MINUTE ENTRY

Status Report/Pre Commission Meeting – April 24, 2013 – 4:45 p.m. and 5:30 p.m., respectively, –

Pre-Commission Room – Commissioners Baker, Franden, Hansen, and Jaurena met with Director Wong and staff members Mills, Serdar, Howe, D. Wallace, M. Wallace, Daigle, Price, Knauss, Nelson, Spears, Quintana, Brokaw, Perry, Lowe, Cutler, Inselman and Blake. Jerry Deckard of CapitolWest Public Policy Group and Karen Gallagher from the City of Boise were also in attendance.

Mr. Price and Mr. Deckard provided a legislative update to the Commission. The report was purely informational in nature; no official action was taken. Report form attached. Ms. Perry and Mr. Spears presented an update on records management and ACHD policy changes to the Commission. No official action was taken. Report form attached. The Commission briefly reviewed the day’s meeting agenda. No official changes or actions were taken.
<table>
<thead>
<tr>
<th>Date</th>
<th>April 24, 2013</th>
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</thead>
<tbody>
<tr>
<td>Topic</td>
<td>Final Legislative Report with Capitol West Public Policy Group – <em>Sine die</em></td>
</tr>
<tr>
<td>Staff Assigned</td>
<td>Steven B. Price</td>
</tr>
<tr>
<td>Direction to Staff/Outcome</td>
<td>Information Briefing Only. See the attached.</td>
</tr>
<tr>
<td>Staff Responsible to Follow-Up</td>
<td>N/A</td>
</tr>
<tr>
<td>Follow-Up Date</td>
<td>N/A/</td>
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<tr>
<td>Follow-up Discussion (Y/N)</td>
<td>N</td>
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Prepared by: Steven B. Price

Date: April 29, 2013
<table>
<thead>
<tr>
<th>Bill No</th>
<th>Description</th>
<th>Last Action</th>
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</thead>
<tbody>
<tr>
<td>H0045</td>
<td>Engineers/survey, provisions rev'd</td>
<td>04/11/2013 House - Reported Signed by Governor on April 11, 2013</td>
</tr>
<tr>
<td>H0085</td>
<td>Highway district board/vacancy fill</td>
<td>02/20/2013 House - Reported Signed by Governor on February 20, 2013</td>
</tr>
<tr>
<td>H0094</td>
<td>Local improvement districts</td>
<td>02/05/2013 House - Reported Printed and Referred to Revenue &amp; Taxation</td>
</tr>
<tr>
<td>H0104</td>
<td>Eminent domain, damage assessment</td>
<td>02/07/2013 House - Reported Printed and Referred to Judiciary, Rules, &amp; Administration</td>
</tr>
<tr>
<td>H0136</td>
<td>Local land use planning</td>
<td>02/12/2013 House - Reported Printed and Referred to Local Government</td>
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<tr>
<td>H0138</td>
<td>Plats and vacations</td>
<td>04/03/2013 House - Reported Signed by Governor on April 3, 2013</td>
</tr>
<tr>
<td>H0160</td>
<td>Regulatory takings</td>
<td>02/13/2013 House - Reported Printed and Referred to State Affairs</td>
</tr>
<tr>
<td>H0170</td>
<td>Local hwy jurisdictions/value estimat</td>
<td>03/22/2013 House - Reported Signed by Governor on March 22, 2013</td>
</tr>
<tr>
<td>H0171</td>
<td>Highways</td>
<td>04/03/2013 House - Reported Signed by Governor on April 3, 2013</td>
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<tr>
<td>H0172</td>
<td>Encroachments on highways</td>
<td>02/14/2013 House - Reported Printed and Referred to Ways &amp; Means</td>
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<tr>
<td>H0173</td>
<td>Flooding hwys, penalties revised</td>
<td>02/14/2013 House - Reported Printed and Referred to Ways &amp; Means</td>
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<tr>
<td>H0207</td>
<td>Public records/security systems</td>
<td>02/22/2013 House - Reported Printed and Referred to Ways &amp; Means</td>
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<tr>
<td>H0231</td>
<td>Public works</td>
<td>04/11/2013 House - Reported Signed by Governor on April 11, 2013</td>
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<tr>
<td>H0246</td>
<td>Dev impact fees, appeals</td>
<td>03/06/2013 House - Referred to Local Government</td>
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<tr>
<td>H0248</td>
<td>Health insurance exchange</td>
<td>03/28/2013 House - Reported Signed by Governor on March 28, 2013</td>
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<tr>
<td>H0265</td>
<td>Public works, exemption</td>
<td>04/09/2013 House - Reported Signed by Governor on April 9, 2013</td>
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<tr>
<td>Bill No.</td>
<td>Description</td>
<td>Action Details</td>
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<tr>
<td>H0267</td>
<td>Transportation/economic development zones</td>
<td>03/07/2013 House - Reported Printed and Referred to Revenue &amp; Taxation</td>
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<tr>
<td>H0315</td>
<td>Personal property tax</td>
<td>04/04/2013 House - Reported Signed by Governor on April 4, 2013</td>
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<td>H0321</td>
<td>Highways/right-of-way/map designations</td>
<td>04/02/2013 House - Reported Signed by Governor on April 2, 2013</td>
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<tr>
<td>H0322</td>
<td>Overweight, oversize loads</td>
<td>04/11/2013 House - Reported Signed by Governor on April 11, 2013</td>
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<tr>
<td>H0337</td>
<td>Sales/use tax, highway distribution account</td>
<td>03/28/2013 House - Reported Printed and Referred to Transportation &amp; Defense</td>
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<td>H0338</td>
<td>Transportation/motor fuel taxes/fee</td>
<td>03/28/2013 House - Reported Printed and Referred to Transportation &amp; Defense</td>
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<td>H0339</td>
<td>Transportation/certain taxes</td>
<td>03/28/2013 House - Reported Printed and Referred to Transportation &amp; Defense</td>
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<tr>
<td>H0340</td>
<td>Transportation/motor fuel taxes/fee</td>
<td>03/28/2013 House - Reported Printed and Referred to Transportation &amp; Defense</td>
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<tr>
<td>H0341</td>
<td>Transportation/registration fees</td>
<td>03/28/2013 House - Reported Printed and Referred to Transportation &amp; Defense</td>
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<tr>
<td>S1006</td>
<td>Transportation board, power/duties</td>
<td>03/22/2013 Senate - Signed by Governor on 03/22/13</td>
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<tr>
<td>S1046</td>
<td>Eminent domain, trails/paths</td>
<td>01/31/2013 Senate - Reported Printed; referred to Local Government &amp; Taxation</td>
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<tr>
<td>S1052</td>
<td>Motor vehicles</td>
<td>02/04/2013 Senate - Reported Printed; referred to Transportation</td>
</tr>
<tr>
<td>S1084</td>
<td>Road construction/business access</td>
<td>02/12/2013 Senate - Reported Printed; referred to Transportation</td>
</tr>
<tr>
<td>S1108</td>
<td>Initiative and referendum elections</td>
<td>04/01/2013 Senate - Signed by Governor on 04/01/13</td>
</tr>
<tr>
<td>S1117</td>
<td>Overweight/oversize loads, permits</td>
<td>04/01/2013 Senate - Signed by Governor on 04/01/13</td>
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</tbody>
</table>

Actions listed in this report are for tracking purposes only. Official action on bills is reflected in the daily journals as approved by the House and Senate.
## STAFF REPORT FORM

<table>
<thead>
<tr>
<th>Date</th>
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<tbody>
<tr>
<td><strong>Topic</strong></td>
<td>Records Management Update, Policy Review, and Resolution 1092</td>
</tr>
<tr>
<td><strong>Staff Assigned</strong></td>
<td>Scott Spears / Misty Perry</td>
</tr>
<tr>
<td><strong>Direction to Staff/Outcome</strong></td>
<td>Staff reported on the status of the records management program, policy implications, and proposed resolution. Resolution 1092 will be on the May 1, 2013, Consent Agenda.</td>
</tr>
<tr>
<td><strong>Follow-up Session (Y/N)</strong></td>
<td>N</td>
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</tbody>
</table>
Minutes of the Commission meeting held on Wednesday, April 24, 2013 at 6:00 p.m. in the offices of the Ada County Highway District, 3775 Adams Street, Garden City, Idaho.

Commissioners Baker, Franden, Jaurena and Hansen were present.

ACHD staff present: Director Bruce Wong, Mike Brokaw, Paul Daigle, Scott Spears, Dave Wallace, Bruce Mills, Mindy Wallace, Justin Lucas, Ryan Cutler, Gary Inselman, Dave Serdar, and Stephanie Blake.

Approximately twenty-five members of the public were in attendance.

Commissioner Baker called the meeting to order at 6:00 p.m. and welcomed everyone.

The Commission and audience recited the pledge of allegiance.

ADOPT AMENDED AGENDA – Request for Adoption:
A change to the originally published meeting agenda occurred less than forty eight (48) hours prior to the start of the meeting. The Commission is required to make a motion to approve the posted Amended Agenda. The Amended Agenda is effective upon the passage of the motion.

ACTION TAKEN:
Commissioner Franden made a motion to adopt and ratify the posted, amended agenda. Commissioner Hansen seconded. Motion carried unanimously.

ADOPT CONSENT AGENDA – Request for Approval:
A. Development Applications – Preliminary Plats
B. Final Plats
   B1. Roselands Subdivision No. 1 – Final Plat – Request for Approval
   B2. Paramount Subdivision No. 22 – Duplex Approval – Request for Approval
   B3. Castlebury West Subdivision No. 3 – Final Plat – Request for Approval
   B4. Devonshire Subdivision No. 5 – Final Plat – Request for Approval
   B5. Messina Meadows Subdivision No. 3 – Final Plat – Request for Approval
C. Minutes
   C1. Approval of Weekly Minutes & Minute Entries from April 10, 2013 – Request for Approval
D. Adopt Resolution No. 1093 to accept the application for the Vacation and Exchange of Right of Way on Mace Road – Proposed Vacation & Exchange – Set Date for Public Hearing
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E. 2013 Hot Mix Asphalt Material Procurement Award – Bid Results & Consideration/Award Contract
F. Resolution No. 1095 – Declaring Surplus Property – Declare Surplus Property and Set Date for Public Hearing
G. FY2013 Propane and Related Equipment Requirement – Statewide Blanket Purchase Order (SBPO 1317-03) Propane – Piggyback Purchase – Consideration and Approval
H. Centralized Printing Managed Print Services Contract Award – Request for Approval
I. Fairview & Cole Intersection Design Contract Award – Request for Approval

Commissioner Hansen requested to move Item I to the Regular Agenda for discussion and independent consideration.

ACTION TAKEN: Commissioner Franden moved to approve the Consent Agenda, with the exception of Item I, which he moved be placed as Item 5 on the Regular Agenda. Commissioner Jaurena seconded. Motion carried unanimously, without objection.

REGULAR AGENDA:

1. Capitol Mall Parking Garage Alley Vacation – Proposed Vacation & Abandonment – Request for Approval:

Dave Serdar, ACHD Right-of-Way Supervisor, presented the staff report.
Wayne Thowless, LKV Architects, 2400 E Riverwalk Drive, Boise, testified on behalf of the State of Idaho.

ACTION: Commissioner Jaurena moved to approve the Capitol Mall Parking Garage Alley Vacation. Commissioner Franden seconded. Motion carried unanimously, without objection.

2. Consideration of an offer to purchase surplus property located at 1625 W. Pine, Meridian - Administrative Approval – Consideration & Approval:

Mike Brokaw, ACHD Chief of Staff, presented the staff report.

ACTION: Commissioner Franden moved to approve the sale of the property at 1625 W. Pine. Commissioner Jaurena seconded the motion. Motion passed unanimously, without dissent.

3. Peppermill Subdivision – Conditional Use & Preliminary Plat Approval – Consideration and Approval:

Mindy Wallace, ACHD Planning Review Supervisor, presented the staff report.
Kent Brown, 3161 Springwood, Meridian, testified on behalf of the applicant.
Commissioner Jaurena asked a question of Mr. Brown regarding the cost of the bridge alluded to in the staff report. Mr. Brown responded.
Commissioner Jaurena asked a follow-up question regarding permitting. Mr. Brown responded.
Chad Dell, 1204 W. Tioga, Boise, testified.

Norm Rayburn, 2443 S. Heritage Place, Boise, testified.

Commissioner Baker asked a question of Ms. Wallace. Ms. Wallace responded. Mr. Brown, on behalf of the applicant, also responded.

Commissioner Jaurena also asked a question of Mr. Brown about changes with the bridge. Mr. Brown responded.

Commissioner Hansen asked a question of Mr. Brown. Mr. Brown responded.

Commissioner Franden provided comments and asked several questions of Mr. Brown. Mr. Brown responded.

Norm Rayburn, 2443 S. Heritage Place, Boise, testified again.

Commissioner Baker invited Mr. Brown to respond. Mr. Brown responded.

Commissioner Jaurena provided commented and provided a motion

**ACTION 1:** Commissioner Jaurena moved to approve the preliminary plat, but deny the request for modification of policy. Commissioner Franden seconded.

Commissioner Franden seconded the motion, but asked a point of order question about the motion.

Gary Inselman, ACHD Development Services Manager, responded indicating that the motion should be to approve or deny the request for modification of policy. He further explained that a denial of the request for modification would return the development back to its original conditions of approval.

Hearing such, Commissioner Jaurena withdrew his original motion. Commissioner Franden withdrew his second.

Commissioner Jaurena provided a new motion (below).

Commissioner Hansen provided comments in support of the motion.

Commissioner Baker provided comments in support of the motion.

Commissioner Jaurena asked a point of order question, discussion ensued.

**ACTION 2:** Commissioner Jaurena moved to deny the request for modification of policy. Commissioner Franden seconded the motion. Motion carried unanimously, without dissent.
4. Shamrock Bikeway Concept Report – Administrative Approval – Request for Adoption:

Justin Lucas, ACHD Planning Supervisor, presented the staff report.

Commissioner Baker welcomed Boise City Council Member Elaine Clegg to the podium to provide comments from the City's perspective.

Council Member Clegg, 150 N Capitol Blvd., Boise, testified.

Commissioner Jaurena thanked Council Member Clegg for her comments and the City's partnership. Council Member Clegg responded.

Commissioner Jaurena asked a question about policing the new facility. Council Member Clegg responded.

Commissioner Baker acknowledged having received and read correspondence (letters and email) sent to the Commission from the following people:

1. Rocky Bogert on behalf of the ACHD Bicycle Advisory Committee
2. Dennis and Kim Maino, 11402 W. Rader Ct, Boise, Idaho
3. Sean Borzea, 3297 N. Lena Place, Boise, Idaho
4. Robert and Deedra Pederson, 11444 W. Rader Ct., Boise, Idaho
5. Gary and Sylvia Adams
6. Paul Olson on behalf of the DeMeyer Park HOA
7. Jen Warnimont
8. Terry Roberts

George Knight, 4910 Cresthaven Drive, Boise, testified.

Paul Olsen, 11400 W. Daniel Street, Boise, testified on behalf of the DeMeyer Park Homeowner Association.

Sandra Ellis, testifying on behalf of Wayne Calendar, 2971 N. Mumbarto, Boise, read a letter from Mr. Calendar. Ms. Ellis submitted the letter and pictures for the record.

Commissioner Baker asked Mr. Lucas to address the comments Ms. Ellis made. Mr. Lucas responded.

Jason Wolin, 11470 W. Rader, Boise, testified.

Julie Huerta, 3278 N. Shamrock Avenue, Boise, testified.

Commissioner Baker provided several comments and asked a clarifying question of Ms. Huerta.

Commissioner Baker asked Mr. Lucas for additional information. Mr. Lucas responded.

Commissioner Hansen asked a question of Ms. Huerta regarding her driveway. Ms. Huerta responded.

Commissioner Franden asked a question of Mr. Lucas regarding parking. Mr. Lucas responded.

Commissioner Franden asked a follow-up question of Ms. Huerta. Ms. Huerta responded.
Commissioner Jaurena asked several questions of Ms. Huerta. Ms. Huerta responded.

Rocky Bogert, 2105 Warm Springs Avenue, Boise, testified.

Commissioner Franden provided several comments regarding the project and made a motion (below).

Commissioner Hansen provided several comments in support of the motion.

Commissioner Baker provided comments in support of the motion.

**ACTION:** Commissioner Franden moved to approve the Shamrock Bikeway Concept Report. Commissioner Hansen seconded the motion. Motion carried unanimously, without dissent.

5. **Fairview & Cole Intersection Design Contract Award – Request for Approval (previously published as Consent Agenda Item 1):**

Ryan Cutler, ACHD Project Manager, presented the staff report.

Commissioner Hansen asked a question regarding the land use around the intersection and the progress of the design. Mr. Cutler responded.

Commissioner Hansen provided several comments, expressing his objection to the design contract award at this time.

Commissioner Baker commented in support of the motion.

Commissioner Franden commented in support of the motion.

Commissioner Hansen provided follow-up comments.

**ACTION:** Commissioner Jaurena moved to approve the Fairview & Cole Intersection Design Contract Award, keeping in mind Commissioner Hansen’s comments. Commissioner Franden seconded the motion. Motion carried with Commissioners Jaurena, Baker and Franden voting aye, Commissioner Hansen voting nay.

**PUBLIC COMMUNICATION:**

Commissioner Baker opened the floor for public comment.

Hearing no one wishing to speak, Commissioner Baker adjourned the meeting at 7:43 p.m.