Council met in regular session Tuesday, June 5, 2007, Mayor DAVID H. BIETER, presiding.

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

Invocation was given by Pastor Joe Dorociak, Trinity Presbyterian Church.

Moved by CLEGG and seconded by EBERLE that the minutes from the May 22, 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.

Mayor BIETER announced that it was the time and place set for the reappointment of Erik Hasenoehrl, youth member, to the City of Boise Impact Fee Advisory Committee through August 31, 2007.

Councilmember CLEGG requested unanimous consent that the reappointment of Erik Hasenoehrl, youth member, to the City of Boise Impact Fee Advisory Committee through August 31, 2007 be approved.

Unanimous consent was granted.

Mayor BIETER announced that it was the time and place set for the briefing regarding resolutions to approve and accept the Downtown Boise Mobility Study (R-214-07) and to accept the 30th Street Charrette, Market Strategy and
Traffic Study, as special studies to inform the 30th Street Specific Area Plan (R-215-07).

Kathleen Lacey, Planning and Development Services Department, presented the staff report and requested that resolutions (R-214-07) and (R-215-07) be removed from the Council Consent agenda due to modifications to them.

Mayor BIETER announced that it was the time and place set for Reasons for Decision regarding CUP06-00132/Appeal/Brian Sopatyk.

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

Moved by CLEGG and seconded by EBERLE that the Reasons for Decision regarding CUP06-00132/Appeal/Brian Sopatyk be approved.

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

Motion carried.

Mayor BIETER announced that it was the time and place set for the Reasons for Decision regarding CUP06-00025 and SUB06-00022/Appeals/Fulcrum Inc, & Enel North America, Inc and East End Neighborhood Association, Warm Springs Historic District and Harris Ranch Neighborhood Association.

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

Moved by CLEGG and seconded by EBERLE that the Reasons for Decision regarding CUP06-00025 and SUB06-00022/Appeals/Fulcrum Inc, & Enel North America, Inc and East End Neighborhood Association, Warm Springs Historic District and Harris Ranch Neighborhood Association be approved as presented.

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

Moved by CLEGG and seconded by EBERLE that the Boise City Checks No. 247578 thru 248193 in the total amount of $2,416,665.15 as of May 23, 2007 be approved.

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

Motion carried.

Moved by CLEGG and seconded by EBERLE that the Boise City Checks No. 248194 thru 248651 in the total amount of $884,525.80 as of May 30, 2007 be approved.

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

Motion carried.

The Bid Results for Approval of Amended Contract; 07-CON-061: Boise City Rail Line Consultation Services, Planning and Development Services Department were before Mayor and Council as enumerated in staff report dated May 16, 2007.

RECOMMENDATION: The Purchasing Division concurs with Planning Development Services in recommending that 07-CON-061 be awarded to the lowest responsive and responsible bidder, Railroad Industries Incorporated, in a total amount not to exceed $25,900.00.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Railroad Industries Incorporated in the total contract amount of $25,900.00.

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

The Bid Results for the rejection of Bid F/B 07-095: 2 Library Self Check Units, Boise Public Library were before Mayor and Council as enumerated in staff report dated May 16, 2007.

RECOMMENDATION: The Purchasing Division concurs with Boise Public Library in recommending that F/B 07-095 be rejected.

Moved by CLEG and seconded by EBERLE that the recommendations be followed and Bids for F/B 07-095 be rejected.

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

Motion carried.

The Bid Results for RFP 07-160: Airport Security Services, Aviation and Public Transportation Department were before Mayor and Council as enumerated in staff report dated May 14, 2007.

RECOMMENDATION: The Purchasing Division concurs with Aviation and Public Transportation Department in recommending that RFP 07-160 be awarded to the lowest responsive and responsible bidder, G2 Secure Staff, in a total amount not to exceed $100,000.00.

Moved by CLEG and seconded by EBERLE that the recommendations be followed and the bid be awarded to G2 Secure Staff in the total contract amount of $100,000.00, subject to compliance with bonding and insurance requirements.

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

Motion carried.
The Bid Results for F/B 07-164: Stacking Chairs for City Council Chambers, Public Works Department were before Mayor and Council as enumerated in staff report dated May 15, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-164 be awarded to the lowest responsive and responsible bidder, Business Interiors of Idaho, in a total amount not to exceed $43,250.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Business Interiors of Idaho in the total contract amount of $43,250.

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

Motion carried.

The Bid Results for F/B 07-184: Police Vehicle Set-Up Equipment, Police Department were before Mayor and Council as enumerated in staff report dated May 15, 2007.

RECOMMENDATION: The Purchasing Division concurs with Police Department in recommending that F/B 07-184 be awarded to the lowest responsive and responsible bidder, Territorial Supply, in a total amount not to exceed $42,383.44.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Territorial Supply in the total contract amount of $42,383.44.

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

Motion carried.
The Bid Results for F/B 07-185: Boise City Library Main Entry Door Replacement, PWE 611, Public Works Department were before Mayor and Council as enumerated in staff report dated May 24, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department (for Boise City Library) in recommending that F/B 07-185 be awarded to the lowest responsive and responsible bidder, Commercial Glass, in a total amount not to exceed $25,530.00.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Commercial Glass in the total contract amount of $25,530.00, subject to compliance with bonding and insurance requirements.

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

Motion carried.

The Bid Results for F/B 07-194: West Boise Headworks Electrical Room A/C WBP 041, Public Works Department were before Mayor and Council as enumerated in staff report dated May 24, 2007.

RECOMMENDATION: The Purchasing Division concurs with Public Works Department in recommending that F/B 07-194 be awarded to the lowest responsive and responsible bidder, Wright Brothers, in a total amount not to exceed $40,820.00.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Wright Brothers in the total contract amount of $40,820.00.

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) Qwest Claim No. 415620, Property Damage  
b) Qwest Claim No. 415630, Property Damage  
c) Qwest Claim No. 417330, Property Damage  
d) Qwest Claim No. 417509, 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: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requested August 14, 2007, in Council Chambers be confirmed for a public hearing on:

a) CAR07-00019/W.L. Overland, LLC requests approval of an amendment to the Land Use Map of the comprehensive Plan to change the designation of +/-5 acres located at 10121 W. Overland Road from Estate Density Residential (3 DU/Acre) to Low Density Residential (4 DU/Acre).

b) CAR07-00020/Rezone/W.L. Overland, LLC requests approval to rezone +/-5 acres located at 10121 W. Overland Road from A-1 (Open Land) to R-1C (Single Family Residential) and N-OD (Neighborhood Office with Design Review).

c) CUP07-00026/Appeal/W.L. Overland, LLC is appealing the Planning and Zoning Commission's denial of a Conditional Use Permit to construct a mixed use planned development comprised of 32 residential units and 2 office lots on +/-5 acres in a proposed R-1C (Single Family Residential) and N-OD (Neighborhood Office with Design Review) zone.
Moved by CLEG and seconded by EBERLE that August 14, 2007 in Council Chambers be confirmed as requested.

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

Motion carried.

The City Clerk requested August 21, 2007, in Council Chambers be confirmed for a public hearing on:

a) CVA07-00014/Appeal/Scott Ludwig and Erstad Architects are appealing the Hearing Examiner's denial of a variance from the standards of B.C.C. Section 11-10-08 for the construction of an interim parking lot located at 377 W. Broad Street in a R-ODD (Residential Office with Downtown Design Review) zone.

b) DRH04-00013/Modification No. 3/Appeal/Dale and Anita Leatham are appealing the Planning and Zoning Commission's denial of their appeal, upholding the Design Review Committee's decision regarding conditions L and O placed on the project located at 815 Ann Morrison Park Drive in a C-2DC (General Commercial with Design Review and Capitol Boulevard Overlay) zone.

Moved by CLEG and seconded by EBERLE that August 21, 2007 in Council Chambers be confirmed as requested.

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

Motion carried.

The City Clerk requested September 11, 2007, in Council Chambers be confirmed for a public hearing on:

a) CAA07-00024/Appeal/The Winstead Park Neighborhood Association/Mountain View-
Cruzen Chapter is appealing an administrative approval for the construction of a duplex located at 5316 W. Cruzen Street in a R-1C (Single Family Residential) zone. This approval was previously upheld by the Planning and Zoning Commission.

Moved by CLEGG and seconded by EBERLE that September 11, 2007 in Council Chambers be confirmed as requested.

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

Motion carried.

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

a) Aramark Taco Bell Arena regarding Idaho Smoke Jumpers Reunion at the BSU Student Union Field on June 8, 2007
b) Table Rock Brewpub and Grill regarding a Company Picnic at Municipal Park No. 3 Willow Shelter on June 15, 2007
c) Table Rock Brewpub and Grill regarding Great Garden Escape at the Idaho Botanical Gardens on June 21 and June 28, 2007

Moved by CLEGG and seconded by EBERLE that the Alcohol Beverage Catering Permits be acknowledged and approved 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:
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, SHEALY and TIBBS.

Motion carried.

Mayor BIETER requested that resolution (R-202-07) be removed from tonight's Consent agenda for further discussion.

Proposed resolution (R-202-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A COLLECTION AGREEMENT IN THE AMOUNT OF $233,500.00 BY AND BETWEEN UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE AND BOISE CITY, BY AND THROUGH ITS DEPARTMENT OF PARKS AND RECREATION TO IMPLEMENT THE AGREEMENT TO INITIATE PREVIOUSLY ENTERED INTO AND AMENDED BETWEEN UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT; UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE; STATE OF IDAHO, DEPARTMENT OF LANDS, AND BOISE CITY, TO PURSUE A LEGISLATIVE LAND EXCHANGE OF FEDERAL AND STATE LANDS OR INTERESTS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID COLLECTION AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Jim Hall, Parks and Recreation Department, presented the staff report.
Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-202-07) be adopted and that same be numbered Resolution 19616.

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

Motion carried.

Proposed resolution (R-203-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled:  A RESOLUTION APPROVING A RIGHT-OF-WAY CONTRACT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND THE ROMAN CATHOLIC DIOCESE OF BOISE FOR THE ACQUISITION OF A SANITARY SEWER EASEMENT FOR THE CONSTRUCTION OF CITY SEWER PROJECT RSP-166; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID RIGHT-OF-WAY CONTRACT ON BEHALF OF BOISE CITY; ACCEPTING THE GRANT OF A SANITARY SEWER EASEMENT FROM THE ROMAN CATHOLIC DIOCESE OF BOISE; AUTHORIZING PAYMENT FOR THE ACQUISITION OF THE SANITARY SEWER EASEMENT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-203-07) be adopted and that same be numbered Resolution 19617.

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

Motion carried.

Proposed resolution (R-204-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled:  A RESOLUTION ACCEPTING THE GRANT OF A SANITARY SEWER EASEMENT FROM M. DALE STILWELL TO THE CITY OF BOISE CITY FOR CONSTRUCTION OF CITY SEWER PROJECT DRI-1409; AND PROVIDING AN EFFECTIVE DATE, was read in full.
Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-204-07) be adopted and that same be numbered Resolution 19618.

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

Motion carried.

Proposed resolution (R-205-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION ACCEPTING THE GRANT OF A SANITARY SEWER EASEMENT FROM DBSI SHADOW HILLS LLC. TO THE CITY OF BOISE CITY FOR CONSTRUCTION OF CITY SEWER PROJECT DRI-1411; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-205-07) be adopted and that same be numbered Resolution 19619.

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

Motion carried.

Proposed resolution (R-206-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION ACCEPTING THE GRANT OF A SANITARY SEWER EASEMENT FROM EP2, LLC. TO THE CITY OF BOISE CITY FOR CONSTRUCTION OF CITY SEWER PROJECT DRI-1409; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-206-07) be adopted and that same be numbered Resolution 19620.
Roll call on the motion resulted as follows:
YEAS:  BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-207-07) by the Council:

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

Titled:  A RESOLUTION VACATING A SANITARY SEWER EASEMENT LOCATED IN THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO AS RECORDED WITH THE ADA COUNTY RECORDERS AS INSTRUMENT NO. 107010213; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-207-07) be adopted and that same be numbered Resolution 19621.

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

Motion carried.

Councilmember CLEGG requested unanimous consent that resolution (R-210-07) be removed from tonight's Consent agenda for further discussion.

Unanimous consent was granted.

Proposed resolution (R-210-07) by the Council:

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

Titled:  A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES) AND NEIGHBORHOOD HOUSING SERVICES, INC., FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO PROVIDE RELOCATION ASSISTANCE AND PAYMENTS TO LOW INCOME RESIDENTS
DISPLACED FROM MOBILE HOME PARKS LOCATED WITHIN THE CITY LIMITS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by BISTEFELDT that the proposed resolution (R-210-07) be adopted and that same be numbered Resolution 19622.

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

Motion carried.

Proposed resolution (R-211-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES) AND NEIGHBORHOOD HOUSING SERVICES, INC., FOR THE USE AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS WITHIN A CONSOLIDATED HOUSING REVOLVING LOAN FUND; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-211-07) be adopted and that same be numbered Resolution 19623.

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

Motion carried.

Proposed resolution (R-212-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A REGULATORY AGREEMENT BETWEEN THE CITY OF BOISE CITY (PLANNING AND DEVELOPMENT SERVICES) AND THE BOISE CITY / ADA COUNTY HOUSING AUTHORITY, FOR THE USE OF HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FOR PAYMENT OF
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TENANT-BASED RENTAL ASSISTANCE FOR HOMELESS VETERANS WITH DISABILITIES; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-212-07) be adopted and that same be numbered Resolution 19624.

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

Motion carried.

Proposed resolution (R-213-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES) AND THE BOISE CITY / ADA COUNTY HOUSING AUTHORITY, FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO PAY PROJECT DELIVERY COSTS FOR HOUSING SERVICES FUNDED UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM PROVISION OF TENANT-BASED RENTAL ASSISTANCE FOR HOMELESS AND DISABLED VETERANS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-213-07) be adopted and that same be numbered Resolution 19625.

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

Motion carried.

Councilmember CLEGG requested unanimous consent that resolution (R-214-07) be removed from tonight's Consent agenda and deferred to June 12, 2007.

Unanimous consent was granted.
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION TO ADOPT THE DOWNTOWN BOISE MOBILITY STUDY (DBMS) AS A POLICY GUIDE ON DOWNTOWN BOISE MOBILITY ISSUES AND AS AN IMPLEMENTATION PLAN FOR TRANSPORTATION IMPROVEMENTS IN DOWNTOWN BOISE IN ACCORD WITH THE LAND USES, THE CITY OF BOISE COMPREHENSIVE PLAN AND LAND USE MAP, AND THE CITY OF BOISE ZONING ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Councilmember CLEGG requested unanimous consent that resolution (R-215-07) be removed from tonight's Consent agenda for further discussion.

Unanimous consent was granted.

Proposed resolution (R-215-07) by the Council:

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

Titled: A RESOLUTION TO ADOPT THE 30TH STREET SPECIFIC AREA PLAN CHARRETTE REPORT, THE 30TH STREET SPECIFIC AREA PLAN MARKET PROGRAM IMPLEMENTATION STRATEGY, AND THE 30TH STREET AREA PLAN TRAFFIC STUDY REPORT AS SPECIAL STUDIES ON THE 30TH STREET SPECIFIC AREA PLAN ISSUES AND AS DOCUMENTS TO ASSIST IN THE DEVELOPMENT OF THE 30TH STREET SPECIFIC AREA PLAN, FOR THE INTEGRATION OF LAND USE AND TRANSPORTATION DEVELOPMENT AND IMPROVEMENTS IN THE 30TH STREET SPECIFIC AREA PLAN BOUNDARIES, IN ACCORD WITH THE CITY OF BOISE COMPREHENSIVE PLAN AND LAND USE MAP, AND THE CITY OF BOISE ZONING ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-215-07) be adopted and that same be numbered Resolution 19638 with the addition to the last whereas to add: 27th Street, Main Street and Fairview Avenue cross-section recommendations to the additional studies that we will be perusing.
Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-216-07) by the Council:

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

Titled: A RESOLUTION APPROVING A HOUSING REHABILITATION LOAN FOR TIMOTHY AND HEIDI CULLINANE, FOR REAL PROPERTY LOCATED AT 2812 REDWAY PLACE, BOISE, IDAHO, 83704; 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-216-07) be adopted and that same be numbered Resolution 19626.

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

Motion carried.

Proposed resolution (R-217-07) by the Council:

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

Titled: A RESOLUTION APPROVING A HOUSING REHABILITATION LOAN FOR TERESA LEWIS, FOR REAL PROPERTY LOCATED AT 5537 NORTH RIVELET WAY, BOISE, IDAHO, 83714; 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-217-07) be adopted and that same be numbered Resolution 19627.
Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-218-07) 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 07-160 AIRPORT SECURITY SERVICES; AVIATION AND PUBLIC TRANSPORTATION, BETWEEN THE CITY OF BOISE CITY AND THE G2 SECURE STAFF; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-218-07) be adopted and that same be numbered Resolution 19628.

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

Motion carried.

Proposed resolution (R-219-07) 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 07-CON-211 OUTSIDE COUNSEL FOR THE COMMUNITY OMBUDSMAN; OFFICE OF THE COMMUNITY OMBUDSMAN, BETWEEN THE CITY OF BOISE CITY AND PATRICIA M. OLSSON, MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-219-07) be adopted and that same be numbered Resolution 19629.
Roll call on the motion resulted as follows:
YEAS:  BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-220-07) 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 AMENDMENT TO RFI 05-120 EMPLOYEE WELLNESS SERVICES, WELLNESS COMMITTEE, BETWEEN THE CITY OF BOISE CITY AND TREASURE VALLEY YMCA; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-220-07) be adopted and that same be numbered Resolution 19630.

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

Motion carried.

Proposed resolution (R-221-07) 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 F/B 06-050; MISCELLANEOUS ELECTRICAL SERVICES FOR BOISE AIRPORT, AVIATION AND PUBLIC TRANSPORTATION, BETWEEN THE CITY OF BOISE CITY AND TRI-STATE ELECTRIC, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-221-07) be adopted and that same be numbered Resolution 19631.
Roll call on the motion resulted as follows:
YEAS:  BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-222-07) 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 2 TO D/B 06-110 LANDER STREET WWTF MISCELLANEOUS FACILITIES IMPROVEMENTS, LSP-002.1, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND JC CONSTRUCTORS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-222-07) be adopted and that same be numbered Resolution 19632.

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

Motion carried.

Proposed resolution (R-223-07) 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 AMENDED AGREEMENT FOR 07-CON-061; BOISE CITY RAIL LINE CONSULTATION SERVICES, DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, ECONOMIC DEVELOPMENT DIVISION, BETWEEN THE CITY OF BOISE CITY AND RAILROAD INDUSTRIES INCORPORATED; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-223-07) be adopted and that same be numbered Resolution 19633.
Roll call on the motion resulted as follows:
YEAS:  BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-224-07) 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 07-185, BOISE CITY LIBRARY MAIN ENTRY DOOR REPLACEMENT, PWE 611, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND COMMERCIAL GLASS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-224-07) be adopted and that same be numbered Resolution 19634.

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

Motion carried.

Proposed resolution (R-225-07) 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 07-194; WEST BOISE HEADWORKS ELECTRICAL ROOM A/C, WBP 041 PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND WRIGHT BROTHERS, THE BUILDING COMPANY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-225-07) be adopted and that same be numbered Resolution 19635.
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Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-226-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN AGREEMENT BETWEEN THE CITY OF BOISE CITY (DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES) AND CAPITAL CITY DEVELOPMENT CORPORATION, FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE INSTALLATION OF PEDESTRIAN CURB CUTS AT DOWNTOWN INTERSECTIONS, IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-226-07) be adopted and that same be numbered Resolution 19636.

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

Motion carried.

Proposed resolution (R-227-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING MODIFICATION NUMBER EIGHT TO A LEASE AGREEMENT BETWEEN BOISE CITY (DEPARTMENT OF AVIATION AND PUBLIC TRANSPORTATION) AND THE UNITED STATES GOVERNMENT (BUREAU OF LAND MANAGEMENT) FOR THE LEASE OF CERTAIN PREMISES UPON BOISE AIR TERMINAL (GOWEN FIELD); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE, was read in full.
Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-227-07) be adopted and that same be numbered Resolution 19637.

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

Motion carried.

Pebblecreek Subdivision SUB06-00109 Final Plat, Boise City (proposed 67 lot residential subdivision on approximately 12.13 acres located on the south side of West Hill Road Parkway and the north side of West Sloan Street approximately 349 feet east of North Bogart Lane), was before Mayor and Council.

Moved by CLEGG and seconded by EBERLE that Pebblecreek Subdivision SUB06-00109 Final Plat be granted as requested subject to conditions stated in staff.

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

Motion carried.

Nativa Terra Subdivision No. 4 SUB07-00051 Final Plat, Boise City (single family residential subdivision with 8 buildable lots on 13.89 acres with a density of .57 lot per acre located on the south side of East Table Rock Road, approximately 1,300 feet east of the intersection of North Strata Via Way and East Table Rock Road), was before Mayor and Council.

Moved by CLEGG and seconded by EBERLE that Nativa Terra Subdivision No. 4 SUB07-00051 Final Plat be granted as requested subject to conditions stated in staff.

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

Motion carried.
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-45-07) by the Council:

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

Titled: AN ORDINANCE (CAR06-00078/BOISE STATE UNIVERSITY FOR 15.54 ACRES OF PROPERTY LOCATED SOUTH OF BOISE STATE UNIVERSITY) 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), R-3D (MULTI-FAMILY RESIDENTIAL WITH DESIGN REVIEW) AND R-3DC (MULTI-FAMILY RESIDENTIAL WITH SPECIAL CAPITOL BOULEVARD DESIGN REVIEW) TO U (UNIVERSITY) ZONE; SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-46-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00003/BOISE CITY) TO REPEAL TITLE 11, CHAPTER 5, SECTION 04, AND AMENDING TITLE 9, CHAPTER 20, SECTION 04, BOISE CITY CODE, TO DELETE THE PROVISIONS ALLOWING THE ADMINISTRATIVE APPROVAL OF THE CONVERSION OF DUPLEXES INTO TOWNHOMES; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-48-07) by the Council:

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

Titled: AN ORDINANCE (CAR07-00006/BOISE VALLEY HABITAT FOR HUMANITY FOR PROPERTY LOCATED AT 2753 N. MAPLE GROVE 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-1B (SINGLE FAMILY RESIDENTIAL/4.8 DWELLING UNITS PER ACRE) TO R-1C (SINGLE FAMILY RESIDENTIAL WITH A MAXIMUM ALLOWABLE DENSITY OF 8.0 UNITS PER ACRE); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-49-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR07-00007/RCI REALTY, LLC. FOR PROPERTY LOCATED AT 2852 & 2810 W. ELDER 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 L-OD (LIMITED OFFICE WITH DESIGN REVIEW) AND C-2D (GENERAL COMMERCIAL WITH DESIGN REVIEW) TO C-1D (NEIGHBORHOOD COMMERCIAL WITH DESIGN REVIEW); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE 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-43-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING TITLE 1, CHAPTER 21, BOISE CITY CODE OF ETHICS: TO CLARIFY THAT CONFLICT OF INTEREST REQUIRES PERSONAL FINANCIAL GAIN; TO CORRECT INACCURACIES AND MISSPELLINGS; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-47-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.
Titled: AN ORDINANCE REPEALING BOISE CITY CODE TITLE 6, CHAPTER 11, SECTION 1, RELATING TO PERMITTING OPERATION OF "PUNCHBOARDS"; REPEALING BOISE CITY CODE TITLE 6, CHAPTER 11, SECTION 2, RELATING TO OPERATION OF "PUNCHBOARDS"; REPEALING BOISE CITY CODE TITLE 6, CHAPTER 11, SECTION 3, RELATED TO PUNISHMENT UNDER STATE ACT; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Moved by CLEGG and seconded by EBERLE that further reading of (O-42-07) 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, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-42-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING BOISE CITY CODE TITLE 6, CHAPTER 4, SECTION 1, TO CLARIFY PROHIBITED ITEMS; REPEALING BOISE CITY CODE TITLE 6, CHAPTER 4, SECTION 2; REPEALING BOISE CITY CODE TITLE 6, CHAPTER 4, SECTION 4; AMENDING BOISE CITY CODE TITLE 6, CHAPTER 4, SECTION 5 TO INCREASE THE MAXIMUM FINE; RENUMBERING THE REMAINING SECTIONS; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-42-07) be passed and that the same be numbered Ordinance 6569.

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

Motion carried.
Councilmember CLEGG requested unanimous consent that 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 designation of +/-5.67 acres located at 2390 S. Maple Grove Road from Estate Density Residential (3 DU/Acre) to Industrial be deferred to August 14, 2007.

Unanimous consent was granted.

Lunara Subdivision SUB07-00019 Preliminary Plat, Boise City (proposed single family residential subdivision with eight buildable lots and three common lots on 1.38 acres with a density of the subdivision is 5.8 buildable lots per acre located on the southwest corner of W. Ustick Road and N. Kimball Street) Subdivision, was before Mayor and Council.

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

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

Sabrina Whitehead, 1800 W. Overland Road, applicant representative, addressed the Council in support of the development.

Moved by CLEGG and seconded by JORDAN that Lunara Subdivision SUB07-00019 Preliminary Plat be deferred to June 12, 2007.

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

Motion carried.

Sohigian Subdivision SUB07-00028 Preliminary and Final Plat, Boise City (proposed single family residential townhouse lots on .234 acres with a density of 8.5 lots per acre located on the south side of Benjamin Avenue south of Morning Mist Street approximately 1,800 feet east of South
Maple Grove Road) Subdivision, was before Mayor and Council.

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

Moved by CLEGGB and seconded by EBERLE that Sohigian Subdivision SUB07-00028 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, CLEGGB, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Cool River Condominiums SUB07-00023 Preliminary and Final Plat, Boise City (six unit condominium project within three detached industrial buildings on 2.46 acres located on the north side of W. Elisa Street at the northern terminus of S. Featherly Way) Subdivision, was before Mayor and Council.

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

Moved by CLEGGB and seconded by EBERLE that Cool River Condominiums SUB07-00023 Preliminary and Final Plat be granted as requested subject to conditions stated in staff.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR07-00008/Capital City Development Corporation request for an amendment to the Central District Urban Renewal Plan for review and adoption by Boise City.
Patricia Nilsson, Planning and Development Services Department, presented the staff report.

Pam Sheldon, 805 W. Idaho, Suite 403, Capital City Development Corporation (CCDC), answered the Council's questions.

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

Mayor BIETER announced that the public hearing was closed.

Moved by SHEALY and seconded by EBERLE to approve the 2007 Amended Central District Urban Renewal Plan Change Sheet as presented.

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

Motion carried.

Moved by SHEALY and seconded by EBERLE that the CAR07-00008/Capital City Development Corporation request for an amendment to the Central District Urban Renewal Plan be approved.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR07-00009/Rezone/Trifecta Land Holdings, LLC request FOR approval to rezone +/-.899 acres located at 2701 S. Pond Street from A-1 (Open Land) to R-2D (Combined Residential with Design Review).

Hal Simmons, Planning and Development Services, presented the staff report.
Wendy Adams, 1324 Overland Road, applicant representative, addressed the Council in support of the rezone.

Mayor BIETER announced that the public hearing was closed.

Moved by CLEGG and seconded by EBERLE that CAR07-00009/Rezone/Trifecta Land Holdings, LLC request FOR approval to rezone +/- .899 acres located at 2701 S. Pond Street from A-1 (Open Land) to R-2D (Combined Residential with Design Review) be approved.

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

Motion carried.

RECESS: 7:05 P.M.

RECONVENE: 7:20 P.M.

Mayor BIETER announced that this was the time and place set for a public hearing on the following: CAR07-00010/Rezone/4A, LLC request for approval to rezone +/-1.72 acres located at 2750 N. Linda Vista Lane from R-1B (Single Family Residential/4.8 Dwelling Units per Acre) to R-1C (Single-Family Residential/8 Dwelling Units per Acre); CUP07-00018/Appeal No. 1/4A, LLC appeal of the Planning and Zoning Commission approval of a Conditional Use Permit to construct a planned residential development comprised of 13 residential units on +/-1.72 acres located at 2750 N. Linda Vista Lane in a proposed R-1C (Single Family Residential) zone; CUP07-00018/Appeal No. 2/Mark and Barbara Andrews are appealing the Planning and Zoning Commission approval of a Conditional Use Permit to construct a planned residential development comprised of 13 residential units on +/-1.72 acres located at 2750 N. Linda Vista Lane in a proposed R-1C (Single Family Residential) zone and Chaucer Subdivision SUB07-00014 Preliminary and Final Plat, Boise City (proposed single family residential subdivision with 13 buildable lots and three common lots on 1.72 acres with a density of 7.56 lots...
Hal Simmons, Planning and Development Services, presented the staff report.

Elizabeth Cooper, 499 Main Street, applicant representative, addressed the Council in support of the rezone.

Mark Andrews, 2640 N. Linda Vista, appellant No. 2, addressed the Council in opposition to the second story windows.

Stephen Loop, 9637 Campton Drive, West Valley Neighborhood Association representative, asked a procedural question and addressed the Council regarding the rezone.

Dave Hanneman, Fire Department, answered the Council's questions.

Mayor BIETER announced that the public hearing was closed.

Moved by JORDAN and seconded by CLEGG that CAR07-00010/Rezone/4A, LLC request for approval to rezone +/-1.72 acres located at 2750 N. Linda Vista Lane from R-1B (Single Family Residential/4.8 Dwelling Units per Acre) to R-1C (Single-Family Residential/8 Dwelling Units per Acre) be approved.

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

Motion carried.

Moved by JORDAN and seconded by CLEGG that CUP07-00018/Appeal No. 1/4A, LLC is appeal of the Planning and Zoning Commission approval of a Conditional Use Permit to construct a planned residential development comprised of 13 residential units on +/-1.72 acres located at 2750 N. Linda Vista Lane in a proposed R-1C (Single Family Residential)
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zone be denied and uphold the decision of the Planning and Zoning Commission.

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

        Motion carried.

        Moved by JORDAN and seconded by CLEGG that Chaucer Subdivision SUB07-00014 Preliminary and Final Plat be approved with the condition that the Final Plat include the elimination of the connection of Jeremy Avenue and the extension of Chaucer Drive to the east and that a pathway connection be added between Jeremy Avenue and Chaucer Drive.

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

        Motion carried.

        Moved by JORDAN and seconded by CLEGG that CUP07-00018/Appeal No. 2/Mark and Barbara Andrews appeal of the Planning and Zoning Commission approval of a Conditional Use Permit to construct a planned residential development comprised of 13 residential unites on +/- 1.72 acres located at 2750 N. Linda Vista Lane in a proposed R-1C (Single Family Residential) zone be denied and the decision of the Planning and Zoning commission be upheld with the amended condition of approval that requires notification to buyers or deed restriction that the clear story windows can not be modified.

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

        Motion carried.

        There being no further business the meeting adjourned at 8:05 o'clock P.M.
APPROVE:

__________________________________
MAYOR

ATTEST:

__________________________________
CITY CLERK