BOISE, IDAHO
SEPTEMBER 19, 2006

Council met in regular session Tuesday, September 19, 2006, Mayor DAVID H. BIETER, presiding.

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

Invocation was given by Robert Barros-Bailey Deputy City Clerk.

Moved by JORDAN and seconded by CLEGG that the minutes from the September 12, 2006, Boise City Council Work Session Meeting be approved.

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

Motion carried.

Moved by JORDAN and seconded by CLEGG that the minutes from the September 12, 2006, Boise City Council Meeting be approved.

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

Motion carried.

Mayor BIETER announced that this was the time and place set for Ada County Referral: 200600121-ZC/MSP/DA Liberty Development Zone Change and Master Site Plan for a high density development with a Development Agreement.

Lance Evans, Planning and Development Services, presented the staff report.

Shawn Nicole, 148 N. 2nd Street, Eagle, Idaho, applicant representative, addressed the Council in support of the Ada County Referral.
Moved by JORDAN and seconded by SHEALY that Ada County Referral: 200600121-ZC/MSP/DA Liberty Development Zone Change and Master Site Plan for a high density development with a Development Agreement be denied.

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 the Boise City Checks No. 227997 thru 228748 in the total amount of $2,897,149.57 as of September 13, 2006 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 Contract Renewal, 06-CON-155: Workers Compensation Reinsurance Policies were before Mayor and Council as enumerated in staff report dated September 7, 2006.

RECOMMENDATION: The Purchasing Division concurs with Risk Management in recommending that Approval of Contract Renewal, 06-CON-155: Workers Compensation Reinsurance Policies; to Safety National Casualty Corporation, in a total contract rate not to exceed $0.1054 per $100 of Salary plus a Brokerage Fee of $5,000 to Payne Financial Group, Inc.

Moved by JORDAN and seconded by CLEGG that the recommendations be followed and the bid be awarded to Safety National Casualty Corporation, in a total contract rate not to exceed $0.1054 per $100 of Salary plus a Brokerage Fee of $5,000 to Payne Financial Group, Inc.

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

Motion carried.

The Bid Results for F/B 06-121: Twenty Mile South Farm, Gravel Road Improvements, TMS-005 were before Mayor and Council as enumerated in staff report dated August 31, 2006.

RECOMMENDATION: The Purchasing Division concurs with Public
Works Department in recommending that F/B 06-121: Twenty Mile South Farm, Gravel Road Improvements, TMS-005 be awarded to the lowest responsive and responsible bidder, M.R. Miller, Inc., in a total amount not to exceed $76,000.

Moved by JORDAN and seconded by CLEGGE that the recommendations be followed and the bid be awarded to M.R. Miller, Inc. in the total contract amount not to exceed $76,000, subject to compliance with bonding and insurance requirements.

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

Motion carried.

The Bid Results for F/B 06-091: New, Unused High Lift Aircraft Catering Truck were before Mayor and Council as enumerated in staff report dated September 5, 2006.

RECOMMENDATION: The Purchasing Division concurs with Aviation and Public Transportation Department in recommending that F/B 06-091: New, Unused High Lift Aircraft Catering Truck be awarded to the lowest responsive and responsible bidder, Tesco Equipment LLC, in a total amount not to exceed $116,900.

Moved by JORDAN and seconded by CLEGGE that the recommendations be followed and the bid be awarded to Tesco Equipment LLC, in the total contract amount not to exceed $116,900.

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

Motion carried.

The Bid Results for F/B 06-105: One (1) New, Unused Dive Rescue Vehicle were before Mayor and Council as enumerated in staff report dated September 7, 2006.

RECOMMENDATION: The Purchasing Division concurs with Fire Department in recommending that F/B 06-105: One (1) New, Unused Dive Rescue Vehicle be awarded to the lowest responsive and responsible bidder, Boise Mobile Equipment, in a total amount not to exceed $114,785.

Moved by JORDAN and seconded by CLEGGE that the recommendations be followed and the bid be awarded to Boise
Mobile Equipment, in the total contract amount not to exceed $114,785.

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) Marian H. Breiding, Trustee Marian H. Breiding Revocable Living Trust, Property Damage
b) Lynne Hughes, Property Damage

Moved by JORDAN 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 October 10, 2006, in Council Chambers be confirmed for a public hearing on:

a) CAR06-00039/Rezone/Studio L Architecture requests approval for a rezone of +/-2.74 acres located at 1399 S. Cloverdale Road from R-1A (Single Family Residential with a maximum allowable density of 2.1 units per acre) to R-1B (Single Family Residential with a maximum allowable density of 4.8 units per acre).

b) CAR06-00040/Rezone/David Benoit requests approval of a rezone of +/-0.409 acres located at 873 and 885 N. 31st Street from R-2 (Combined Residential) to R-1MD (Single Family Residential with Modular Lotting and Design Review Overlay).

Moved by JORDAN and seconded by CLEGG that October 10, 2006 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) Boise Consumer Co-op regarding Harvest Festival at the Boise Co-op Parking Lot on October 8, 2006
b) Main Street Bistro regarding Old Boise Brewer's Festival in the parking lot at 6th Street and Grove Street on September 30, 2006
c) Fine Host Corporation regarding Pregame Gathering at the BSU Alumni Center on September 23, 2006
d) Gernika Basque Pub & Eatery regarding Nacole Dinner at the Basque Block on Grove Street on September 25, 2006
e) Aramark at BSU regarding Pregame Gathering at the Caven Williams Practice Facility on September 23, 2006

Moved by JORDAN and seconded by CLEGG 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 Executive Management Team requests the following interim budget changes be approved by Council:

a) Parks and Recreation Department: Approval of a one-time transfer of $195,500 from the FY 2006 Citywide Contingency account to Parks to cover maintenance costs associated with select ROW’s under negotiation with ITD during FY 2007. These funds would be rebudgeted into FY 2007 to support the timing of this issue.

b) Legal Department: Approval of a one-time transfer of $75,000 from the FY 2006 Citywide Contingency account to Legal to cover the temporary court calendar changes during FY 2007. These funds would be rebudgeted into FY 2007 to support the timing of this issue.

c) Parks and Recreation Department: Approval to increase the total appropriation for the Morris Hill Park capital project by $21,000,
funded by a transfer from Park’s EOY Savings to cover the increased cost of the fencing material.

d) Public Works Department – Sewer Fund: Approval to increase the capital project, by $49,500, to construct a 4,500 gallon chemical storage tank at the Utility Maintenance facility funded from the reallocation of unused funding from another capital project.

e) Public Works Department – Sewer Fund: Approval of $415,000 appropriation increase to support the design and construction expenses of the Boise WaterShed project. Also, an additional appropriation increase of $250,000 (matching funds) for Watershed exhibits.

f) Public Works Department – Solid Waste Fund: Approval of $265,000 expense appropriation increase and a $58,000 revenue appropriation increase to cover anticipated expenses and revenues funded from retained earnings in the Solid Waste fund.

g) Public Works Department – Municipal Irrigation Fund: Approval of the proposed FY 2007 budget for the Municipal Irrigation fund.

h) Public Works Department – Geothermal Fund: Approval to increase the 2006 Geothermal M & O budget by $36,000 along with increasing the 2006 Geothermal CIP budget by $10,000.

i) Aviation and Public Transportation Department – City Shop Fund: Approval of a $30,000 appropriation increase to City Shop Fund to cover the budget shortfall primarily due to increased cost of parts, funded from a projected increase in revenues.

Moved by JORDAN and seconded by CLEGG that the Executive Management Team's interim budget changes be 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:

a) Boise City Administrative Policy Group
Minutes, June 12 and July 10, 2006

b) City of Boise Treasury Division State of the Treasury Report, August 2006

c) Development Impact Fee Advisory Committee Minutes, May 10 (revised) and August 9, 2006

Moved by JORDAN 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-353-06) by the Council:

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

Titled: A RESOLUTION APPROVING A HOUSING REHABILITATION LOAN FOR BETTY I. STEPHENS, FOR REAL PROPERTY LOCATED AT 10866 GOLDENROD; THROUGH 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 JORDAN and seconded by CLEGG that the proposed resolution (R-353-06) be adopted and that same be numbered Resolution 19249.

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

Motion carried.

Proposed resolution (R-354-06) by the Council:

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

Titled: A RESOLUTION APPROVING THE U.S. MAYORS CLIMATE PROTECTION AGREEMENT; 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 CLEGG that the proposed resolution (R-354-06) be adopted and that same be numbered Resolution 19250.
Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-356-06) 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 06-121; TWENTY MILE SOUTH FARM GRAVEL ROAD IMPROVEMENTS, TMS-005, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND M.R. MILLER, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by CLEGG that the proposed resolution (R-356-06) be adopted and that same be numbered Resolution 19251.

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

Motion carried.

Proposed resolution (R-357-06) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION PROVIDING FOR THE ADOPTION OF THE ADA COUNTY ALL HAZARDS MITIGATION PLAN, ADA COUNTY FLOOD RESPONSE PLAN, ADA COUNTY HAZMAT RESPONSE PLAN, ADA COUNTY TERRORISM RESPONSE PLAN, AND ADA COUNTY WILDFIRE RESPONSE PLAN; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by CLEGG that the proposed resolution (R-357-06) be adopted and that same be numbered Resolution 19252.

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

Motion carried.

Proposed resolution (R-358-06) 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 THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY TO RECEIVE STATE FUNDING FOR INSTALLATION OF A VAPOR EXTRACTION SYSTEM AT THE HISTORIC NORTH LANDFILL AT GOWEN FIELD; 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 CLEGG that the proposed resolution (R-358-06) be adopted and that same be numbered Resolution 19253.

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

Motion carried.

Proposed resolution (R-359-06) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION PROCLAIMING A SPECIAL CITY ELECTION TO BE HELD NOVEMBER 7, 2006; DIRECTING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION; DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF THE POLLING PLACE FOR EACH PRECINCT; AUTHORIZING THE PREPARATION OF A BALLOT FOR AN INITIATIVE IN ACCORDANCE WITH BOISE CITY CODE § 1-22-09; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by CLEGG that the proposed resolution (R-359-06) be adopted and that same be numbered Resolution 19254.

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

Motion carried.

Proposed resolution (R-360-06) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING AMENDMENTS TO THE COLLECTIVE LABOR AGREEMENT BETWEEN THE CITY OF BOISE AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 149, ARTICLE 4 SECTION A PARAGRAPH 7, AND ARTICLE 5 SECTION C; AND PROVIDING AN EFFECTIVE DATE, was read in full.
Moved by JORDAN and seconded by CLEGG that the proposed resolution (R-360-06) be adopted and that same be numbered Resolution 19255.

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

Motion carried.

Proposed resolution (R-361-06) by the Council:

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

Titled: A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN BOISE CITY (DEPARTMENT OF AVIATION AND PUBLIC TRANSPORTATION) AND ALASKA STRUCTURES, INC. DBA BLU-MED RESPONSE SYSTEMS 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 JORDAN and seconded by CLEGG that the proposed resolution (R-361-06) be adopted and that same be numbered Resolution 19256.

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

Motion carried.

Proposed resolution (R-362-06) by the Council:

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

Titled: A RESOLUTION APPROVING A GRANT APPLICATION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR A HYATT WETLANDS STORMWATER DEMONSTRATION PROJECT; AUTHORIZING THE MAYOR AND CITY STAFF TO SUBMIT THE GRANT APPLICATION ON BEHALF OF BOISE CITY; STATING COUNCIL SUPPORT FOR THE HYATT WETLANDS STORMWATER DEMONSTRATION PROJECT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by CLEGG that the proposed resolution (R-362-06) be adopted and that same be numbered Resolution 19257.

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

Motion carried.
Proposed resolution (R-363-06) by the Council: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND THE DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION PACIFIC NORTHWEST REGION, SNAKE RIVER AREA OFFICE FOR THE PURPOSE OF OBTAINING TOPOGRAPHIC, BATHYMETRIC AND PHOTOGRAPHIC DATA OF THE BOISE RIVER; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID MEMORANDUM OF AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by JORDAN and seconded by CLEGG that the proposed resolution (R-363-06) be adopted and that same be numbered Resolution 19258.

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

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-62-06) by the Council: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR06-00022/BROOKS CROW FOR PROPERTY LOCATED AT 10190 S. BLUE CLOUD 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 A-1 (OPEN LAND); 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.

Proposed ordinance (O-63-06) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR06-00027/APRIL RINEHART FOR PROPERTY LOCATED AT 12649 W. GOLDENROD) 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 A-1 (OPEN LAND) TO R-1B (SINGLE FAMILY RESIDENTIAL); 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-64-06) by the Council:

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

Titled: AN ORDINANCE CREATING A NEW TITLE 10 CHAPTER 22 TITLED AIR COMPRESSION BRAKES; PROVIDING FOR THE PROHIBITION OF AIR COMPRESSION "JAKE" BRAKES IN THE BOISE CITY LIMITS EXCEPT IN EMERGENCY SITUATIONS; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Councilmember JORDAN 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-45A-06) by the Council:

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

Titled: AN ORDINANCE AMENDING BOISE CITY BUILDING CODE SECTION 4-02-08 TO CLARIFY WHAT WORK IS EXEMPT FROM BUILDING CODE PERMIT REQUIREMENTS WHEN LOCATED IN RIGHTS OF WAY, CURBS, GUTTERS, SIDEWALKS, PAVED MEDIANs, BULKHEADS, RETAINING WALLS OR PUBLIC ALLEYS; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-61-06) by the Council:

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

Titled: AN ORDINANCE (CAR06-00019/WILLIAM R. SMITH, LLC. FOR PROPERTY LOCATED AT 6401 S. EISENMAN ROAD) AMENDING ORDINANCE #6498 FOR THE REZONE OF PROPERTY IN BOISE CITY TO REZONE PROPERTY FROM C-4D (PLANNED COMMERCIAL WITH DESIGN REVIEW) TO M-1D (LIMITED INDUSTRIAL WITH DESIGN REVIEW), TO CORRECT AN ERROR IN REQUIRING A DEVELOPMENT AGREEMENT AS
PART OF THE REZONE; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Arthur and Laura Anderson, request to Consent to Vacate Public Alley SOS06-00013, was before Mayor and Council.

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

Arthur Anderson, 4110 Rose Hill, applicant, addressed the Council in support of the Consent to Vacate Public Alley.

Moved by JORDAN and seconded by CLEGG that Arthur and Laura Anderson, request to Consent to Vacate Public Alley SOS06-00013 be granted with the elimination of conditions no. 2 and 3, noting that the two buildable parcels with be established by a record of survey through staff recommendation.

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

Motion carried.

Steve Busalacchi request Consent to Vacate Pipeline Right-of-Way and Plat Note SOS06-00014, was before Mayor and Council.

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

Steve Busalacchi, 9395 W. Pentium Court, applicant, addressed the Council in support of the Vacation of Pipeline Right-of-Way and Plat Note.

Moved by JORDAN and seconded by CLEGG that Steve Busalacchi request Consent to Vacate Pipeline Right-of-Way and Plat Note SOS06-00014 be granted as requested subject to conditions stated in staff.

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

Motion carried.

Rincover Subdivision SUB06-00054 Preliminary and Final Plat, Boise City, was before Mayor and Council.
David Abo, Planning and Development Services, presented the staff report.

Moved by JORDAN and seconded by CLEGG that Rincover Subdivision SUB06-00054 Preliminary and Final Plat, Boise City be granted as requested subject to conditions stated in staff.

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

Motion carried.

Ohana Subdivision SUB06-00059 Preliminary and Final Plat, Boise City, was before Mayor and Council.

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

William Smith, 3347 East Boise Avenue, applicant, addressed the Council in support of the subdivision.

Moved by JORDAN and seconded by CLEGG that Ohana Subdivision SUB06-00059 Preliminary and Final Plat, Boise City be granted as requested subject to conditions stated in staff report.

Roll call on the motion resulted as follows: YEAS: 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 CAR06-00033/Zoning Ordinance Amendment/Capital City Development Corporation request for approval of a Zoning Ordinance Amendment to Chapter 11-11-06 and 11-11-08 regarding standards for portable signs in the C-5 (Central Business) Zoning Districts.

Scott Spjute, Planning and Development Services, presented the staff report.

Mike Hall, Capital City Development Corporation and Tom Ryder, Downtown Boise Association, addressed the Council in support of the zoning ordinance amendment.

Perry Allen, 928 W. Main Street, addressed the Council with his concerns regarding the zoning ordinance
amendment.

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

Mayor BIETER announced that the public hearing was closed.

Moved by EBERLE and seconded by SHEALY that CAR06-00033/Zoning Ordinance Amendment/Capital City Development Corporation request for approval of a Zoning Ordinance Amendment to Chapter 11-11-06 and 11-11-08 regarding standards for portable signs in the C-5 (Central Business) Zoning Districts, that staff be directed to bring back the amendments as discussed at the next available Council meeting.

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

Motion carried.

There being no further business the meeting adjourned at 8:25 o'clock P.M.