Council met in regular session Tuesday, January 8, 2008, Mayor DAVID H. BIETER, presiding.

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

Invocation was given by Reverend Richard Demarest, St. Michael's Episcopal Cathedral.

Presentation of Colors was presented by the Boise Police Department Honor Guard.

Pledge of Allegiance was given by Trevor Smith.

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

The Honorable Christopher Bieter, Magistrate Judge, administered the Oath of Office to David H. Bieter as Mayor of the City of Boise.

The Honorable David H. Bieter, Mayor of the City of Boise, administered the Oath of Office to Elaine Clegg, City Council Seat 5; W. David Eberle, City Council Seat 3 and Alan Shealy, City Council Seat 1.

Mayor BIETER announced that this was the time and place set for the election of Council President and Council President Pro Tem.

Moved by CLEGG and seconded by JORDAN that W. DAVID EBERLE be appointed as Council President.

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

Motion carried.

Moved by SHEALY and seconded by CLEGG that MARYANNE JORDAN be appointed as Council Pro Tem.
Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Moved by EBERLE and seconded by JORDAN that the minutes from the December 18, 2007, Boise City Council Meeting be approved.

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

Motion carried.

Moved by EBERLE and seconded by CLEGG that the Boise City Checks No.265405 thru 265890 in the total amount of $1,794,965.23 as of December 19, 2007 be approved.

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

Motion carried.

Moved by EBERLE and seconded by CLEGG that the Boise City Checks 265891 thru 266284 in the total amount of $1,743,822.13 as of December 26, 2007 be approved.

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

Motion carried.

Moved by EBERLE and seconded by CLEGG that the Boise City Checks 266285 thru 266679 in the total amount of $937,754.52 as of January 2, 2008 be approved.

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

Motion carried.

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

a) Robert Earl Tilton, Property Damage and Personal Injury
Moved by EBERLE and seconded by CLEGG that the claim(s) be acknowledged and referred to the office of the Treasurer as requested.

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

Motion carried.

The City Clerk requested the following minutes, reports and requests be received by Council and directed filed in the office of the City Clerk:

a) Public Safety Liaison Team Minutes, October 18 and November 15, 2007
b) Boise Public Library Board of Trustees Minutes, November 7, 2007
c) Boise Public Library Director's Report, December 2007
d) Employee Health Plan Trust Trustee Minutes, November 28, 2007
e) Sole Source Purchase: Taser Guns from Pro Force Law Enforcement, Police Department

Moved by EBERLE and seconded by CLEGG that the minutes, reports and requests be received and directed filed in the office of the City Clerk as requested.

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

Motion carried.

Proposed resolution (R-507-07) by the Council:

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

Titled: A RESOLUTION APPROVING THE FIRE PROTECTION AND EMERGENCY SERVICES AGREEMENT BETWEEN THE CITY OF BOISE AND THE NORTH ADA COUNTY FIRE AND RESCUE DISTRICT; 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 CLEGG that the proposed resolution (R-507-07) be adopted and that same be numbered Resolution 19915.
Roll call on the motion resulted as follows: YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-508-07) by the Council:

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

Titled: A RESOLUTION APPROVING THE FIRE PROTECTION AND EMERGENCY SERVICES AGREEMENT BETWEEN THE CITY OF BOISE AND WHITNEY FIRE PROTECTION DISTRICT; 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 CLEGG that the proposed resolution (R-508-07) be adopted and that same be numbered Resolution 19916.

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

Motion carried.

Proposed resolution (R-3-08) by the Council:

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

Titled: A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF BOISE CITY, THROUGH ITS DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, AND NEIGHBORHOOD HOUSING SERVICES (NHS), FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO SUPPORT NHS STAFF SALARIES, BENEFITS, AND EMERGENCY NEEDS WITHIN THE HOMEWARD BOUND PROGRAM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-3-08) be adopted and that same be numbered Resolution 19917.

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

Motion carried.

Proposed resolution (R-4-08) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING AN AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND SANITARY SERVICES COMPANY FOR THE LEASE OF THE BOISE CITY ENVIROGUARD HAZARDOUS MATERIALS COLLECTION VEHICLES FOR USE AT CITY OF MERIDIAN HAZARDOUS WASTE COLLECTION EVENTS; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-4-08) be adopted and that same be numbered Resolution 19918.

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

Motion carried.

Proposed resolution (R-5-08) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A GRANT OF EASEMENT AND RIGHT-OF-WAY BY AND BETWEEN THE CITY OF BOISE, BY AND THROUGH ITS DEPARTMENT OF PARKS AND RECREATION AND UNITED WATER IDAHO, INC., AN IDAHO CORPORATION, FOR THE CONSTRUCTION, INSTALLATION AND CONTINUED OPERATION, MAINTENANCE, REPAIR, INSPECTION, ALTERATION, REPLACEMENT AND REMOVAL OF A WATER MAIN CROSSING THE BOISE RIVER AT THE FUTURE SITE OF THE EAST PARKCENTER BRIDGE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID EASEMENT ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-5-08) be adopted and that same be numbered Resolution 19919.

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

Motion carried.

Proposed resolution (R-6-08) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.
Titled: A RESOLUTION APPROVING A SECOND ADDENDUM TO AN AGREEMENT BETWEEN THE CITY OF BOISE CITY, THROUGH ITS DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, AND SUPPORTIVE HOUSING AND INNOVATIVE PARTNERSHIPS, INC. (SHIP), FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID SECOND ADDENDUM; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-6-08) be adopted and that same be numbered Resolution 19920.

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

Motion carried.

Proposed resolution (R-7-08) 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 TO RFP 07-032A; FIRE SPRINKLER & FIRE ALARM PLAN REVIEW SERVICES, DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES, BETWEEN THE CITY OF BOISE CITY AND JOHNSON CONSULTING; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-7-08) be adopted and that same be numbered Resolution 19921.

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

Motion carried.

Proposed resolution (R-8-08) 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 07-032A; FIRE SPRINKLER & FIRE ALARM PLAN REVIEW SERVICES, DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES, BETWEEN THE CITY OF BOISE CITY AND JOHNSON CONSULTING; AND PROVIDING AN EFFECTIVE DATE, was read in full.
Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-8-08) be adopted and that same be numbered Resolution 19922.

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

Motion carried.

Proposed resolution (R-9-08) 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 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 DATE, was read in full.

Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-9-08) be adopted and that same be numbered Resolution 19923.

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

Motion carried.

Proposed resolution (R-10-08) 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 RENEWAL OF FOR F/B 06-026; MISCELLANEOUS ELECTRICAL SERVICES, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND QUALITY ELECTRIC; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by CLEGG that the proposed resolution (R-10-08) be adopted and that same be numbered Resolution 19924.

Roll call on the motion resulted as follows: YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, 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-110-07) by the Council:

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

Titled: AN ORDINANCE AMENDING TITLE 5, CHAPTER 12, BOISE CITY CODE, RELATING TO VENDORS, SOLICITORS, TEMPORARY MERCHANTS; REQUIRING APPLICANTS TO PROVIDE CERTAIN INFORMATION; REQUIRING APPLICANTS TO BE BONDED AND TO NOTIFY THE PUBLIC AT THE PLACES OF SALE; PROVIDING FOR THE RELEASE OF BONDS IF NO CLAIMS ARE PRESENTED; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-1-08) by the Council:

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

Titled: AN ORDINANCE AMENDING BOISE CITY CODE TITLE 8, CHAPTER 11, SECTION 7.01.E. TO INCREASE THE CONNECTION FEES CHARGED FOR PUBLIC SERVICE LINES; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-2-08) by the Council:

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

Titled: AN ORDINANCE REPEALING TITLE 7, CHAPTER 1, BOISE CITY FIRE PREVENTION CODE; ENACTING A NEW TITLE 7, CHAPTER 1, BOISE CITY CODE ADOPTING THE 2006 INTERNATIONAL FIRE CODE, WHICH SETS FORTH MINIMUM STANDARDS FOR THE STORAGE, USE AND HANDLING OF DANGEROUS AND HAZARDOUS MATERIALS, FOR THE MAINTENANCE OF BUILDINGS, PREMISES AND FIRE SAFETY EQUIPMENT, FOR THE MAINTENANCE OF EGRESS FOR EMERGENCY SERVICES, FOR CONSTRUCTION AND REMODEL OF BUILDINGS AND PREMISES, AND FOR OTHER FIRE SAFETY MEASURES TO MINIMIZE THE LOSS OF LIFE AND PROPERTY; SETTING FORTH A DECLARATION OF INTENT; AMENDING, DELETING AND ADDING TO CERTAIN SECTIONS OF THE 2006 FIRE CODE TO ADDRESS LOCAL CONDITIONS AND CUSTOMS; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-3-08) by the Council:
AN ORDINANCE (CAR07-00052/JUAN OLEAGA FOR PROPERTY LOCATED AT 673 N. 27TH 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-2 (COMBINED RESIDENTIAL) TO N-OD (NEIGHBORHOOD OFFICE WITH DESIGN REVIEW OVERLAY); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; 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-103-07) by the Council:

AN ORDINANCE (CAR07-00046/SILVER SPRINGS HOMES, LLC. FOR PROPERTY LOCATED AT 3811 AND 3861 W. NEZ PERCE 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 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 second time.

Proposed ordinance (O-106-07) by the Council:

AN ORDINANCE CREATING A NEW TITLE 2 CHAPTER 25, BOISE CITY CODE TO: FORMALIZE AS A COMMITTEE THE BOISE CITY ACCESSIBLE PARKING COMMITTEE; PROVIDE FOR THE APPOINTMENT OF MEMBERS; PROVIDE FOR TERMS OF OFFICE; PROVIDE FOR THE SELECTION OF A CHAIRMAN; PROVIDE FOR A SECRETARY OF THE COMMITTEE; PROVIDE FOR A DEFINITION OF A QUORUM AND DESIGNATE THAT MEMBERS SHALL SERVE WITHOUT COMPENSATION AND PROVIDE FOR THE DUTIES OF THE COMMITTEE; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-107-07) by the Council:
BISTEFELDT, CLEG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING BOISE CITY CODE TITLE 10, CHAPTER 11, SECTION 03 DISABLED PERSONS PARKING, UPDATING LANGUAGE FROM DISABLED TO ACCESSIBLE, CLARIFYING SUBSECTION (C) THAT BOISE CITY, AS ALLOWED BY STATE LAW, USES AN ACCESSIBLE PARKING COMMITTEE AND THE BOISE CITY DIVISION OF PARKING SERVICES TO DETERMINE THE LOCATION AND NUMBER OF ACCESSIBLE PARKING SPACES WITHIN THE BOISE CITY LIMITS; PROVIDING FOR AN APPEAL; ADDING SPACE STANDARDS FOR ACCESS; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-109-07) by the Council:

BISTEFELDT, CLEG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR07-00056/BOISE NEW HOPE-CHURCH OF THE NAZARENE FOR PROPERTY LOCATED AT 8555 AND 8585 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 R-1A (SINGLE FAMILY RESIDENTIAL) TO L-OD (LIMITED 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.

Proposed ordinance (O-112-07) by the Council:

BISTEFELDT, CLEG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE CREATING ORDINANCE TITLE 1, CHAPTER 24, BOISE CITY CODE: TO ESTABLISH THE OFFICE OF ECONOMIC DEVELOPMENT; TO MAKE THE OFFICE OF ECONOMIC DEVELOPMENT A DIVISION OF THE OFFICE OF THE MAYOR; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-113-07) by the Council:

BISTEFELDT, CLEG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING TITLE 1, CHAPTER 6, BOISE CITY CODE: TO CLARIFY THAT CERTAIN POSITIONS ARE NO LONGER APPOINTED POSITIONS; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-114-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING TITLE 1, CHAPTER 1, BOISE CITY CODE: TO CLARIFY THAT CERTAIN POSITIONS ARE NO LONGER APPOINTED POSITIONS; TO MAKE CERTAIN MAYOR’S OFFICE EMPLOYEES SERVE AT THE PLEASURE OF THE MAYOR; TO CLARIFY THE MAYOR’S AUTHORITY TO SELECT AND HIRE CERTAIN MAYOR’S OFFICE EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

There being no further business the meeting adjourned at 7:03 o'clock P.M.

APPROVE:

__________________________________
MAYOR

ATTEST:

__________________________________
CITY CLERK