

**NAMPA CITY COUNCIL REGULAR MEETING MINUTES**  
**February 21, 2023**

*(Presentations provided to Clerk's Office prior to posting of the agenda can be viewed in the Council Agenda Packet.)*

Mayor Kling called the meeting to order at 5:33 p.m.

Clerk made note that Councilmembers Rodriguez, Bruner, Jangula, Reynolds, Haverfield, and Bower were present.

Mayor announced that Item #7-10 (Golf Course Purchase Agreement) would be heard as the first item under New Business. She also stated that Item #6-1 (Planning & Zoning Staff Report) would be heard after the Public Hearings portion of the meeting.

❖ **Adoption of the Agenda (Action Item)** ❖

**MOVED** by Reynolds and **SECONDED** by Jangula to **Adopt the Agenda**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

❖ **(1) Consent Agenda (Action Items)** ❖

Mayor announced that Councilmember Haverfield would be abstaining from the vote due to a conflict of interest with Item #1-6.a.

**MOVED** by Reynolds and **SECONDED** by Bower to **Approve the Consent Agenda** which had the following items presented:

**Item #1-1.** - Minutes

- a. Regular Council Meeting – February 6, 2023
- b. Joint Special Council Meeting (City Council & Nampa Development Corporation) – February 2, 2023
- c. Planning & Zoning Commission – January 24, 2023
- d. Bicycle & Pedestrian Advisory Committee – January 12, 2023
- e. Airport Commission – January 9, 2023
- f. Council on Aging – January 10, 2023

**Item #1-2.** - The Nampa City Council dispenses with the Three (3) Reading Rule of Idaho Code § 50-902 for all ordinances

**Item #1-3.** - Authorize Public Hearings

- a. Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 905 Midland Blvd (a 1.33 acre parcel #R3136000000 located in the SE ¼ of Section 17, T3N, R2W, BM, Nampa), for Blake Wolf, representing Lance & Racheal Givens (ANN-00264-2022). Original

Concept: Annex for a future subdivision to 2-unit townhomes in 6 buildings - for a total of 12 units. To be considered by City Council on March 6, 2023.

- b. Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 0, 0, & 1121 Southside Blvd (Parcels #R3230700000, R3230800000, R3230701000, totaling 3.39 acres and located in the NE ¼ of Section 35, T3N, R2W, BM, Nampa), for Centurion Engineers, representing Francis Pearce (ANN-00259-2022). Original Concept: Annex all three parcels for a subdivision to be applied for at a future date. To be considered by City Council on March 6, 2023.
- c. Vacation of a .861 acre portion of an existing utility easement at 1510 N Happy Valley Rd. (parcel #R3050400000) a 50' by 1812.16' easement described in detail in a legal description found at the Nampa Planning & Zoning office; located in the NE 1/4 of the SW 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM); for Gardner Nampa Gateway LC (VAC-00059-2023). Original Concept: Vacate easement not vacated with right-of-way vacation, in preparation for future development of the area. To be considered by City Council on March 6, 2023.

**Item #1-4. - Authorization for Execution of Contracts and Agreements**

- a. Authorize Mayor and Public Works Director to sign Task Order with J-U-B Engineers, Inc. to provide survey, design and engineer of record services for the Annual Irrigation Replacement FY24 project in the amount of \$118,900.00 (T&M NTE). (Approved in FY23 Budget)
- b. Authorize Mayor and Public Works Director to sign Task Order for attached scope of work between the City of Nampa and J-U-B Engineers, Inc. for the Zone C Sewer Rehab FY24 (Design) project in the amount of \$198,028 (T&M NTE). (Approved in FY23 Budget)
- c. Authorize Mayor to sign Professional Services Agreement, as required by the FAA for AIP-38 grant funding, with J-U-B Engineers, Inc., in the amount of \$98,930.00, for engineering assistance. (Approved in FY23 Budget) (Approved by Legal)

**Item #1-5. - Monthly Cash Report**

- a. January 2023

**Item #1-6. – Formal Findings**

- a. Formal Findings for Denial of the Annexation and Zoning to BC (Community Business) zoning district for 4.69 acres addressed as 2522 & 2508 N Middleton Rd (Parcel #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N,

R2W, BM), Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 12.48 acres addressed as 2440 & 0 Karcher Rd, 2522 & 2508 N Middleton Rd (Parcel #R2445600700, #R24456007B1, #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), and potential development agreement for the Northwest Village development for Randy Haverfield, representing TV Holdings, LLC & Zion Ventures, LLC (ANN-00253-2022 & CUP-00295-2022). Original Concept: Mixed Use Development with 1 commercial building and 264 dwelling units in 11 apartment buildings. (**Public Hearing was 02-06-2023**)

**Item #1-7.** - Miscellaneous items

- a. Economic Development requesting adoption of the 2023 Community Development Block Grant Program Year Application Guidelines.

Mayor asked for a voice vote with all Councilmembers present voting **YES** (Councilmember Haverfield abstaining).

MOTION CARRIED

❖ **(2) Items Moved From Consent Agenda (Action Items)** ❖

- None

❖ **(3) Proclamation** ❖

**Item #3-1** – None

❖ **(4) Public Forum** ❖

- Meredith Lahmann, 519 6<sup>th</sup> Ave S, Nampa spoke on the need for an ordinance enforcing dog park rules particularly regarding separate areas for small dogs and large dogs due to safety concerns for the smaller dogs.
- Laurie MacKenzie Kerr, 2305 W Karcher Rd, Apt #104, Nampa described recent conflicts with owners allowing large dogs into the small dog park area and the need for an ordinance to enforce separation for the safety of small dogs.
- Randy Alridge, 10306 Millgrain St, Nampa spoke in support of Item #7-10 (Golf Course Purchase Agreement).

- Ed Fulton, 209 W Blossom Ave, Nampa did not speak but supported Item #7-10 (Golf Course Purchase Agreement).
- Scott Nicholes, Golf, at the request of the Mayor, spoke on the 2022 Top PGA Section Program for the PGA Junior League. He stated that the PGA America Award was given to the Ridgecrest Junior League due to their large number of participants last year. He also thanked everyone who worked diligently on getting the Golf Course Purchase Agreement completed.

*Clerk's Note: Mayor announced that Council would now consider Item 7-10, Golf Course Purchase Agreement.*

❖ **(5) Agency/External Communications** ❖

**Item #5-1.** – None

❖ **(6) Staff Communications** ❖

*Clerk's Note: Mayor announced that Item #6-1 would be heard after the Public Hearings portion of the agenda.*

**Item #6-1.** – Planning & Zoning Staff Report – 2022 Annual Density Report

Rodney Ashby, Planning & Zoning presented the 2022 Growth Summary, the Quarterly Density Report, and the Multi-family Development Report.

**Item #6-2.** – Public Works Staff Report

Tom Points, Public Works spoke on the Wastewater Construction Update, the Snow Events Report, and awarded Certificates of Recognition to six major industrial customers for their participation in the pre-treatment of wastewater as they had no violations, everything was in order, and they had sent consistent loads.

**Item #6-3.** – Police Staff Report

Chief Joe Huff, Police spoke on the recent press releases from the Nampa Police Department regarding repeat offenders (career criminals) and the judicial system.

❖ (7) New Business ❖

**Item #7-1 – Council consideration of amendment to Agave Liquor License Conclusions of Law dated June 7, 2021 to convert revocation to a suspension until February 21, 2023.**

Rick Hogaboam, Mayor’s Office presented the item to Council for consideration and explained that the City had not been aware of the State’s definition of “revocation”, which considered it a lifetime ban for the entire State of Idaho. He explained that as a member of the Alcohol License Review Committee and moving forward with this new information, they would review how future recommendations to the Council were made.

**MOVED** by Haverfield and **SECONDED** by Reynolds to **Approve** the Council consideration of an amendment to Agave Liquor License Conclusions of Law dated June 7, 2021 to convert the revocation to a suspension until February 21, 2023, as listed in the Council packet. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**Item #7-2 – Authorize Mayor to sign agreement for the Police Department to purchase a portable digital X-ray panel and X-ray source for the Bomb Squad from Logos Imaging LLC in the amount of \$52,615.35, utilizing grant funding received from the Idaho Office of Emergency Management.**

**MOVED** by Bruner and **SECONDED** by Bower to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**Item #7-3 – Economic Development requesting additional Community Development Block Grant funding in the amount of \$120,000 for the Home Repair Loan Program. (Approved in FY23 Budget)**

**MOVED** by Bruner and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**Item #7-4 – Authorize Parks and Recreation to sign Change Order No. 1 with Compliance Solutions and Contracting LLC to expand the parking lot in Phase 2 at Midway Park in the amount of \$182,658 (funded through Park Impact Fees). (Approved in FY23 Budget)**

**MOVED** by Haverfield and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

**MOTION CARRIED**

**Item #7-5 – Authorize the Mayor and Chief Information Officer to sign a 3-year contract with Springbrook to upgrade the Utility Billing System in the amount of \$104,900 for year one of the contract. (Approved in FY23 Budget) (Approved by Legal)**

Todd Lakey, Legal stated a technical correction was needed to the contract regarding the reference of jurisdiction for State and Federal Courts. The contract references Ada County, which is where the Federal Courts are located, but the State Courts are located in Canyon County. Therefore, the contract should be corrected to state “Ada County and/or Canyon County”.

**MOVED** by Reynolds and **SECONDED** by Bruner to **Approve** the item, **amended as stated by Legal**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

**MOTION CARRIED**

*Clerk’s Note: Mayor announced that Council would now go to the Public Hearings portion of the agenda, starting with Item #8-1.*

**Item #7-6 – Authorize Mayor to sign Federal Aviation Administration Grant Application for Airport Improvement Program (AIP-38), Install Perimeter Fencing at the Nampa Municipal Airport, with a City match of \$17,650. (Approved in FY23 Budget) (Approved by Legal)**

**MOVED** by Haverfield and **SECONDED** by Jangula to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

**MOTION CARRIED**

**Item #7-7 – Authorize Mayor and Public Works Director to sign Task Order for attached scope of work between the City of Nampa and Burgess & Niple for services to draft the 2023 MPDG Franklin Blvd. Project Application in the amount of \$73,640 T&M NTE. (Approved in FY23 Budget)**

**MOVED** by Reynolds and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**Item #7-8 – 1<sup>st</sup> reading of Street Naming Ordinance for South Halibut Lane.**

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO NAMING A PRIVATE STREET SOUTH HALIBUT LANE.

**MOVED** by Jangula and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**. Mayor declared the ordinance duly passed, numbered it **4715** and directed the Clerk to record it as required.

MOTION CARRIED

**Item #7-9 – 1<sup>st</sup> reading of Street Naming Ordinance for North Margot Lane.**

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO NAMING A PRIVATE STREET NORTH MARGOT LANE.

**MOVED** by Rodriguez and **SECONDED** by Jangula to **Pass the Ordinance under suspension of rules**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**. Mayor declared the ordinance duly passed, numbered it **4716** and directed the Clerk to record it as required.

MOTION CARRIED

**Item #7-10 – Authorize Mayor to sign a Purchase Sales Agreement for approximately 498.93 acres of golf course property from the State of Idaho in the amount of \$5,690,775. (Approved by Legal)**

Mayor and Councilmembers thanked everyone for their assistance and participation in this effort.

**MOVED** by Rodriguez and **SECONDED** by Reynolds to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

*Clerk's Note: Mayor announced that Council would now consider Staff Communications, starting with Item #6-2.*

❖ **(8) Public Hearings** ❖

**Item #8-1 – Public hearing to present recommended FY23 new Airport Land Lease fee.**

Mayor opened the public hearing.

Crystal Craig, Transportation presented the item to Council (PowerPoint presentation attached to the end of the minutes). Monte Hasl, Airport responded to Council's questions on weed control. Doug Racine, Finance spoke on subsidies provided to the Airport by the City. Lynsey Johnson, Airport responded to Council's questions on hangar access and city rentals/land leases.

Clerk announced that written public testimony had been submitted by Travis Kemp, Nampa Hangar Owner, prior to the start of the meeting. The letter was distributed to Council, a copy was projected on the screen, and copies were made available for the audience. Mr. Kemp was in opposition of the request.

The following appeared in opposition to the request: Hubert Osborne, 4199 E Switzer Way, Nampa; and Julie Schelhorn, 2930 Garrity Blvd, Nampa.

**MOVED** by Haverfield and **SECONDED** by Jangula to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Council discussion ensued on the preference to have the airport be self-sustaining.

**MOVED** by Haverfield and **SECONDED** by Jangula to **Approve the modified leasehold fee at the rate of \$0.23 per square foot per year**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**Item #8-1.a – Authorize the Mayor to sign the Resolution creating a modified leasehold fee at the rate of \$0.23 per square foot per year.**

**MOVED** by Haverfield and **SECONDED** by Jangula to **Pass the Resolution as presented.** Mayor asked for a roll call vote with all Councilmembers present voting **YES**. Mayor declared the resolution passed, numbered it **06-2023** and directed the Clerk to record it as required.

MOTION CARRIED

**Item #8-2 – Annexation and Zoning to RD Townhouse (Residential Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Lady Bird Landing Subdivision at 3809 & 0 Greenhurst Rd (Parcels #R2909800000 & R909701200, totaling 3.333 acres in the NW ¼ of Section 1, T2N, R2W, BM), for Adam and Canada Bayne (ANN-00260-2022 & SPP-00118-2022). Revised Concept: 25 townhouse units in 9 buildings, 1 private shared road, and 6 common lots.**

Mayor opened the public hearing.

Adam Bayne, 3809 Greenhurst Rd, Nampa presented the request.

Kristi Watkins, Planning & Zoning presented the item to Council.

The following appeared in favor of the request: Jesse Christensen, Applicant Representative, 2151 W Willow Pointe Ave, Nampa; Kurt Murray, 3709 E Greenhurst Rd, Nampa; and Canada Bayne, Applicant, 3809 E Greenhurst Rd, Nampa read into the record a letter submitted by Gayle Moore, personal representative of the estate located at 3825 E Greenhurst Rd, Nampa, which was included in the staff report.

**MOVED** by Bower and **SECONDED** by Jangula to **close the public hearing.** Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**MOVED** by Jangula and **SECONDED** by Bruner to **Approve** the Annexation and Zoning to RD zoning district and Subdivision Preliminary Plat for Lady Bird Landing Subdivision at 3809 & 0 Greenhurst Rd for Adam and Canada Bayne (ANN-00260-2022 & SPP-00118-2022) with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**Item #8-3 – APPEAL of Planning & Zoning Commission Decision to Approve a Conditional Use Permit for a Multi-Family Building (6-plex) in a BC (Community Business) zoning district addressed as 1516 1st St N (a .22 acre parcel #R1690400000 located in the SE ¼ of Section 22, T3N, R2W, BM) for Simon Hernandez, Applicant/Owner - Appeal submitted by Beatriz Sandoval at 508 W Ustick Rd, Caldwell, ID (CUP-00277-2022 & APL-00017-2023).**

Mayor opened the public hearing.

Beatriz Sandoval, Appellant, 508 W Ustick Rd, Caldwell presented the appeal based on concerns that her bar/night club would be next door to the proposed multi-family residential development, which may cause noise complaints due to the hours of operation of her business.

Parker Bodily, Planning & Zoning presented the item to Council. Rodney Ashby, Planning & Zoning confirmed that multi-family projects are required to go through the Design Review process.

Simon Hernandez, Appellee/Respondent, 11283 W Flute St, Nampa, addressed Ms. Sandoval's concerns and introduced his developer (name indiscernible) who spoke on several building options that could be utilized to alleviate potential noise issues.

**MOVED** by Reynolds and **SECONDED** by Bower to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Council discussion ensued on project location and noise barriers.

**MOVED** by Bruner and **SECONDED** by Haverfield to **Modify the decision to Approve the Conditional Use Permit** for a Multi-Family Building (6-plex) in a BC (Community Business) zoning district addressed as 1516 1st St N for Simon Hernandez, Applicant/Owner (CUP-00277-2022) **to include the following conditions of approval: (a) Six-foot solid masonry wall/fence on side by existing bar; (b) Multi-family structure to be placed as far away as possible from the existing bar; and (c) Landscape barrier on side of existing bar to be 5-8 feet wide and planted trees to be 10 feet tall (2.5 inch caliper trees), because the findings of the Commission failed to address the compatibility issue.** Mayor asked for a roll call vote with Councilmembers Bruner, Reynolds, and Haverfield voting **YES** and Councilmembers Rodriguez, Jangula, and Bower voting **NO**. Mayor broke the tie by voting **YES**.

MOTION CARRIED

**Item #8-4 – Vacation of a .176 Acre (7,687 sq. ft.) portion of an existing water line easement as recorded September 21, 2009, under Inst.# 2009047968 at 1232 & 1250 N Galleria Rd. (parcels #R3049800000 & R3049801100) a 20' by approximately 309', and 20' by 75' easement described in detail in a legal description found at the Nampa Planning & Zoning office; located in the NE 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM); for Gardner Nampa Gateway LC (VAC-00058-2023). Original concept: Vacate a portion of easement without a waterline currently located in that easement, in preparation for future development of the area.**

Mayor opened the public hearing.

Weston Arnell, Applicant, 800 W Main St, #1220, Boise presented the request.

Rodney Ashby, Planning & Zoning presented the item to Council.

No one appeared in favor of or in opposition to the request.

**MOVED** by Reynolds and **SECONDED** by Jangula to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**MOVED** by Reynolds and **SECONDED** by Haverfield to **Approve the Vacation** of a .176 Acre (7,687 sq. ft.) portion of an existing water line easement at 1232 & 1250 N Galleria Rd, described in detail in the legal description attached to the staff report; for Gardner Nampa Gateway LC (VAC-00058-2023) with the proposed findings listed in this staff report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**Item #8-5 – Variance of NCC 10-8-5.C requiring a 5' minimum side and rear property structure and parking setback to allow an existing accessory structure that extends into the public ROW - alley, to be rebuilt in its current location at 503 10th Ave S. in the RS6 (Single-Family Residential) zoning district, a .16 acre parcel #R1384900000 (located in the SW 1/4 of Sec. 22, T3N, R2W, BM) for Cody Murray (VAR-00139-2023).**

Mayor opened the public hearing.

Cody Murray, Applicant, 848 W Hackamore Ave, Nampa presented the request.

Parker Bodily, Planning & Zoning presented the item to Council. Daniel Badger, Engineering responded to Council's questions on the alley way. Ron Johnson, Fire spoke responded to Council's questions on existing non-conforming use.

No one appeared in favor of or in opposition to the request.

**MOVED** by Bower and **SECONDED** by Reynolds to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

**MOVED** by Rodriguez and **SECONDED** by Bower to **Approve** the Variance of NCC 10-8-5.C requiring a 5' minimum side and rear property structure and parking setback to allow an existing accessory structure that extends into the public ROW - alley, to be rebuilt in its current location at 503 10th Ave S. in the RS6 (Single-Family Residential) zoning district for Cody Murray (VAR-00139-2023) and adopt the recommended findings for approval in this report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

*Clerk's Note: Mayor announced that Council would now return to the regular order of the agenda, starting with Item #6-1.*

❖ (9) Unfinished Business ❖

**Item #9-1 – 1<sup>st</sup> reading of ordinance for the Annexation and Zoning to BC (Community Business) zoning district, potential development agreement, and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd (Parcel #'s R211430100 & R211430000, totaling 4 acres in the NW ¼ of Section 1, T2N, R2W, BM, Nampa), for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022). Original Concept: 84 unit apartments in 6 buildings.**

Mayor presented the request to pass the Ordinance under suspension of rules.

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 2416 AND 2424 SOUTHSIDE BLVD., NAMPA, IDAHO, (COUNTY PARCELS R211430100 & R211430000) COMPRISING APPROXIMATELY 4 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED BC (COMMUNITY BUSINESS); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW

TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS BC (COMMUNITY BUSINESS) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215.

**MOVED** by Reynolds and **SECONDED** by Bower to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4717** and directed the Clerk to record it as required.

MOTION CARRIED

❖ (10) Pending Ordinances (Postponed Due to Lack of Supporting Documentation) ❖

- 10-1. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) (**PH was 12-07-2020**) (with City Attorney for ordinance and DA)
- 10-2. Zoning Map Amendment from RS6 (Single Family Residential 6,000 sf) to RP (Residential Professional) zoning district; and potential development agreement, at 3 N Midland Blvd. - Parcel # R1613101000; (a .45 acre parcel located in the SE 1/4 of Section 20, T3N, R2W, BM) for Ronald J Pierce (ZMA 159-21). Original Concept: to allow the conversion of an existing home into a three- bedroom apartment upstairs and two office spaces downstairs (**PH was 02-22-2022**)

- 10-3. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement; at 0 & 16989 Madison Rd, (parcels #R3100900000 & R3104700000) totaling 21.09 acres and located in the N 1/2 of Section 10, T3N, R2W, BM) for William Juarez representing Jim Cox (ANN-00227-2021). Original Concept: A partially completed office industrial building at 16989 Madison and construction of a 4,800 sf shop with 3 overhead doors, an office, restroom, utility room and storage on the property addressed as 0 Madison Rd. **(PH was 04-18-2022)**
- 10-4. Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district and potential development agreement at 2912 Caldwell Blvd (Parcel # R2046900000); a 35.88 acre parcel (located in the NE 1/4 of Section 7, T3N, R2W, BM) for Jeff Bower/Givens Pursley LLP representing Black Creek Ltd. Partnership & Pleasant Valley Ltd Partnership (ZMA-00167-2022). Original Concept: Development of a Class A industrial business park with two buildings totaling approximately 670,000 SF. **(PH was 08-01-2022)**
- 10-5. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sf) and RD (Two-Family Residential) zoning districts, potential development agreement, and Subdivision Preliminary Plat for Seven Maples Ranch Subdivision at 3000 Southside Boulevard, 0, 3204, and 3303 E Oklahoma Avenue (parcel #R2115700000, R2115600000, R2115800000, R2909300000, & R2115601000) totaling 43.05 acres in the SW ¼ of Section 01, T2N, R2W, BM, Canyon County), for Gem State Planning representing Charles Kunerth/Corey Barton (ANN-00252-2022 & SPP-00113-2022). Original Concept: 53 single-family attached townhouse dwelling units, 1 existing single-family detached home, 125 new single-family detached dwelling units, 8 common lots, and 20 qualified open space lots. **(PH was 10-17-2022)**
- 10-6. Development Agreement Modification (Ord. 4582 - July 27, 2021) to specify land uses permitted in the IP (Industrial Professional) zoning district at date of this application, excepting those prohibited in the existing Development Agreement, for the Fuller 84 Business Park addressed as 5350 & 5300 E Franklin Rd (parcels #R3040600000 & R3040601300) totaling 61.62 acres (located in the SE 1/4 of Section 7, T3N, R1W, BM) for Givens Pursley LLP representing RE II Industrial V LLC and RE II Industrial VII LLC (DAMO-00057-2022). **(PH was 12-19-2022)**

- 10-7. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for four parcels totaling 35.86 acres addressed as 0 Ustick Rd (parcels #R3436101000, R3436101100, R3436101200, & R3436301000, located in the SW ¼ of Section 33, T4N, R2W, BM), for River Range Idaho LLC representing Dana Devlin and Hilda Devlin (ANN-00254-2022). Original Concept: Future industrial development. **(PH was 01-17-2023)**
- 10-8. Expansion of the City's Area of Impact to the west, bound approximately by Lake Ave, Lone Star Rd, Indiana Ave, Roosevelt Ave, and Lake Lowell Ave, including portions to the southwest bound approximately by Greenhurst Rd, Midland Blvd, and Lake Lowell; Adoption of the State Highway 16 Specific Area Plan; Adoption of the Highway 20/26 Specific Area Plan; Comprehensive Plan Map Amendment modifying the Agricultural land use setting to "Very Low Density Residential", modifying designations to reflect the State Highway 16 Specific Area Plan and the Highway 20/26 Specific Area Plan, and modifying designations in multiple areas throughout the impact area; and Comprehensive Plan Text Amendment to Chapter 5 including: a) Removal of grammatical errors, b) Cleanup of syntax to provide clarity, c) Further clarification on Nampa's four quadrants, d) Additional information on Canyon County's role in preserving agricultural land, d) The addition of Common and Qualified Open Space language, f) A revised definition of Density, g) Revised language on the allowance of commercial development in Medium and High-Density Residential land uses, h) The addition of a pre-annexation policy for subdivision development in the Area of City Impact on County parcels and proposed expansion of the City's Area of Impact boundaries, i) Additional residential mixed use definition including borrowed land uses, j) The addition of a ratio of land uses in the mixed use settings, k) The Agricultural land use setting changed to Very Low Density Residential, ~~l) The addition of language to address development within ¼ mile from Agricultural and Low/Very Low-Density areas,~~ m) The addition of a definition of Intelligent Communities, n) Updates to the Education, Public Administration, Health Care and Other Institutions Designation, o) addition of language to encourage the protection of City trees; Chapter 6 update including additional corridors for planning purposes; and Chapter 15 updating the specific Plan areas and the addition of mid-level planning for the City of Nampa (CTA-00013-2022 and CMA-00054-2022). **(PH was 02-06-2023)**

❖ (11) Executive Session ❖

**Item #11-1 – Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)(c) and (1)(f).**

- **Idaho Code 74-206 (1)(c) To acquire an interest in real property not owned by a public agency.**
- **Idaho Code 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.**

Mayor announced that there were no Executive Session items.

**MOVED** by Haverfield and **SECONDED** by Bower to **Adjourn the meeting** at 9:00 p.m. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

**MOTION CARRIED**

Passed this 6th day of March 2023.

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MAYOR

ATTEST:

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NAMPA CITY CLERK



# Nampa Municipal Airport Land Lease Presentation

Crystal Craig, P.E.  
Director of Transportation

# LAND LEASE PRESENTATION OVERVIEW

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Background and need

Rate analysis

Commission vs. Consultant  
recommendation

Impacts to users

Increased revenue uses

# BACKGROUND



## WINTER 2021

- Winter 2021, work began on the Airport Strategic Business Plan
- Fall 2022 the Strategic Business Plan Was Completed
- The Business Plan included a Market Rate evaluation for the Airport



## MARKET RATE FINDINGS

- The Business Plan evaluated land lease rates at nine regional airports
- Nampa's land lease rates were found to be below the regional market

# Market Rate Study – Adjusted Comparable Airports

ADJUSTED COMPARABLE SURVEYED RENTS			
Airport/Location	ID	Annual Rent/S.F. (Defined Leasehold)	Adjusted Annual Rent/S.F. (Building Footprint Only)
<b>Nampa Municipal (Current)</b>	<b>MAN</b>	<b>\$0.076-\$0.104</b>	<b>\$0.227-\$0.311</b>
Weiser Municipal	S87	NA	\$0.10
Mountain Home	U76	\$0.015	\$0.045
Gooding Municipal	GNG	\$0.065	\$0.195
Baker City Municipal	BKE	\$0.12	\$0.36 (Hangars)
		\$0.16	\$0.48 (Commercial/FBO)
Ontario Municipal	ONO	\$0.156	\$0.468
Caldwell Executive Airport	EUL	\$0.23	\$0.69 (Hangars)
		\$0.39	\$1.17 (FBO)
Cascade Airport	U70	\$0.25	\$0.75
McCall Municipal	MYL	\$0.30	\$0.90
Boise Air Terminal	BOI	\$0.396	\$1.19

**The Nampa Municipal Airport is under market in either methodology calculation when compared to neighboring airports.**

Source: 2022 Nampa Municipal Airport Strategic Business Plan

# Business Plan Land Lease Rate Recommendation

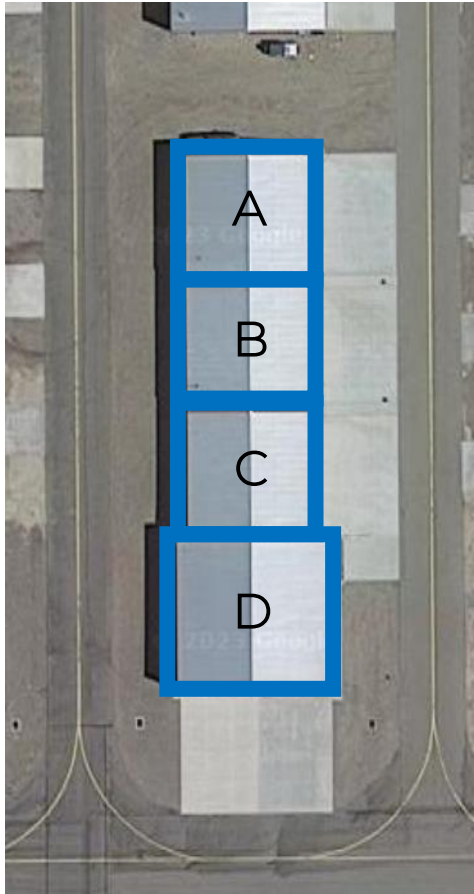


## The Strategic Business Plan consultant recommended the following

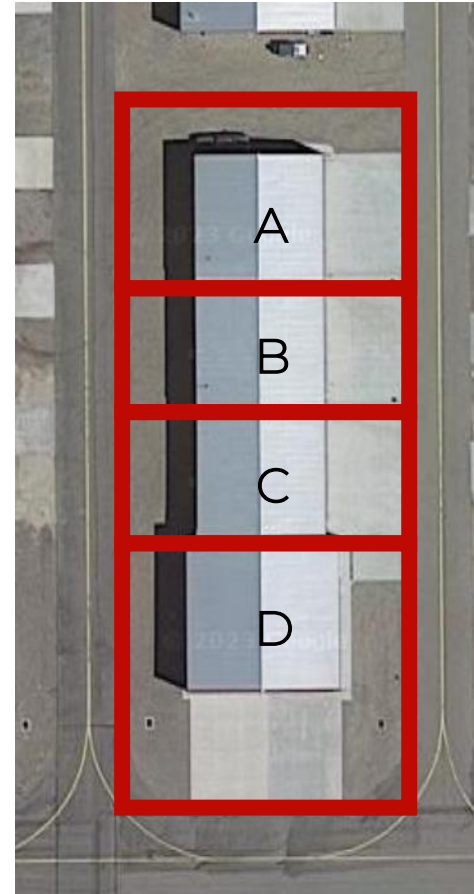
- A leasing practice of Defined Leasehold
- Land lease rate of \$0.20-\$0.25 per square foot per year for the Defined Leasehold

# Building Footprint vs. Leasehold

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**Building Footprint**



**Defined Leasehold**

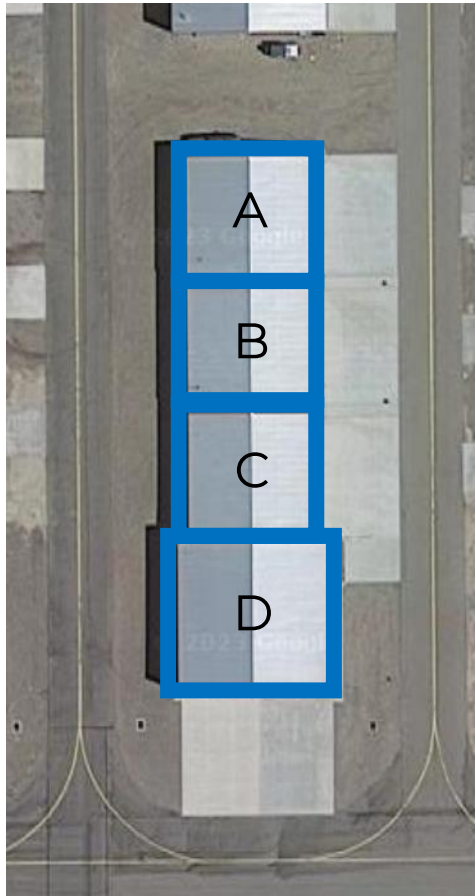
# Airport Commission Recommendation

**Airport Commission recommends a Modified Leasehold at \$0.23/ square foot for storage hangars.**

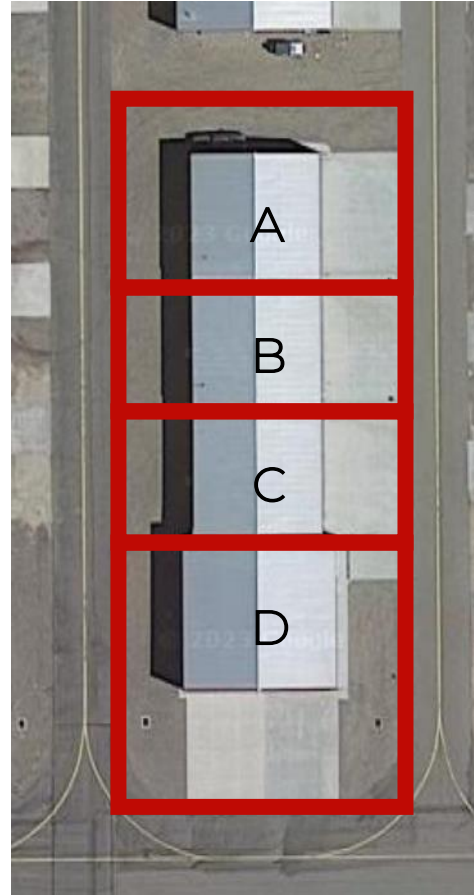
- Storage Hangars - Modified Leasehold- Building footprint plus the length or width of the hangar to the edge of an adjacent taxiway/taxilane
- Rate of \$0.23 per square foot per year for the entire Modified Leasehold
- Commercial leases will remain Defined Leasehold at \$0.325 per square foot per year



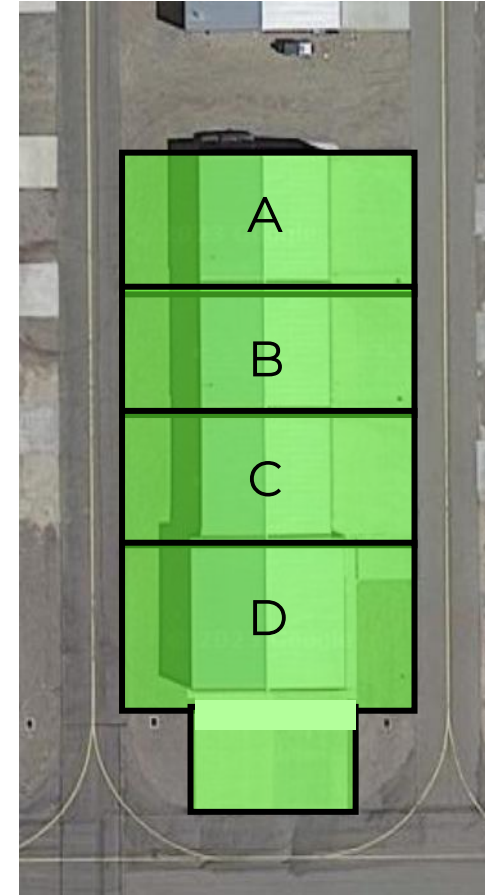
# Footprint vs. Defined vs. Modified Leasehold



**Building Footprint**



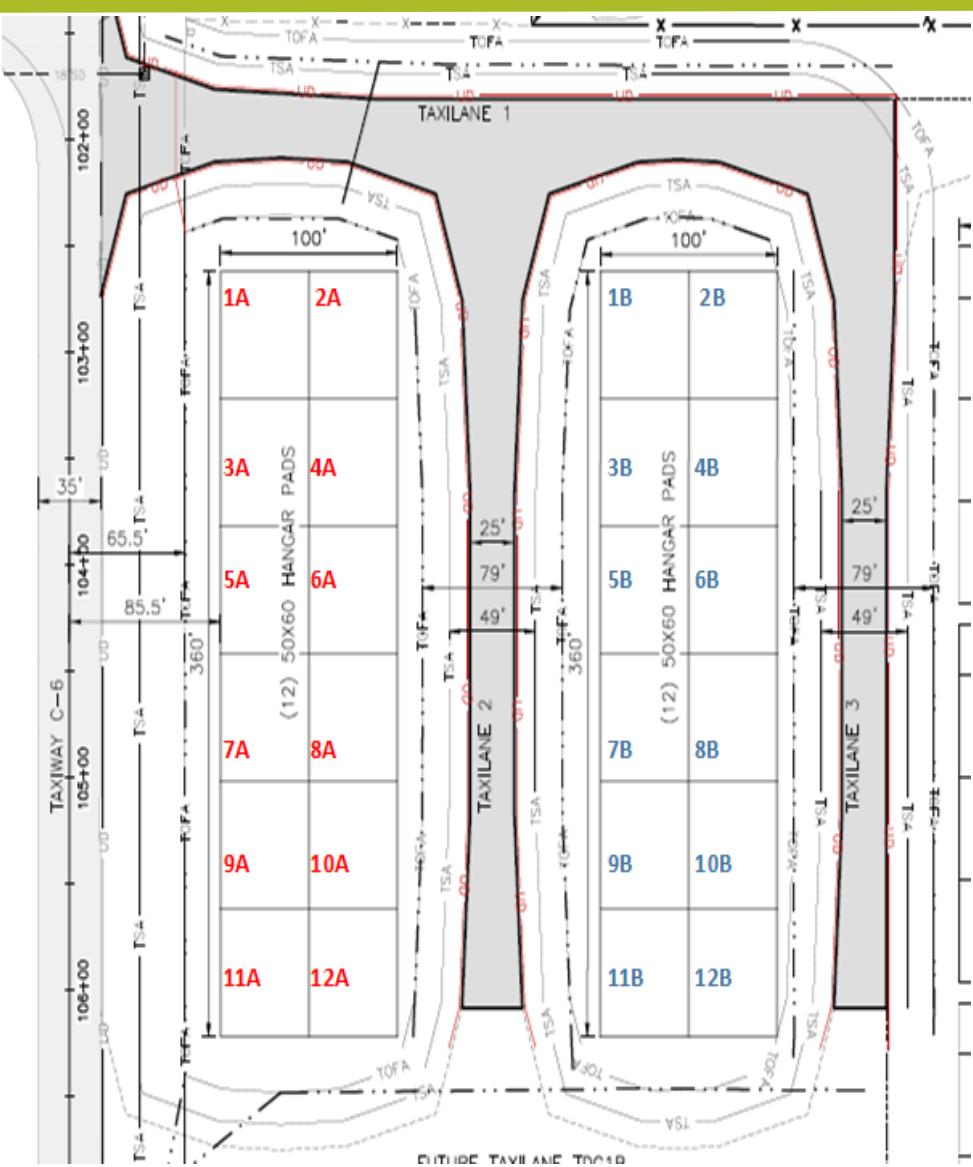
**Defined Leasehold**



**Modified Leasehold**

# Revenue Example – New Storage Hangars

Commission Recommendation



Hangar / Lot	Buildable Footprint sqft	Modified Leasehold sqft	Current	PROPOSED	% Increase from Building to Modified
			0.325	0.230	
			Buildable Footprint \$	Modified Leasehold \$	
1A	3000	7230	975.00	\$1,662.90	71%
2A	3000	5970	975.00	\$1,373.10	41%
3A	3000	5880	975.00	\$1,352.40	39%
4A	3000	4620	975.00	\$1,062.60	9%
5A	3000	5880	975.00	\$1,352.40	39%
6A	3000	4620	975.00	\$1,062.60	9%
7A	3000	5880	975.00	\$1,352.40	39%
8A	3000	4620	975.00	\$1,062.60	9%
9A	3000	5880	975.00	\$1,352.40	39%
10A	3000	4620	975.00	\$1,062.60	9%
11A	3000	7230	975.00	\$1,662.90	71%
12A	3000	5970	975.00	\$1,373.10	41%
1B	3000	5970	975.00	\$1,373.10	41%
2B	3000	5970	975.00	\$1,373.10	41%
3B	3000	4620	975.00	\$1,062.60	9%
4B	3000	4620	975.00	\$1,062.60	9%
5B	3000	4620	975.00	\$1,062.60	9%
6B	3000	4620	975.00	\$1,062.60	9%
7B	3000	4620	975.00	\$1,062.60	9%
8B	3000	4620	975.00	\$1,062.60	9%
9B	3000	4620	975.00	\$1,062.60	9%
10B	3000	4620	975.00	\$1,062.60	9%
11B	3000	5970	975.00	\$1,373.10	41%
12B	3000	5970	975.00	\$1,373.10	41%
<b>Annual Revenue</b>			<b>\$23,400.00</b>	<b>\$29,725.20</b>	<b>27%</b>



# Revenue Example – Existing Storage Hangars



## Commission Recommendation

Hangar / Lot	Buildable Footprint sqft	Modified Leasehold sqft	Current	PROPOSED	% Increase from Building to Modified Leasehold
			0.325	0.230	
			Buildable Footprint \$	Modified Leasehold \$	
A	3600	11220	1,170.00	\$2,580.60	121%
B	2500	5700	812.50	\$1,311.00	61%
C	3400	6750	1,105.00	\$1,552.50	40%
D	2500	5700	812.50	\$1,311.00	61%
E	1500	3100	487.50	\$713.00	46%
F	4200	9590	1,365.00	\$2,205.70	62%
Annual Revenue			\$5,752.50	\$9,673.80	68%

Modified leasehold at \$0.23 per square foot would increase airport revenue for these six leases by an average of 68%

# Revenue Example – Existing Storage Hangars



## Consultant Recommendation

			Current	PROPOSED	PROPOSED	PROPOSED
			0.325	0.200	0.230	0.250
Hangar / Lot	Buildable Footprint sqft	Defined Leasehold sqft	Buildable Footprint \$	Defined Leasehold \$	Defined Leasehold \$	Defined Leasehold \$
A	3600	16440	1,170.00	\$3,288.00	\$3,781.20	\$4,110.00
B	2500	5700	812.50	\$1,140.00	\$1,311.00	\$1,425.00
C	3400	6750	1,105.00	\$1,350.00	\$1,552.50	\$1,687.50
D	2500	5700	812.50	\$1,140.00	\$1,311.00	\$1,425.00
E	1500	3100	487.50	\$620.00	\$713.00	\$775.00
F	4200	14042.5	1,365.00	\$2,808.50	\$3,229.78	\$3,510.63
<b>Annual Revenue</b>			<b>\$5,752.50</b>	<b>\$10,346.50</b>	<b>\$11,898.48</b>	<b>\$12,933.13</b>

A defined leasehold for these six leases would increase revenues by the following:

- \$0.20 per square foot increases revenue an average of 80%
- \$0.23 per square foot increases revenue an average of 107%
- \$0.25 per square foot increases revenue an average of 123%

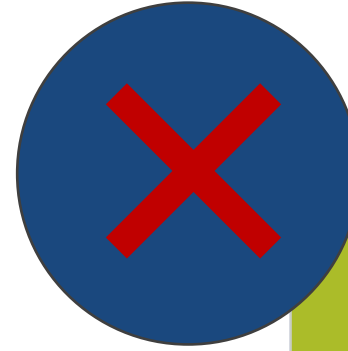
# WHO DOES THIS IMPACT?



**New  
Construction  
of Storage  
Hangars**

**Sale of an  
Existing  
Hangar**

**Renewal of  
an Existing  
Lease**



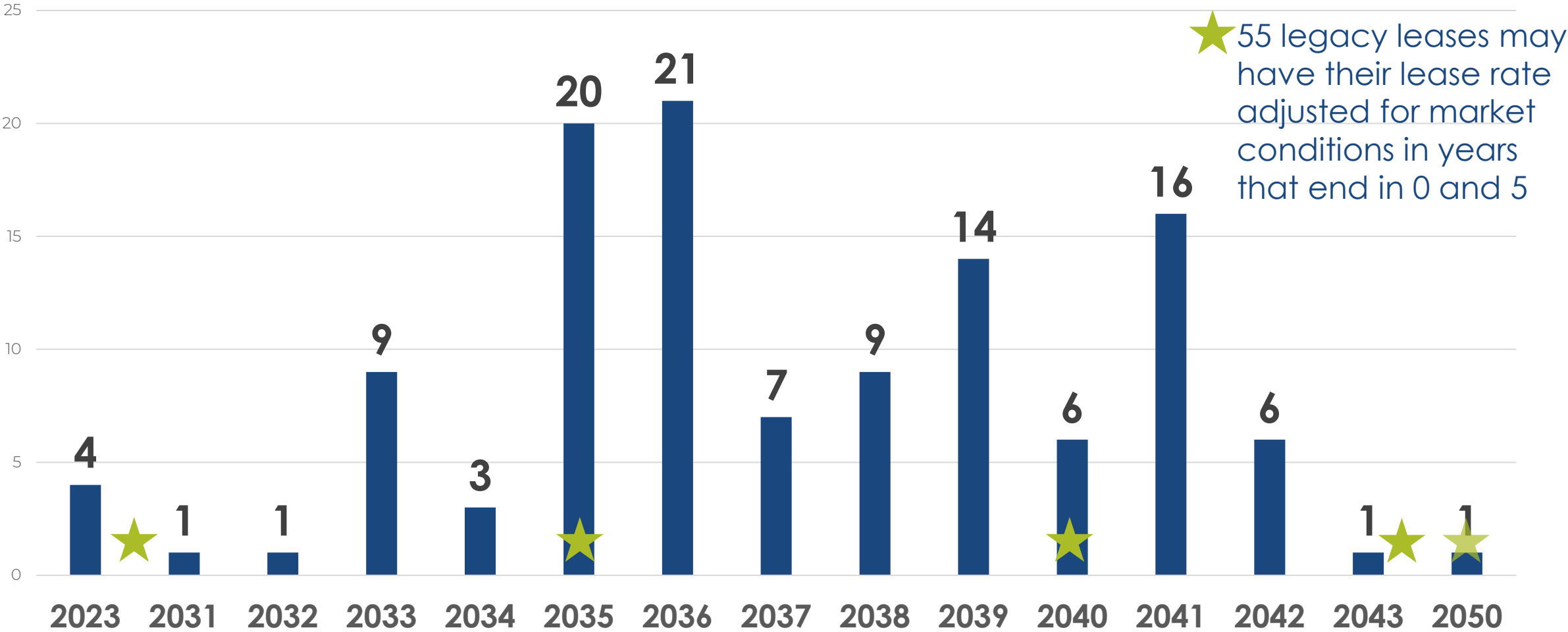
**Current  
Land Lease  
Holders**

**Commercial  
Land Leases**

**City Rental  
Hangars**

# Land Leases at Nampa

## Number of Leases Expiring in Upcoming Years



# NAMPA / CALDWELL

## NAMPA

Runway 11/29  
5000' x 75'

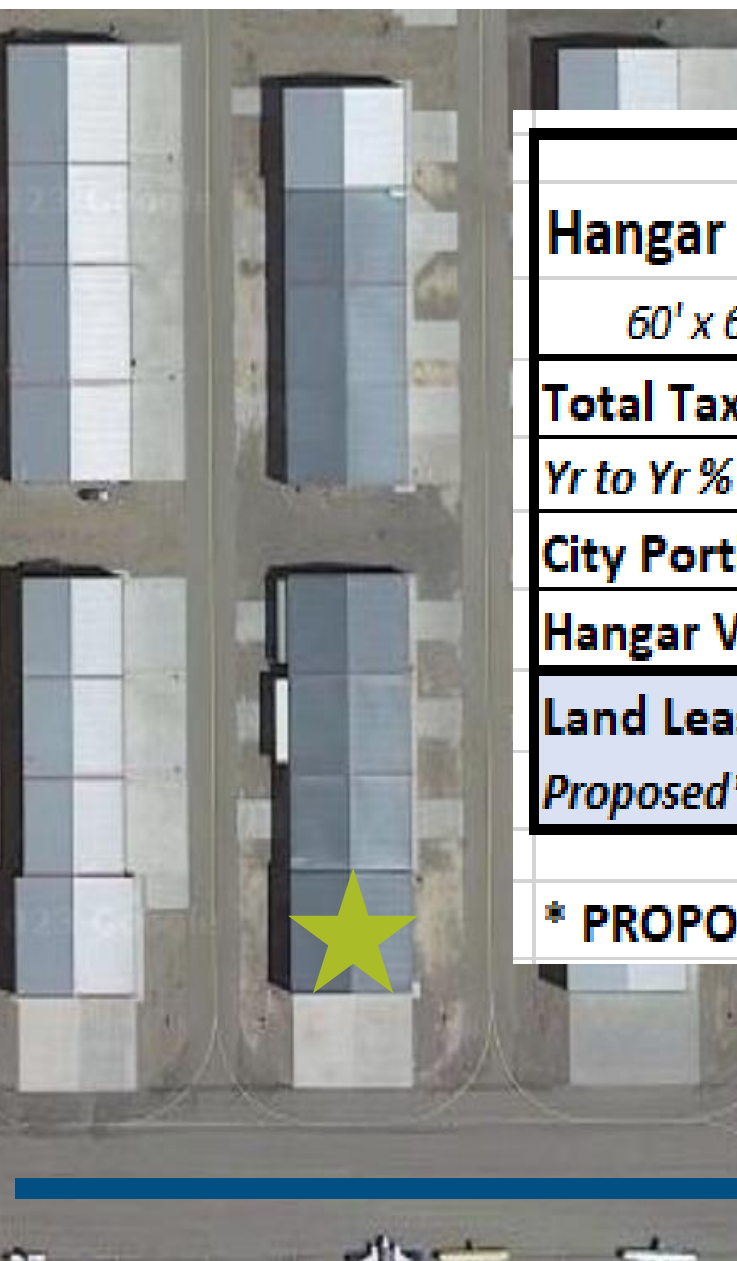
294 hangar spaces  
119 land leases  
175 City rental spaces

## CALDWELL

Runway 12/30  
5500' x 100'

307 hangar spaces  
260 land leases

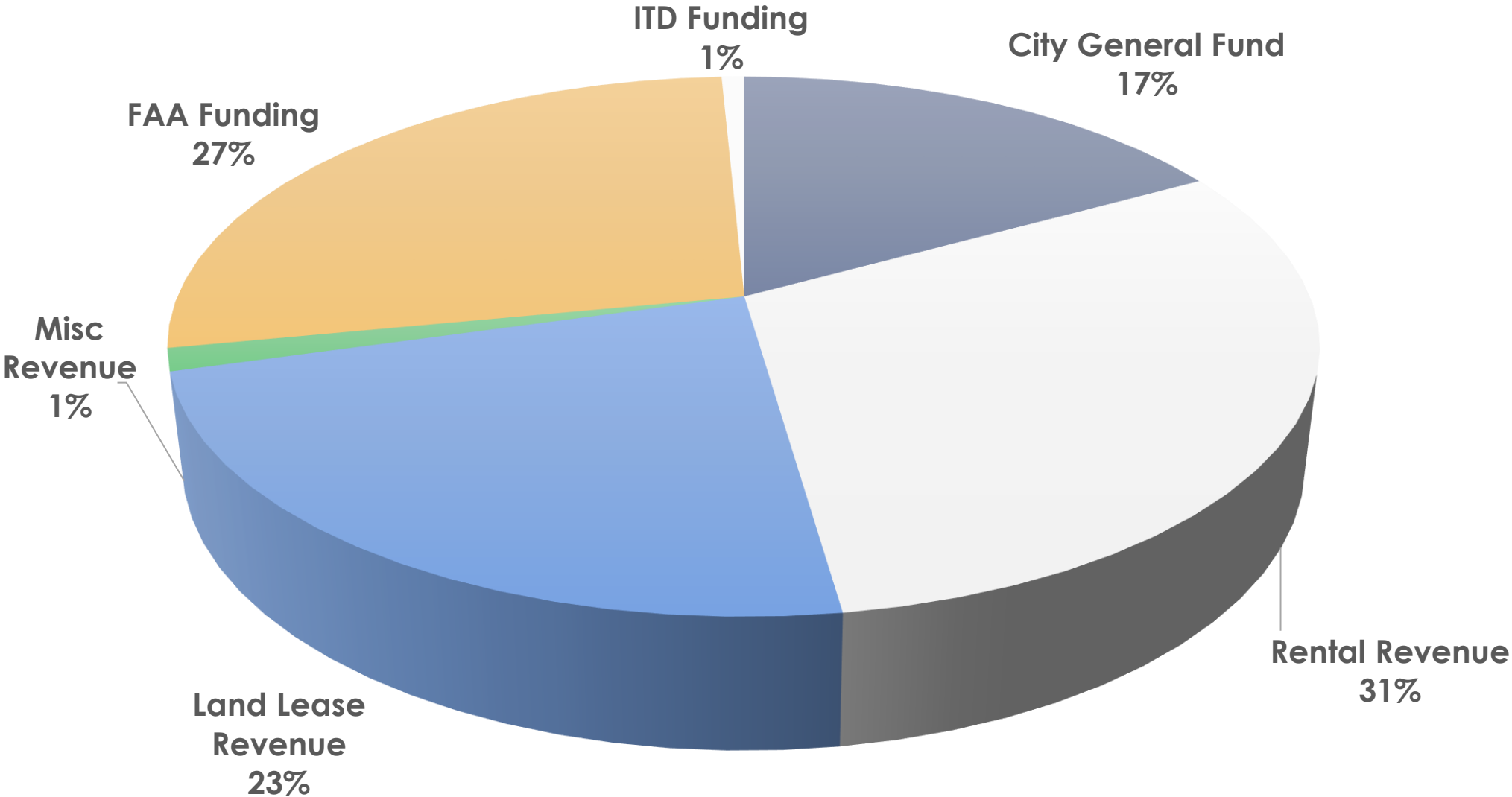
# Private Hangar Tax Example



Hangar 2368 <i>grandfathered lease rate</i>	2018	2019	2020	2021	2022	Change from 2018 to 2022
60' x 60'						
<b>Total Tax</b>	\$2,857.03	\$2,647.72	\$2,175.70	\$2,298.50	\$1,762.70	<b>-38%</b>
<i>Yr to Yr % Chng</i>		-7%	-18%	6%	-23%	
<b>City Portion</b>	\$1,195.50	\$1,160.15	\$903.10	\$831.32	\$720.88	
<b>Hangar Value</b>	\$152,500.00	\$165,000.00	\$168,000.00	\$195,100.00	\$238,800.00	<b>57%</b>
<b>Land Lease</b>	\$781.00	\$802.80	\$802.80	\$817.20	\$831.60	<b>6%</b>
<i>Proposed*</i>					\$2,235.60	

**\* PROPOSED WOULD ONLY OCCUR UPON LEASE EXTENTION OR SALE OF THE HANGAR**

# FY 23 Airport Funding Breakdown



# INCREASED REVENUE USES

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**In the next 3-5 years with new hangar development staff forecasts an additional annual \$79,000.00**

The additional revenues will go towards the following

- Step towards the goal of airport revenues covering the operations budget
- Offset operations supply and vendor expense increases
- Fund snow removal on new taxilanes
- Goal of adding one airport operations /maintenance employee
- Contribute to Capital Improvement Project costs



# Future Capital Improvement Projects

	Project	Total	FAA Portion	State Portion	City Portion	Shortfall
FY 23	Install Perimeter Fencing	\$353,000	\$317,000	\$17,650	\$17,650	
FY 24	Design and Construct Stormwater Pond	\$1,350,000	\$1,215,000	\$33,750	\$101,250	
FY 24	AWOS Relocation	\$444,444	\$400,000	\$11,111	\$33,333	
FY 25	RPZ 11 Land Acquisition	\$3,222,222	\$2,000,000	\$111,111	\$111,111	\$1,000,000
FY 25	Design Taxiway	\$125,000	\$112,500	\$6,250	\$6,250	
FY 26	Construction- Construct Taxiway	\$530,000	\$477,000	\$13,250	\$39,750	
FY 27	Acquire Land (Taylor Property)	\$575,000	\$255,500	\$14,375	\$28,750	\$262,000
FY 28	Reconstruct Municipal	\$650,000	\$585,000	\$32,500	\$32,500	\$435,000
FY 28	Replace Runway Lightng	\$475,000	\$150,000	\$11,875	\$23,750	\$277,500
<b>Totals</b>		<b>\$7,724,666</b>	<b>\$5,512,000</b>	<b>\$251,872</b>	<b>\$394,344</b>	<b>\$1,974,500</b>

	Terminal Building Project	Total	FAA Portion	City Portion	Shortfall
Year 1	Terminal Area Design	\$800,000	\$397,000	\$250,000	\$153,000
Year 2	Terminal Area Construction	\$4,300,000	\$2,100,000	\$500,000	\$1,700,000
Year 3	Terminal Area Construction	\$6,300,000	\$3,300,000	\$750,000	\$2,250,000
Year 4	Terminal Area Construction	\$2,100,000	\$1,100,000	\$500,000	\$500,000
<b>Totals</b>		<b>\$13,500,000</b>	<b>\$6,897,000</b>	<b>\$2,000,000</b>	<b>\$4,603,000</b>

# No Rate Adjustment - Impact

If land lease rates are not adjusted, the Airport will be unable to continue providing the level of service our users are accustomed to.

Example of services that could be reduced:



**Weed  
Spray**



**Field  
Mowing /  
Grooming**



**Snow  
Removal**



**Dumpster  
Service**

# Commission Request to Council

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**Authorize the Mayor to sign the Resolution creating a modified leasehold fee at the rate of \$0.23 per square foot per year**

# Potential Leasing Options

## Option 1 - Commission Recommendation \*

- Modified Leasehold
- \$0.23 per square foot per year

## Option 2 – Consultant Recommendation

- Defined Leasehold
- \$0.20 per square foot per year

## Option 3 - Consultant Recommendation

- Defined Leasehold
- \$0.25 per square foot per year

## Option 4 – Modified Recommendation

- Modified Leasehold
- \$0.245 per square foot per year

**\*Airport Commission Recommendation**

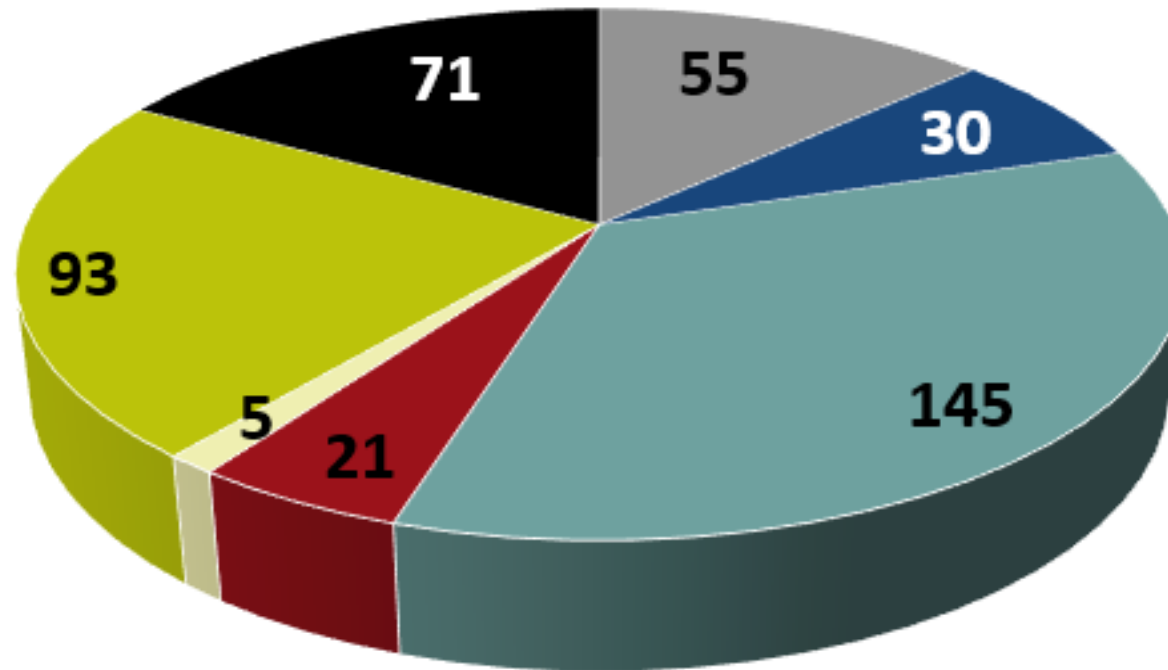


# Questions?

Crystal Craig, P.E.

Director of Transportation

# Aircraft Storage at Nampa



■ City Tie Down - 13%

■ City Rental Hangar - 35%

■ Lease - Non Aviation - 1%

■ Lease - Future - 17%

■ City Shade Hangar - 7%

■ Lease - Commercial - 5%

■ Lease - Storage - 22%

Dear City Council Members,

My name is Travis Kemp. I am a pilot and hangar owner at the Nampa Airport. I am writing this letter in my absence from the city council meeting scheduled for February 21, 2023. I wish that I could have been there in person to testify, however my job would not allow for it.

On the agenda tonight are motions to approve various improvements to the airport. I am concerned with the proposed cost some of these improvements and whether some of them are necessary.

**AIRPORT FENCING:** (Agenda items 1-4 c and 7-6)

First, is the proposal to place a chain link fence along the south end of the field. I agree that this fencing is necessary for airport security. I question the proposed cost of this fence. The total proposed cost for approximately 5,000 feet of fence is approximately \$350,000! I understand that there is some paperwork and surveying required for such a project, but that amount of money is excessive. I called up several local fence companies for quotes on such a fence and was quoted about \$90,000 for materials and installation. That means the city is spending \$250,000 extra for someone to survey the project and fill out FAA paperwork. I looked up the forms for the FAA and they are not complicated. Why is the city overpaying for this service?

**AIRPORT TERMINAL BUILDING:** (Referenced in 1-1 e.)

The current airport "Terminal Building" is a little run down. It is currently leased by The Tower Grill and AV Center. There is a proposal to tear down and replace this building at a cost of \$6 million.

Nampa does not need a "Terminal" in the classic sense of the term. Nampa is not a commercial airport. The public does not go to Nampa to catch flights in the same way that the Boise airport terminal serves. And it never will because our runway is too short for those sorts of planes to land. There are some private charter flights that occur out of Nampa, and these are operated by Fixed Base Operators (FBO's) like the AV Center. What happens when someone charters a flight is that the airplane is waiting for them on the Tarmac, the person drives up or is driven up in a private vehicle to the airplane, and they get on the airplane and go. No one waits in a terminal building for a chartered flight. The airplane waits for them and they show up and leave. Nampa does not need a terminal building for this reason.

In addition, if an FBO would like their customers to have a comfortable place to relax before a flight, then the FBO is responsible for providing the building for this. At the Boise airport, there are three FBO's (Jackson Jet Center, Western Aircraft, and Turbo Air). They have all build their own very nice hangars and waiting areas at their own expense. They pay the City of Boise a lease for the land, and they pay property taxes on the value of the building. The city did not fund the construction of these buildings. Nampa should also not bear the cost of building such a building because first no one will use it and second it is the responsibility of the FBO to provide such a building for their business purposes.

As an alternative, I would propose that the city allocate funds to remodel and update the current "Terminal Building." The current building is more than adequate to serving the needs of the airport. It does not need to be torn down and rebuilt.

**INCREASE IN AIRPORT LAND LEASE FEE: (Agenda item 8-1)**

There is a proposal to both increase the price per square foot for private hangars at the airport and to increase the square footage to included surrounding areas surrounding a hangar. Currently a lease holder is charged for the square footage the actual hangar building occupies. The surrounding gravel and taxiways are considered public use and are not controlled by the hangar owner. The new proposal is to require the hangar owner to pay a lease on these surrounding areas in addition to the building's footprint. This is unreasonable for several reasons.

First, as a hangar owner, I already paid for the construction of these areas when I built my hangar. The grading, asphalt, cement, and gravel was all placed there at my cost. Without it, I would not be able to access my hangar. Now the city wants to charge me rent for something I have already paid for? That is unreasonable.

Second, the city does not maintain these areas. The hangar owner already bears the burden of maintaining these areas. As a hangar owner, I am responsible for weed control, gravel replacement, seal coating the asphalt between the taxiway and my door, and collecting rubbish/tumble weeds around my hangar. This costs me an average of \$500 per year in maintenance costs. So now they city is proposing to charge me rent for something that I paid to construct and maintain at my own cost. If they city is proposing to charge me rent for these additional areas, then I will expect that the city will now maintain these areas for me. That includes seal coating, weed control, gravel replacement, and rubbish collection/clean up.

Third, I am fine with a modest increase in lease rates to help cover the increasing costs of maintenance around the airport. But the pilots should not bear the burden of paying for \$350,000 fences that should cost \$100,000 and \$6 million dollar terminal buildings that no one will use and should be the responsibility of an FBO to provide.

In closing, the exorbitant cost of these projects are wasteful and unnecessary. I notice that J.U.B Engineering is making a lot of money assisting the city with relatively simple projects around the airport. They are being paid \$98,000 just to "engineer" a chain link fence and fill out some FAA paperwork. They will make even more on other projects around the airport. Why not hire an employee that is responsible for coordinating these projects at the airport? Dealing with the FAA is actually not that complicated, and I would bet that the city could find a talented employee to fill out forms and grants for much less that what they are paying for now. Engineers have their place for some projects but \$100,000 consulting fees for \$350,000 chain-link fences is excessive and an example of government waste at it's worst.

Sincerely,  
Travis Jay Kemp  
Nampa Hangar Owner