hope-Church of the Nazarene request for 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).

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.

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Moved by SHEALY and seconded by JORDAN that CAR07-00056/Rezone/Boise New Hope-Church of the Nazarene request for 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) be approved.

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

Motion carried.

Council President CLEGG announced that this was the time and place set for a public hearing on CUP07-00083/Appeal/Jackson Food Stores appeal of 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.

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

Jeffery Wardle, 877 Main Street, Suite 1000, appellant representative and Andrew Davis, 1010 S. Allante Place, Suite 100, appellant representative, addressed the Council in support of the appeal.

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

Council President CLEGG announced that the public hearing was closed.

Moved by JORDAN and seconded by SHEALY that CUP07-00083/Appeal/Jackson Food Stores appeal of 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 be deferred for decision to January 15, 2008.

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

Motion carried.

Council President CLEGG announced that this was the time and place set for a public hearing on CAR07-00046/Rezone/Silver Springs Homes, LLC request for approval to rezone +/-1.02 acres located at 3811 and 3861 W. Nez

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Perce Street from R-1C (Single Family Residential) to R-2D (Combined Residential with Design Review and Nez Perce Cove Condominiums SUB07-00075 Preliminary Plat, Boise City (proposed residential condominium project with eight units on .677 acres with a density of 11.82 dwelling units per acre located on the south side of W. Nez Perce Street between S. Latah Street and S. Cleveland Street).

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

Don Knickrehm, 1403 Mace Road, Eagle, addressed the Council in support of the rezone.

Judy Burns, 1776 S. Berkeley Lane, addressed the Council in support of the rezone and addressed the concerns.

Council President CLEGG announced that the public hearing was closed.

Moved by SHEALY and seconded by BISTERFELDT that CAR07-00046/Rezone/Silver Springs Homes, LLC request for approval to rezone +/-1.02 acres located at 3811 and 3861 W. Nez Perce Street 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: BISTERFELDT, CLEGG, JORDAN and SHEALY.

Motion carried.

Moved by SHEALY and seconded by JORDAN that Nez Perce Cove Condominiums SUB07-00075 Preliminary Plat, Boise City be granted as requested subject to conditions stated in staff report.

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

Motion carried.

RECESS: 8:08 P.M.

RECONVENE: 8:19 P.M.

Council President CLEGG announced that this was the time and place set for a public hearing on CAR07-00012/Lumber Products request for approval of an amendment to the Land Use Map of the Comprehensive Plan to change the

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designation of +/-5.67 acres located at 2390 S. Maple Grove Road from Estate Density Residential (3 DU/Acre) to Industrial; CAR07-00037/Annexation and Development Agreement/Lumber Products request for approval of an annexation of +/- 7.18 acres; and Lumber Products Subdivision SUB07-00026 Preliminary and Final Plat, Boise City (proposed industrial subdivision with two buildable lots and one common lot on 16.6 acres located east of S. Maple Grove Road, north of Victory Road, adjacent to the northern boundary of Vic Park Subdivision No. 1).

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

Debra Nelson, 601 W. Bannock, applicant representative; Cal Emerson, 1200 W. Amity; Fred Wood, 1200 W. Amity; Jim Boyd, 600 N. Steelhead Way, Suite 144; Dick Lierc; 9222 Barnes Drive; Mark Schwanz, 927 Hearthstone Drive and Jeff Reed, 3809 Eagleson Road, addressed the Council in support of the amendment.

Laurie Reynoldson, 251 E. Front Street, Southwest Ada County Alliance representative; Glen Stephens, 7255 W. Diamond Street, Southwest Ada Neighborhood Association representative; Chuck Thomas, 2370 Three Mile Creek, Pioneer Neighborhood Association representative; David Dean, 8537 W. Small Creek Drive; Donna Johnson, 2460 S. Maple Grove Road; Renee Jensen, 9435 W. Malad; Hawk Yi, 8548 W. Small Creek and Jim Suitts, 8644 Targee Street, addressed the Council in opposition to the amendment.

Council President CLEGG announced that the public hearing was closed.

Moved by JORDAN and seconded by SHEALY that CAR07-00012/Lumber Products request for approval of an amendment to the Land Use Map of the Comprehensive Plan to change the designation of +/-5.67 acres located at 2390 S. Maple Grove Road from Estate Density Residential (3 DU/Acre) to Industrial be denied and that findings be returned on November 27, 2007.

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

Motion carried.

There being no further business the meeting adjourned at 10:35 o'clock P.M.

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APPROVE:

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MAYOR

ATTEST:

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CITY CLERK