BOISE, IDAHO
AUGUST 21, 2001

Council met in regular session Tuesday, August 21, 2001, Mayor BRENT COLES, presiding.

Roll call showed the following members present: BAKER, MAPP, MASON, TERTELING-PAYNE and WETHERELL. Absent: FORNEY.

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

Moved by BAKER and seconded by MAPP that the minutes from the August 7, 2001, City Pre-Council Meeting be approved.

Roll call on the motion resulted as follows: YEAS: BAKER, MAPP, MASON and WETHERELL. ABSTAIN: TERTELING-PAYNE.

Motion carried.

Moved by BAKER and seconded by MAPP that the minutes from the August 7, 2001, City Council Meeting be approved.

Roll call on the motion resulted as follows: YEAS: BAKER, MAPP, MASON and WETHERELL. ABSTAIN: TERTELING-PAYNE.

Motion carried.

Mayor COLES announced that this was the time and place set for a Special Recognition for Seasonal Parks Employees.

Elizabeth Anderson, Ben Gann and Carrie Mallard, Seasonal Park Employees, received Special Recognition for life saving actions.

Councilmember FORNEY arrived at 7:50 P.M.
Mayor COLES announced that this was the time and place set for Findings of Fact and Conclusions of Law regarding CAA01-00043/Appeal/Mike MacGowan, Read Ink.

Moved by WETHERELL and seconded by MAPP that Findings of Fact and Conclusions of Law regarding CAA01-00043/Appeal/Mike MacGowan, Read Ink be approved.

Roll call on the motion resulted as follows: YEAS: BAKER, MAPP, MASON, TERTELING-PAYNE and WETHERELL. ABSTAIN: FORNEY.

Motion carried.

Mayor COLES announced that this was the time and place set for a discussion on Consent to Vacate Right-of-Way, a 7-Foot wide segment of right-of-way abutting the east side of Foster Subdivision.

Wayne Gibbs, Planning and Development Services, presented the staff report.

Moved by WETHERELL and seconded by TERTELING-PAYNE that Consent to Vacate Right-of-Way, a 7-Foot wide segment of right-of-way abutting the east side of Foster Subdivision be deferred to December 4, 2001.

Substitute motion by BAKER and seconded by MASON to deny the Vacation of Right-of-Way, a 7-Foot wide segment of right-of-way abutting the east side of Foster Subdivision.

Roll call on the substitute motion resulted as follows: YEAS: BAKER, FORNEY, MASON and TERTELING-PAYNE. NAYS: MAPP and WETHERELL.

Motion carried.

Moved by TERTELING-PAYNE and seconded by MAPP that the Boise City Checks No. 076616 thru 077134 in the total amount of $1,717,203.36 as of August 8, 2001 be approved.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.
Moved by TERTELING-PAYNE and seconded by MAPP that the Boise City Checks No. 077135 thru 077750 in the total amount of $3,145,287.17 as of August 15, 2001 be approved.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

The Bid Results for F/B 01-116: Make Up Air System for Kitchen at Housing and Community Development Office at 1025 S. Capitol Blvd were before Mayor and Council as enumerated in staff report dated August 1, 2001.

RECOMMENDATION: The Purchasing Division concurs with Community Development in recommending that F/B 01-116: Make Up Air System for Kitchen at Housing and Community Development Office at 1025 S. Capitol Blvd be awarded to the low responsive and responsible bidder, Hobson Fabricating, in a total amount not to exceed $42,975.

Moved by TERTELING-PAYNE and seconded by MAPP that the recommendations be followed and the bid be awarded to Hobson Fabricating, in a total amount not to exceed $42,975.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

The Bid Results for F/B 01-110: Boise Airport Hourly Parking Re-Construction were before Mayor and Council as enumerated in staff report dated July 31, 2001.

RECOMMENDATION: The Purchasing Division concurs with Aviation and Public Transportation in recommending that F/B 01-110: Boise Airport Hourly Parking Re-Construction be awarded to the lowest responsive and responsible bidder, McAlvain Construction, Inc., in a total amount not to exceed $637,921.

Moved by TERTELING-PAYNE and seconded by MAPP that the recommendations be followed and the bid be awarded to McAlvain
Construction, Inc., in a total amount not to exceed $637,921, subject to compliance with bonding and insurance requirements.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

The Bid Results for F/B 01-117: Catalpa Drive Road Widening were before Mayor and Council as enumerated in staff report dated July 27, 2001.

RECOMMENDATION: The Purchasing Division concurs with Parks and Recreation in recommending that F/B 01-117: Catalpa Drive Road Widening be awarded to the lowest responsive and responsible bidder, Tuffy Excavation, in a total amount not to exceed $52,500.

Moved by TERTELING-PAYNE and seconded by MAPP that the recommendations be followed and the bid be awarded to Tuffy Excavation, in a total amount not to exceed $52,500.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

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

a) Lauren McIntyre, Property Damage
b) Dave Cooper, Personal Injury
c) Susan V. Hawley, Personal Injury
d) Linda Claiborne, Property Damage
e) Dixie Puett, Property Damage
f) Dix Brown, Property Damage
g) Glenda Rebbe, Property Damage
h) Linda Dwonch, Personal Injury

Moved by TERTELING-PAYNE and seconded by MAPP 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: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.
Motion carried.

The City Clerk requested September 18, 2001, in Council Chambers be confirmed for a public hearing on:

a) CAR01-00026/Rezone/First Service Group requests approval of a rezone of 0.86 acres from M-1D (Limited Industrial with Design Review) to R-3D (Multi-Family Residential with Design Review) at 5300 Morris Hill Road.

b) CAR01-00027/Rezone/Margaret Woods requests approval of a rezone of 0.3 acres from L-OD (Limited Office with Design Review) to C-1D (Neighborhood Commercial with Design Review) at 6109 W. Overland Road.

c) CAR01-00029/Boise City requests approval of amendments to the Boise City Zoning Ordinance by amending: 1) the definition of dwelling unit to include a shelter home for mentally and/or physically handicapped or elderly persons and patients undergoing treatment for drug and alcohol addiction, 2) the definition of a handicapped home to include rehabilitation facilities for persons addicted to drugs and/or alcohol, 3) the cut-off date and the scheduled public hearing date for applications, 4) the pre-application requirements for a variance or conditional use modification, 5) the standards for an application resubmittal, 6) uses in the residential districts by deleting the limit of eight (8) persons living in a home for physically or mentally handicapped and including use term building to structure with regard to height limits in the residential zones, 7) the term building to structure for height limit requirements, 8) the requirements for a building envelope for a principal building on a preliminary plat or planned development site plan, 9) the purpose statement of Neighborhood Office zone, 10) the requirement that a conditional use is not required in the industrial zones for storage of flammable liquids that are necessary for the purposes on the site, 11) the requirement for a transitional setback in the industrial zones when uses are located next to residential uses, 12) the requirement for conversion of a nonconforming use is a zoning certificate and not a conditional use,
13) the approval of applications in the Capitol Boulevard District is by the Design Review Committee with input from the Capitol City Development Corporation, 14) the submittal requirements for an annexation or rezone application directed by the City Council, 15) the procedure to establish nonuse of a nonconforming use, 16) the requirement for handicapped van accessible parking by adding an exception, 17) the maximum width/area of driveways for single family residences and 18) the requirements of off-street parking for multi-story office buildings in P-2 and P-3 zones.

Moved by TERTELING-PAYNE and seconded by MAPP that September 18, 2001 in Council Chambers be confirmed as requested.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

The City Clerk requested October 2, 2001, in Council Chambers be confirmed for a public hearing on:

a) CAR01-00020/Rezone/Interwest Development requests approval of a rezone of 20.75 acres generally located at 11794 W. Bronte Way, currently zoned A (Open Land) to a zoning designation of R-1C (Single Family Residential).

Moved by TERTELING-PAYNE and seconded by MAPP that October 2, 2001 in Council Chambers be confirmed as requested.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

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

a) Blues Bouquet regarding a Wedding at Winstead Park on August 25, 2001
Moved by TERTELING-PAYNE and seconded by MAPP that the Alcohol Beverage Catering Permits be acknowledged and approved as requested.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

The Mayor's Budget Team requests the following recommendation be approved by Council.

a) Approval of a $22,121 loan from other impact fee accounts which will be repaid as impact fees within the North River Community Park impact area are collected.

b) Approval of transfer of $47,219 to reimburse conflict resolution and non-claim legal services costs, using contingent account funds.

c) Approval of transfer to the City Clerk’s Office budget of $42,594 to reimburse the cost of the Foothills Open Space Preservation levy election, using contingent funds.

d) Approval of an appropriation increase of $133,252 to provide budgetary authority for use of the 2001 LLEBG grant to the Police Department, with offsetting grant revenue of $118,358.

e) Approval to hire immediately the code enforcement position, which was approved in the Preliminary Approved Budget on July 31 to be added in FY 2002 budget, funding from current year department savings.

f) Approval of transfer of $20,000 from contingent funds to allow the Fire Department to complete Hepatitis A inoculations immediately.

g) Approval of $6,400 allocation to the Accounting Division to fund an intern to document software licenses on City computers, using contingent account funds.

Moved by TERTELING-PAYNE and seconded by MAPP that the Mayor's Budget Team recommendation be approved as requested.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.
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 Public Library, Director's Report, July 20, 2001
b) Boise Public Library Board of Trustees Minutes, June 6 and June 12, 2001
c) Ada County Highway District Commission Minutes, July 11, 2001

Moved by TERTELING-PAYNE and seconded by MAPP 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: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed ordinance (O-47A-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE (CAR00-00046/HIGHLANDS DEVELOPMENT CORPORATION, INC.) FOR 35.68 ACRES OF PROPERTY LOCATED AT 799 CHARDIE ROAD (PARCEL 2A) AND 52.63 ACRES AT THE TERMINATION OF HARRIS HOLLOW (PARCEL 2B) 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 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 second time.

Proposed ordinance (O-48-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE CREATING BOISE CITY CODE TITLE 8, CHAPTER 17, SECTIONS 1 THROUGH 3, TO ESTABLISH A CONSTRUCTION SITE EROSION, SEDIMENT AND DUST CONTROL PROGRAM, TO OUTLINE REQUIREMENTS AND
PROHIBITIONS FOR CONSTRUCTION ACTIVITY, TO REQUIRE CONSTRUCTION SITE EROSION CONTROL PERMITS AND PLANS, TO ESTABLISH CONSTRUCTION SITE EROSION CONTROL STANDARDS, TO ESTABLISH A FEE SCHEDULE FOR PERMITS, TO REQUIRE TRAINING AND ESTABLISH TRAINING CERTIFICATION, AND TO PROVIDE FOR INSPECTION AND ENFORCEMENT; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-49-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE (CAR01-00001/ADA COUNTY HIGHWAY DISTRICT FOR PROPERTY LOCATED AT 440 N. CLOVERDALE 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 A (OPEN) TO M-1D (LIMITED INDUSTRIAL WITH DESIGN REVIEW); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by TERTELING-PAYNE and seconded by MAPP that the proposed ordinance (O-49-01) be passed and that the same be numbered Ordinance 6079.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Councilmember MAPP requested unanimous consent that ordinance (O-50-01) be pulled from tonight's Consent agenda for further discussion.

Unanimous consent was granted.

Proposed ordinance (O-50-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE (CAR99-00046) AMENDING TITLE 11 BY ADDING CHAPTER 20 ESTABLISHING A CONSERVATION OVERLAY DISTRICT (CD) FOR THE NEAR NORTH END NEIGHBORHOOD (ENCOMPASSING THE AREA FROM THE NORTH SIDE OF W. FRANKLIN STREET, NORTH TO THE SOUTH SIDE OF FORT
STREET, AND FROM THE EAST SIDE OF 17TH STREET TO THE WEST SIDE OF 4TH STREET) AS A MEANS OF PROTECTING THE AREA FROM EXCESSIVE PARKING LOT DEVELOPMENT AND LOSS OF HOUSING OPPORTUNITIES; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Wayne Gibbs, Planning and Development Services, presented the staff report.

Moved by MAP and seconded by WETHERELL that the proposed ordinance (O-50-01) be passed and that the same be numbered Ordinance 6080.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed ordinance (O-51-01) by the Council:

BAKER, FORNEY, MAP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE (CAR99-00050) AMENDING TITLE 11 BY ADDING CHAPTER 19 TO CREATE A NEW OVERLAY DISTRICT DESIGNATION TO BE KNOWN AS CD (CONSERVATION DISTRICT) FOR VARIOUS PROPERTIES WITHIN THE CITY OF BOISE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by TERTELING-PAYNE and seconded by MAP that the proposed ordinance (O-51-01) be passed and that the same be numbered Ordinance 6081.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed ordinance (O-53-01) by the Council:

BAKER, FORNEY, MAP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE DECLARING THE INTENT OF BOISE CITY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM TO SALE, DONATE OR OTHERWISE CONVEY REAL PROPERTY AS PER EXHIBIT "A" ATTACHED, THAT WERE PURCHASED WHOLLY WITH FEDERAL FUNDS AND WILL BE SOLD TO LOW OR
MODERATE INCOME PERSONS; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-54-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE AMENDING TITLE 4, CHAPTER 2 OF THE BUILDING CODE BY AMENDING THE TIME PERIOD FOR RENEWAL OF A BUILDING PERMIT; REQUIRING DEMOLITION AND RESTORATION OF WORK THAT HAS BEEN SUSPENDED OR ABANDONED; AND PROVIDING AUTHORITY FOR THE CITY TO DEMOLISH AND RESTORE IF THE BUILDING OWNER DOES NOT DO SO; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-55-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE SPECIFYING THE SALARIES OF THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY PURSUANT TO IDAHO CODE SECTION 50-203; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by TERTELING-PAYNE and seconded by MAPP that the proposed ordinance (O-55-01) be passed and that the same be numbered Ordinance 6082.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed ordinance (O-56-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE AMENDING BOISE CITY CODE TITLE 7, CHAPTER 9, SECTION 2, AND CHAPTER 32, SECTION 2 TO AMEND THE DEFINITION OF FOOTHILLS IN THE FIRE REGULATIONS TO MAKE THE DEFINITION CONSISTENT WITH RECENT ANNEXATIONS AND TO ALLOW FOR INCLUSION OF FUTURE ANNEXATIONS OF PROPERTY CONSIDERED PART OF THE FOOTHILLS; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.
Proposed ordinance (O-59-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: AN ORDINANCE (CAR01-00007/WILLIAM FOWLER FOR PROPERTY LOCATED AT 4906 AND 4916 W. STATE STREET) AMENDING ZONING CLASSIFICATION OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM R-2D (COMBINED RESIDENTIAL WITH DESIGN REVIEW) TO PC (PEDESTRIAN COMMERCIAL); SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed resolution (R-328-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY OF BOISE, A CONTRACT FOR F/B 01-116; MAKE UP AIR SYSTEM FOR KITCHEN AT HOUSING AND COMMUNITY DEVELOPMENT OFFICES (1025 S. CAPITOL BLVD.), HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND HOBSON FABRICATION CORPORATION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by TERTELING-PAYNE and seconded by MAPP that the proposed resolution (R-328-01) be adopted and that same be numbered Resolution 16650.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed resolution (R-329-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY OF BOISE, CHANGE ORDER NUMBER ONE TO F/B 01-075; VETERANS MEMORIAL PLAYGROUND, PARKS AND RECREATION DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND GERHARD BORBONUS LANDSCAPING, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.
Moved by TERTELING-PAYNE and seconded by MAPP that the proposed resolution (R-329-01) be adopted and that same be numbered Resolution 16651.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed resolution (R-330-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY OF BOISE, CHANGE ORDER NUMBER THREE TO F/B 01-036; PUMP REPAIR AND SERVICE, PARKS AND RECREATION DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND PRIEST ELECTRIC; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by TERTELING-PAYNE and seconded by MAPP that the proposed resolution (R-330-01) be adopted and that same be numbered Resolution 16652.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed resolution (R-331-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY OF BOISE, CHANGE ORDER NUMBER ONE TO THE HOUSEHOLD AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR HAZARDOUS MATERIAL COLLECTION SERVICE AGREEMENT, BETWEEN THE CITY OF BOISE CITY, ADA COUNTY AND MSE ENVIRONMENTAL; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by TERTELING-PAYNE and seconded by MAPP that the proposed resolution (R-331-01) be adopted and that same be numbered Resolution 16653.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.
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Motion carried.

Proposed resolution (R-332-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY OF BOISE, A RENEWAL OF F/B 00-060, TRUCK TIRES AND TIRE MAINTENANCE SERVICES, AVIATION AND PUBLIC TRANSPORTATION DEPARTMENT, CITY OF BOISE AND COMMERCIAL TIRE, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by TERTELING-PAYNE and seconded by MAPP that the proposed resolution (R-332-01) be adopted and that same be numbered Resolution 16654.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed resolution (R-333-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE, AN AGREEMENT FOR F/B 01-117; CATALPA DRIVE ROAD WIDENING, PARKS AND RECREATION DEPARTMENT, BETWEEN THE CITY OF BOISE AND TUFFY EXCAVATION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by TERTELING-PAYNE and seconded by MAPP that the proposed resolution (R-333-01) be adopted and that same be numbered Resolution 16655.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Councilmember MASON requested unanimous consent to pull resolutions (R-334-01); (R-339-01) and (R-340-01) from tonight's Consent agenda for further discussion.
Unanimous consent was granted.

Proposed resolution (R-334-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE, AN AGREEMENT FOR F/B 01-110; BOISE AIRPORT HOURLY PARKING RE-CONSTRUCTION, AVIATION AND PUBLIC TRANSPORTATION DEPARTMENT, BETWEEN THE CITY OF BOISE AND MCALVAIN CONSTRUCTION, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

John Anderson, Aviation and Public Transportation, answered the Council questions.

Moved by MASON and seconded by WETHERELL that the proposed resolution (R-334-01) be adopted and that same be numbered Resolution 16656.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed resolution (R-339-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF BOISE CITY A MEMORANDUM OF AGREEMENT BETWEEN BOISE CITY AND THE BOISE STATE UNIVERSITY ("BSU") WHEREBY FOR CONSIDERATION THE CITY THROUGH BOISE URBAN STAGES ("BUS") WILL PROVIDE UNLIMITED TRANSPORTATION ACCESS TO NO TRIP PER FARE FOR ALL BSU STAFF AND STUDENTS ON THE BUS’S REGULAR FIXED-ROUTE BUS SYSTEM DURING ALL HOURS OF OPERATION FROM THE BEGINNING OF THE FALL SEMESTER TO THE END OF THE SPRING SEMESTER IN THE 2001-2002 BSU SCHOOL YEAR; AND SHUTTLE BUS SERVICE AT NO TRIP PER FARE TO ALL BSU STAFF AND STUDENTS ON DAYS CLASSES ARE IN SESSION AND FOR ALL BRONCO HOME FOOTBALL GAMES DURING THE NORMAL 2001-2002 BSU SCHOOL YEAR ON A ROUTE AND SCHEDULE TO BE DETERMINED BY BSU; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Kelli Fairless, BUS, answered Council questions.
Moved by MASON and seconded by TERTELING-PAYNE that the proposed resolution (R-339-01) be adopted and that same be numbered Resolution 16657.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Proposed resolution (R-340-01) by the Council:

BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF BOISE CITY A MEMORANDUM OF AGREEMENT BETWEEN BOISE CITY AND THE BOISE SCHOOL DISTRICT ("BSD") WHEREBY FOR CONSIDERATION THE CITY THROUGH BOISE URBAN STAGES ("BUS") WILL PROVIDE UNLIMITED TRANSPORTATION ACCESS AT NO TRIP PER FARE FOR ALL BSD HIGH SCHOOL AND FORT BOISE MID-HIGH SCHOOL STUDENTS AND ALL BSD FACULTY AND STAFF THROUGHOUT THE 2001-2002 BSD SCHOOL YEAR VIA THE BUS REGULAR FIXED-ROUTE BUS SYSTEM DURING ALL HOURS OF OPERATION; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Kelli Fairless, BUS, answered Council questions.

Moved by MASON and seconded by TERTELING-PAYNE that the proposed resolution (R-340-01) be adopted and that same be numbered Resolution 16658.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Councilmember TERTELING-PAYNE requested unanimous consent to move to New Business on tonight's Council agenda.

Unanimous consent was granted.

Rockhampton Subdivision No. 7 SUB01-00054 request for Final Plat was before Mayor and Council.

Wayne Gibbs, Planning and Development Services, presented the staff report.
Moved by TERTELING-PAYNE and seconded by FORNEY that Rockhampton Subdivision No. 7 SUB01-00054 Final Plat be granted as requested subject to conditions stated in staff report dated August 15, 2001.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Providence Place Subdivision No. 4 (formerly Heather Meadows) SUB01-00059 request for Final Plat was before Mayor and Council.

Wayne Gibbs, Planning and Development Services, presented the staff report.

Moved by TERTELING-PAYNE and seconded by FORNEY that Providence Place Subdivision No. 4 (formerly Heather Meadows) SUB01-00059, Final Plat be granted as requested subject to conditions stated in staff report dated August 15, 2001.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Muir Woods Subdivision No. 3 SUB01-00056 request for Final Plat was before Mayor and Council.

Wayne Gibbs, Planning and Development Services, presented the staff report.

Moved by TERTELING-PAYNE and seconded by FORNEY that Muir Woods Subdivision No. 3 SUB01-00056, Final Plat be granted as requested subject to conditions stated in staff report dated August 16, 2001.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.
AUGUST 21, 2001

Consent to Vacate Right-of-Way portion of South Garden Street between Orchard Street and Hillcrest Golf Course was before Mayor and Council.

Wayne Gibbs, Planning and Development Services, presented the staff report.

Moved by TERTELING-PAYNE and seconded by FORNEY that Consent to Vacate Right-of-Way portion of South Garden Street between Orchard Street and Hillcrest Golf Course be granted as requested subject to conditions stated in staff report dated August 15, 2001.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Gowen Business Park Subdivision No. 3 BCS10-94 (SUB94-00001) request for Bonding Time Extension was before Mayor and Council.

Wayne Gibbs, Planning and Development Services, presented the staff report.

Moved by TERTELING-PAYNE and seconded by FORNEY that Gowen Business Park Subdivision No. 3 BCS10-94 (SUB94-00001) Bonding Time Extension be granted as requested subject to conditions stated in staff report dated August 15, 2001.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Mayor COLES announced that this was the time and place set for a public hearing on the FY 2002 Budget Hearing.

Alec Andrus, Division of Financial Management, presented the staff report.

Councilmembers asked that the minutes be corrected to reflect the actions taken at the budget workshops.
Peter Lutze, 4280 Bristol Street; Ralph Smith, 6225 Overland Road and Cherie Buckner-Webb, 2304 Bella, addressed the Council in support of Treasure Valley Public Access Television (TVTV) on our budget.

Carolyn Averill, 2608 El Rancho, addressed the Council regarding domestic violence in our community.

Barbara Brooks, 2502 W. Bannock, Stand for Children; Leanne Simmons, 1720 Westgate Drive, Health and Welfare Department; Cheryl Bowers, 1720 Westgate Drive, Health and Welfare Department and Teresa Wood, 9586 Edna, addressed the Council in support of quality child care and Boise Cares.

Lindsey Sinclair, Goddard Road; Maureen O'Keeffe, 925 E. Jefferson; Will Young, 2901 Selkirk Drive; Jim Everett, 10945 W. Janie Road and Samantha Bailey, 4804 W. Bloom Street, Connection Camp, addressed the Council in support of Healthy Community Healthy Youth.

David Frazier, 1921 Cataldo, addressed the Council in opposition to the budget proposal to fund the long term debt out of the operating budget.

Thomas McGuire (speaking on behalf of Jason Shaw), 1201 W. Washington Street #3; Jeremy Maxand, 2712 W. Irene; Julia Davis, 1129 Kimberly Lane; addressed Council in support of Greenbelt Safety funding.

Bob Barber, 1385 Pioneer Road, Sage Community Resources, addressed the Council regarding the City's support of organization and asked for continued support.

Jim Hall, Parks and Recreation Department, answered questions regarding the Greenbelt Lighting extending from Capitol Blvd. to Broadway Avenue.

Mayor COLES announced that the public hearing was closed.

Moved by FORNEY and seconded by TERTELING-PAYNE that travel and training budget be cut across the board by 10% with an approximate savings of $108,000 for 2002 and $110,000 for 2003 and there be further examination of the enterprise funds.

Roll call on the motion resulted as follows: YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.
Motion carried.

Moved by FORNEY and seconded by WETHERELL that $50,000 be allocated of that amount in 2002 and 2003 for the Boise Cares Project, as a match with the State of Idaho and the Treasure Valley Public Access Television (TVTV) receive $30,000 of that amount in 2002 and 2003 with a resolution brought back.

Substitute motion by MAPP and seconded by MASON that $50,000 be allocated in 2002 and 2003 for the Boise Cares Project and the Treasure Valley Public Access Television (TVTV) receive $41,000 in 2002 and 2003.

Roll call on the substitute motion resulted as follows:
YEAS: MAPP and MASON. NAYS: BAKER, FORNEY, TERTELING-PAYNE and WETHERELL.

Motion fails.

Mayor COLES announced the original motion was on the floor.

Roll call on the original motion resulted as follows:
YEAS: BAKER, FORNEY, MAPP, MASON, TERTELING-PAYNE and WETHERELL.

Motion carried.

Councilmembers WETHERELL, FORNEY and BAKER left at 10:10 P.M.

Mayor COLES announced that this was the time and place set for a public hearing on CAR00-00021/DA/Annexation and Rezone/J.H. Wise & Sons Company request for approval of an annexation and rezone of approximately 406 acres of property, currently zoned in the county as RP (Rural Preservation), M1 (Manufacturing), R4 (Residential 4 units per acre) and R8 (Residential 6 units per acre), generally located in the area known as Warm Springs Mesa and surrounding lands north of Warm Springs Avenue, in parts of Sections 18 and 19, T.3N.R.3E, and parts of Sections 13 and 24, T.3N.R.2E, with proposed city zoning designations of R-1A/DA (Single Family Residential with a Development Agreement) and A/DA (Open Land with a Development Agreement). This application included a request for a Development
Agreement. The annexation is proposed for a planned development to construct 228 single family dwelling units. This is a remanded hearing as a result of a revised road plan.

Bruce Eggleston, Planning and Development Services, presented the staff report.

Bob Unger, 701 S. Allen Street, Meridian, developer representative, addressed the Council in support of CAR00-00021.

Mike Wardle, 50 Broadway Avenue, Harris Ranch representative, addressed the Council that Harris Ranch was not in opposition to the project.

David Gould, 2350 S. Ridge Point Way and Sue Gould, 2350 S. Ridge Point Way, addressed the Council with concerns regarding traffic issues surrounding development.

Mayor COLES announced that the public hearing was closed.

Moved by MAPP and seconded by TERTELING-PAYNE that CAR00-00021/DA/Annexation and Rezone/J.H. Wise & Sons Company request for approval of an annexation and rezone of approximately 406 acres of property, currently zoned in the county as RP (Rural Preservation), M1 (Manufacturing), R4 (Residential 4 units per acre) and R8 (Residential 6 units per acre), generally located in the area known as Warm Springs Mesa and surrounding lands north of Warm Springs Avenue, in parts of Sections 18 and 19, T.3N.R.3E, and parts of Sections 13 and 24, T.3N.R.2E, with proposed city zoning designations of R-1A/DA (Single Family Residential with a Development Agreement) and A/DA (Open Land with a Development Agreement) be approved.

Roll call on the motion resulted as follows: YEAS: MAPP and TERTELING-PAYNE. NAYS: MASON.

Motion carried.

There being no further business the meeting adjourned at 10:50 o'clock P.M.

APPROVE:
AUGUST 21, 2001

MAYOR

ATTEST:

CITY CLERK