



**THE CITY OF EAGLE
CITY COUNCIL
AMENDED
AGENDA**
Eagle City Hall, 660 E. Civic Lane, Idaho
November 12, 2024 5:30 PM

** Indicates Added Item.*

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. **Recognition of the Eagle Thundering Mustang Band for winning the following at the 2024 Mel Shelton D-III Marching Band Competition in the Small Open Class:**
 - 1st Place Overall
 - 1st Place Auxiliary
 - Best Percussion
 - 1st Place Overall Sweepstakes
6. **REPORTS:**
 - A. **Mayor and Council**
 - B. **Department Supervisor:**
 1. City Treasurer, Financial Reports for the month of September 2024 and for the Quarter Ending September 30, 2024. (KR)
[September 2024 Monthly Financial Statements](#)
[September 30, 2024, Quarterly Financial Statements](#)
 - C. **Eagle Police Department**
 - D. **City Attorney**
7. **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. **Minutes of October 2, 2024.** (TEO)
 - C. **Minutes of October 22, 2024.** (TEO)
 - D. **Minutes of October 29, 2024.** (TEO)
 - E. **Authorization of Frontier Precision Quote 98964:** Staff is requesting Council authorization for the purchase of video imaging equipment to be used primarily for mapping purposes in an amount not to exceed \$20,258.40. Staff is requesting to utilize ARPA funds for the expense. (DNG)
 - F. **Temporary Noise Ordinance Waiver Request:** North 45 I Property/Rembrandt's is requesting a Temporary Noise Waiver for their Harvest Party event being held on November 16, 2024 between the

hours of 12:00 pm and 11:00 pm. (TEO)

[Eagle City Code Title 4 Chapter 9](#)

- G. **Idaho Power Public Utility Easement:** City of Eagle is granting Idaho Power a Public Utility Easement for the undergrounding of power to the Eagle Shooting Sports Park located at 7650 N. Willow Creek Road. (ELZ/NBS)
[Idaho Power Utility Easement to N. Willow Creek Rd](#)
- H. **Findings of Fact and Conclusions of Law for the approval of CU-07-23 – Conditional Use Permit for Retail Sales (General and Limited) and Denial of a Conditional Use Permit for a Restaurant (with drive-through) – Landmark Pacific Investors, LLC:** Landmark Pacific Investors, LLC, represented by Andrew Newell with BAWCE, is requesting conditional use permit approval for Retail Sales (General and Limited) and a Restaurant (with drive-through) within a MU-DA (Mixed Use with a development agreement) zoning district. The 2.84-acre site is located at the northeast corner of State Highway 44 and West State Street. (HSD)
[Findings of Fact and Conclusions of Law - Conditional Use Permit for Retail and Restaurant with drive-through](#)
- I. **FPUD-2024-09 & FP-2024-14 – Final Development Plan and Final Plat for Torrente Secco Subdivision No. 1 – North Eagle 413, LLC, represented by Becky McKay with Engineering Solutions, LLP:** North Eagle 413, LLC, represented by Becky McKay with Engineering Solutions, LLP, is requesting final development plan and final plat approval for Torrente Secco Subdivision No. 1, a 53-lot (42-buildable, 11-common) residential subdivision. The 37.64-acre site is located at the southeast corner of North Palmer Lane and West Beacon Light Road between West Beacon Light Road and West Floating Feather Road at 6868 West Floating Feather Road. (DLM)
[Torrente Secco Subdivision No. 1 FPUD-FP](#)
- J. **DR-2024-41 – Common Area Landscaping within River Birch Subdivision (fka Flats Sixteen Subdivision) – Walsh Group:** Walsh Group, represented by Connor Lindstrom with KM Engineering, LLP, is requesting design review approval for the common area landscaping within River Birch Subdivision (fka Flats Sixteen Subdivision). The 26.18-acre site is located on the west side of State Highway 16 approximately 1,290-feet north of the intersection of West Beacon Light Road and State Highway 16 at 3701 and 3703 North Highway 16. (ERF)
[River Birch Subdivision Landscaping](#)
- K. **DR-2024-42 – One Subdivision Entry Monument Sign for River Birch Subdivision – Walsh Group:** Walsh Group, represented by Connor Lindstrom with KM Engineering, LLP, is requesting design review approval for one subdivision entry monument sign for River Birch Subdivision. The 26.18-acre site is located on the west side of State Highway 16 approximately 1,290-feet north of the intersection of West Beacon Light Road and State Highway 16 at 3701 and 3703 North Highway 16. (ERF)
[River Birch Subdivision Sign](#)
- L. **DR-2024-43 – Seven Townhome Buildings [35-units] within River Birch Subdivision – Walsh Group:** Walsh Group, represented by Connor Lindstrom with KM Engineering, LLP, is requesting design review approval for seven townhome buildings (35-units) within River Birch Subdivision (one – 7,108-SF, four – 11,777-SF, two – 14,279-SF). The 26.18-acre site is located on the west side of State Highway 16 approximately 1,290-feet north of the intersection of West Beacon Light Road and State Highway 16 at 3701 and 3703 North Highway 16. (ERF)
[River Birch Subdivision Townhomes](#)
- M. **DR-2024-52 – Floor and Decor Retail Building within Eagle Island Marketplace – Floor and Decor Outlets of America Inc.:** Floor and Décor Outlets of America, Inc., represented by Summer Zimmers, is requesting design review approval for a 60,050-square foot retail building. The 5.38-acre site is located within Eagle Island Marketplace, 420-feet north of West Chinden Boulevard and 625-feet east of North Linder Road at 1300 West Chinden Boulevard. (ERF)
[Floor and Decor Retail Building](#)
- N. **DR-2024-53 – Two Building Wall Signs and Two Monument Sign Tenant Panels for Floor and Decor – Floor and Decor Outlets of America Inc.:** Floor and Décor Outlets of America, Inc., represented by Summer Zimmers, is requesting design review approval for two halo illuminated

building wall signs and two monument sign tenant panels. The 5.38-acre site is located within Eagle Island Marketplace, 420-feet north of West Chinden Boulevard and 625-feet east of North Linder Road at 1300 West Chinden Boulevard. (ERF)

[Floor and Decor Signage](#)

- O. **State and Eagle Intersection Improvements:** Change Order No. 6 with Ada County Highway District (ACHD) in the amount of \$2,542.40 for changes in the backflow preventer for the McDonalds Pathway, includes increasing the not to exceed amount for Phase 1 Cost Share with ACHD by the same amount. (NBS)

[ACHD Eagle Rd. and State St. Phase 1 - Change Order No. 6](#)

- P. ***Appointment to the Eagle Public Library Board:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the appointment of Mitchell Moore to the Eagle Public Library Board. Mr. Moore will be fulfilling a vacated term that will expire in September 2028. (BKP)

- Q. ***Memorandum of Understanding Between Ada County, The Ada County Sheriff's Office, The Cities of Boise, Eagle, Garden City, Kuna, Meridian, Star, Eagle Fire Protection District, and Valley Regional Transit:** A Memorandum of Understanding (MOU) authorizing Ada County, to include the incorporated cities of Boise, Eagle, Garden City, Kuna, Meridian, and Star, and unincorporated Ada County, the Ada County Sheriff's Office, and the Eagle Fire Protection District means to access Valley Regional Transit resources in the event of an emergency situation. (ELZ)

- R. ***Call for Artists - Eagle City Athletic Park Logo Design:** The Eagle Arts Advisory Committee is seeking Council approval to proceed with a call for artists for a logo design for the Eagle City Athletic Park Donation Campaign and to authorize funding for prize money not to exceed \$500.00. (BLA)

8. UNFINISHED BUSINESS:

- A. **ACTION ITEM: DR-2024-36 – Creekside Bible Church Building – Creekside Bible Church:** Creekside Bible Church, represented by Walter Lindgren with Lindgren Labrie Architecture, is requesting design review approval for a 10,740-square foot church building. The 3.26-acre site is located on the north side of East State Street approximately 386-feet east of North 2nd Street at 350 East State Street. (ERF) **This item was continued from the October 22, 2024, City Council meeting.*

[Creekside Bible Church Building](#)

9. PUBLIC HEARINGS: ALL PUBLIC HEARING ITEMS ARE CONSIDERED ACTION ITEMS. Public hearings will not begin prior to 6:00 p.m. *Public Testimony will be taken on items listed in this section.*

- 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. **CUP-2024-04 – Conditional Use Permit for Personal Wireless Facility – Verizon Wireless:** Verizon Wireless, represented by Sarah Miller with Lynx Consulting, is requesting conditional use permit approval for a personal wireless facility (height over 50-feet) to be attached to an existing building. The 3.85-acre site is located within the Eagle River development on the north side of East Eagle River Street and East Riverside Drive on Lot 20 and a portion of Lot 19, Block 3, Mixed Use Subdivision No. 5 at 230 East Riverside Drive. (HSD)

[CUP-2024-04 Pet IQ Verizon Wireless Staff Report](#)

10. NEW BUSINESS:

- A. **ACTION ITEM: Ordinance 886 - Annexation and Rezone Ordinance - Soaring Feather 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) to R-E (Residential Estates) and R-2-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; and providing an effective date. (WEV)

[Ordinance 886 - Soaring Feather Ranch Subdivision](#)

- B. **ACTION ITEM: Ordinance 935 - Annexation and Rezone Ordinance - Terra View South 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). MU-DA (Mixed Use with a development agreement), and R-2-DA (Residential with a development agreement) to MU-DA (Mixed Use with a development agreement). R-2-DA (Residential with a development agreement), and R-6-DA (Residential with a development agreement), and; amending the zoning map of the City 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. (WEV)
[ORD 935 -Terraview South A RZ](#)
- C. **ACTION ITEM: Award of Construction Contract for Roofing Services for the Orville Jackson House:** The lowest bid received was submitted by Mark Guho Corporation. Staff is requesting Council award the bid and authorize the City to enter into a construction services contract between the City of Eagle and Mark Guho Corporation for roofing services for the city owned structure located at 127 S. Eagle Road in an amount not to exceed \$45,100.00. (ACD & ELZ)
- D. **ACTION ITEM: Award of Construction Service Contract for Clerk/Treasurer's Department Remodel Project:** The lowest bid received was submitted by ESI Express. Staff is requesting Council award the bid and authorization the City to enter into a construction services contract between the City of Eagle and ESI Express for the interior remodel of the Clerk/Treasurer Department in an amount not to exceed \$137,800.00. (ELZ & TEO)
[PW CP-13 Memo](#)
- E. **ACTION ITEM: Authorization of Freeform Quote No. 20759-54161:** Staff is requesting Council authorization for the purchase of office panels and furniture for City Hall (excluding the Clerk/Treasurer area) for an amount not to exceed \$203,520.63. Funding is available via Capital Plan project number PW-CP-13. The quote was received as part of a Cooperative Purchasing Agreement with OMNIA as allowed in Idaho State Code and the City of Eagle Purchasing Policy. (ELZ & TEO)
[PW CP-13 Memo](#)
- F. **ACTION ITEM: Ordinance 944 - State Street Speed Limit Change:** An Ordinance Of The City Of Eagle, Ada County Idaho Amending Title 5, "Police Regulations", Chapter 10, "Speed Limits", Section 1, "General Speed Limits"; Providing For Severability; Providing For Codification; And Providing An Effective Date.(BKP)
[Ordinance 944 - State Street Speed Limit Change](#)

11. **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:

- (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;
- (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;
- (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 Personnel Matters.**
- B. **ACTION ITEM: Action Regarding Pending/Threatened Litigation.**

12. **ADJOURNMENT**