THE CITY OF EAGLE
CITY COUNCIL
AGENDA
Eagle City Hall, 660 E. Civic Lane, Idaho
April 23, 2024 5:30 PM

INVOCATION:

1. **CALL TO ORDER:**
2. **ROLL CALL: GINDLESPERGER, KVAMME, MAY, RUSSELL.**
3. **PLEDGE OF ALLEGIANCE**
4. **ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA**
5. **RECOGNITION:**
   A. **American Eagle Award Presented to Deputy Ryan Vail :** The City would like to honor the acts of bravery and self sacrifice in the line of duty of Deputy Ryan Vail of the Eagle Police Department/Ada County Sheriff's Office and present him with the 2024 American Eagle Award. (BKP)
6. **PRESENTATION:**
   A. **Valley Regional Transit (VRT) will Provide an Update on 160 OnDemand Ridership and FY024 Service Change Roll Out.**
7. **REPORTS:**
   A. Mayor and Council
   B. Department Supervisor
   C. Eagle Police Department
   D. City Attorney

8. **CONSENT AGENDA:** *ALL CONSENT AGENDA ITEMS ARE CONSIDERED ACTION ITEMS.* Consent Agenda items are considered to be routine and are acted on with one motion. There will be no separate discussion on these items unless the Mayor, a Councilmember, member of City Staff, or a citizen requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda in a sequence determined by the City Council. Any item on the Consent Agenda which contains written Conditions of Approval from the City of Eagle City Staff, Planning & Zoning Commission, or Design Review Board shall be adopted as part of the City Council's Consent Agenda approval motion unless specifically stated otherwise.
   A. **Claims Against the City.**
   B. **National Small Business Week Proclamation:** A Proclamation for the City of Eagle declaring April 28 through May 4, 2024 as National Small Business Week in the City of Eagle, Idaho. (BKP)
   Proclamation - National Small Business Week 2024
   C. **DR-1998-06 MOD4 – Modification to the Eagle Library Building Elevations – The City of Eagle:** The City of Eagle, represented by AJ Cormier, is requesting design review approval to modify the library building by removing the fabric awnings over the windows and replacing them with metal awnings. The 2.4-acre site is located on the northeast corner of North Stierman Way and East Civic Lane at 100 North Stierman Way. (BAW)
   DR-06-98 MOD4 Eagle Library Awnings Action Design Review
   D. **DR-2023-66 – Parkinson Multi-tenant Flex Space Building – Urban LLC:** Nick Louie with Urban LLC is requesting design review approval for a 12,332-square foot, 6-unit, multi-tenant flex space building. The 0.74-acre site is located on the northwest corner of East State Street and South Parkinson Street at 1093 South Parkinson Street (Lot 19 and 20, Block 1, Randall Acres Subdivision No. 15).

(ERF)
Parkinson Mixed Use Building Action Design Review

E. **DR-2023-67 – Master Sign Plan for Parkinson Multi-tenant Flex Space Building – Urban LLC:** Nick Louie with Urban LLC is requesting design review approval for the master sign plan for a multi-tenant flex space building. The 0.74-acre site is located on the northwest corner of East State Street and South Parkinson Street at 1093 South Parkinson Street (Lot 19 and 20, Block 1, Randall Acres Subdivision No. 15). (ERF)
Parkinson Multi-tenant Flex Space Building Master Sign Plan Action Design Review

F. **Findings of Fact and Conclusions of Law for the Approval of RZ-11-15 MOD – Development Agreement Modification for East End Marketplace – TPC Commercial, LLC:** TPC Commercial, LLC, represented by Zach Turner with Rennison Design, is requesting a development agreement modification (development agreement in lieu of a conditional use permit) to modify the conditions of development and concept plan contained within the executed development agreement. The 15.55-acre site is generally located on the east side of South Edgewood Lane between East State Street and State Highway 44. (MJW)
Findings of Fact for RZ-11-15 MOD East End Marketplace

G. **Findings of Fact and Conclusions of Law for the Approval of PP/FP-01-23 – Combined Preliminary and Final Plat for Retail One Subdivision – TPC Commercial, LLC:** TPC Commercial, LLC, represented by Zach Turner with Rennison Design, is requesting combined preliminary plat and final plat approvals for Retail One Subdivision, a 6-lot (6-buildable) commercial subdivision. The 6.19-acre site is located at the northeast corner of State Highway 44 and South Edgewood Lane at 650 South Edgewood Lane. (MJW)
Findings of Fact for Retail One Subdivision

H. **FPUD-11-23 & FP-19-23 – Final Development Plan and Final Plat for Millstone Farms Subdivision – Phase 2 – Seddie Eagle, LLC:** Seddie Eagle, LLC, represented by Tamara Thompson with The Land Group, Inc., is requesting final development plan and final plat approvals for Millstone Farms Subdivision – Phase 2, a 131-lot (123-buildable, 8-common), residential subdivision. The 22.75-acre site is located on the northwest corner of North Palmer Lane and West Floating Feather Road. (HSD)
Staff Packet for Millstone Farms No. 2

I. **Findings of Fact and Conclusions of Law for the Approval of FPUD-2024-04 and FP-17-23 – Final Development Plan and Final Plat for Auberge Subdivision (aka Molinari Park Subdivision) – RB-AMS Eagle, LLC:** RB-AMS Eagle, LLC, represented by Antonio Conti with Ackerman-Estvold, is requesting a final development plan and final plat approval for Auberge Subdivision (aka Molinari), a 2-lot commercial subdivision. The 4.36-acre site is located on the northwest corner of North Palmetto Avenue and State Highway 44. (KDO)
Findings of Fact for Auberge Subdivision

J. **Live Performance Agreement Between the City of Eagle and Sam Henry:** A Live Performance Agreement between the City of Eagle and Sam Henry to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for specified event. (JDH)

K. **Live Performance Agreement Between the City of Eagle and Encore Creative Center :** A Live Performance Agreement between the City of Eagle and Encore Creative Center to perform Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for specified event. (JDH)

L. **Live Performance Agreement Between the City of Eagle and Heather Steele dba: Marimba Boise:** A Live Performance Agreement between the City of Eagle and Heather Steele dba: Marimba Boise to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for specified event. (JDH)

M. **Live Performance Agreement Between the City of Eagle and The Tin Roof Terrors:** A Live Performance Agreement between the City of Eagle and The Tin Roof Terrors to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for specified event. (JDH)

N. **License Agreement for Temporary Use Between the City of Eagle and Hawkins Companies LLC, Eagle Landing LLC, Hillview Delaware LLC, T&M Delaware LLC:** A License Agreement for Temporary Use Between the City of Eagle and Hawkins Companies LLC, Eagle Landing LLC, Hillview Delaware LLC, T&M Delaware LLC for the use of Lot 9 at S. Eagle Rd. and E. Colchester Dr. for the Spring Arts and Craft Fair. (JDH)

O. **CivicRec Agreement:** Staff is seeking Council approval of the renewal of an agreement between the City of Eagle and CivicRec for scheduling and registration software used by the Recreation Department. The agreement is for 12-months and shall not exceed $5,033.18. This is a budgeted expenditure. (BLA)

9. UNFINISHED BUSINESS:

A. *ACTION ITEM:* **Eagle Rodeo Lease Agreement - Amendment No. 1 :** Approval of an amendment to the lease agreement with the Eagle Rodeo, Inc for the 10-acre located at 8660 West Equest Lane. (NBS/VV)

B. *ACTION ITEM:* **Eagle Rodeo Lease Parking Agreement:** Approval of a Parking Agreement for the Eagle Rodeo Inc. for the 2024 Eagle Rodeo. (NBS/VV)

10. PUBLIC HEARINGS: *ALL PUBLIC HEARING ITEMS ARE CONSIDERED ACTION ITEMS.* **Public hearings will not begin prior to 6:00 p.m.**

- Public Hearings are legally noticed hearings required by state law. The public may provide formal testimony regarding the application or issue before the City Council. This testimony will become part of the hearing record for that application or matter.
- Public hearing testimony time limits: Individuals testifying are allotted three (3) minutes for non-repetitive testimony
- Disclosure of ex parte and/or conflict of interest.

A. **RZ-09-23 & PP-06-23 – Rezone and Preliminary Plat for Northern Lights Subdivision – Kathleen and Scott Hendricks:** Kathleen and Scott Hendricks, represented by Stephanie Hopkins with KM Engineering, LLP, is requesting a rezone from A-R (Agricultural-Residential) to R-E-DA (Residential-Estates with a development agreement [in lieu of a conditional use permit]), and preliminary plat approvals for Northern Lights Subdivision, a 2-lot (2-buildable) residential subdivision. The applicant is also requesting waivers of the sidewalk, front setback of the existing dwelling, and streetlights. The approximately 4.52-acre site is located at the southeast corner of East Beacon Light Road and North Rocket Bar Road at 2636 North Rocket Bar Road. (MJW)
Staff Report for Northern Lights Subdivision

11. NEW BUSINESS:

A. *ACTION ITEM:* **Ordinance 922 - Animal Control Ordinance:** An Ordinance repealing Title 4 "Public Health and Safety", Chapter 5 "Animal Control and enacting a new City of Eagle Code Title 4, Chapter 5, entitled the City of Eagle Animal Control Ordinance; for severability; providing for codification; and providing an effective date. (HNC/TEO)
Ordinance 922 Animal Control Update

B. *ACTION ITEM:* **Ordinance 923 - Liquor (Liquor, Beer, and Wine) Control Ordinance:** An Ordinance updating Title 3 "Business and License Regulations" Chapter 2 "Liquor Control"; for severability; providing for codification; and providing an effective date. (HNC/TEO)
Ordinance 923 - Liquor Control (Liquor, Beer, Wine)
Liquor Control (Liquor, Beer, Wine) Ordinance Memo

C. *ACTION ITEM*: **Ordinance 920 – Annexation and Rezone Ordinance – Carp Ranch Subdivision:** An ordinance annexing certain real property situated in the unincorporated area of Ada County, Idaho, and contiguous to the corporate limits of the City of Eagle, to the City of Eagle, Idaho; changing the zoning classification of said real property described herein from RUT (Rural-Urban Transition – Ada County designation) to R-1-DA-P (Residential with a Development Agreement - PUD) and R-3-DA-P (Residential with a Development Agreement - PUD); amending the zoning map of the City of Eagle to reflect said change; directing that copies of this ordinance be filed as provided by law; providing a severability clause; and providing an effective date. The 36.18-acre site is located on the south side of West Floating Feather Road approximately 500-feet west of the intersection of North Cove Colony Way and West Floating Feather Road. (MJW)

Ordinance 920 Carp Ranch Subdivision

D. *ACTION ITEM:* **Ordinance 921 - Amending the Number of Urban Renewal Agency Board Members and Identifying Seats and Terms for Each:** An Ordinance Of The City Of Eagle, Ada County, Idaho, Amending Ordinance 833 Identifying The Number Of Board Members, And Establishing Terms For Same; A Savings And Severability Clause; Providing A Repealer Clause; Providing For Publication By Summary; And Providing An Effective Date. (BKP)
Ordinance 921 Amending number of URA Members and Establishing Terms - Updated 04-17-24.

E. *ACTION ITEM:* **Discussion Regarding the Eagle Industrial Development Corporation:** Council Member Kvamme would like to discuss the viability of retaining or eliminating the Corporation. (CK)
Idaho State Code Title 50 Chapter 27

12. PUBLIC COMMENT: This time is reserved for the public to address their elected officials regarding concerns or comments they would like to provide to the City Council regarding any matter, up to and including any subject on the agenda with the exception of Public Hearing and land use items. Comments regarding Public Hearing and land use items need to be made during the open public hearing for said item(s) in accordance with Idaho Code. At times, the City Council may seek comments/opinions regarding specific City matters (excluding Public Hearing and land use items) during this allotted time. Out of courtesy for all who wish to speak, the City Council requests each speaker limit their comments to three (3) minutes.

13. EXECUTIVE SESSION: 74-206 (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(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. The mere presence of legal counsel at an executive session does not satisfy this requirement;

A. *ACTION ITEM:* **Action Regarding Pending/Threatened Litigation.**

14. ADJOURNMENT:

The City will make reasonable accommodations for anyone attending this meeting who require special assistance for hearing, physical or other impairments. Please contact the City Clerk's Office at (208) 939-6813 at least 24 hours in advance of the meeting date and time.