MINUTE ENTRY

Work Session – June 26, 2013 – 4:30 p.m. – Pre-Commission Room – Commissioners Baker, Franden, Arnold, Jaurena and Hansen met with Director Wong and staff members Brokaw, Price, Quintana, D. Wallace, Daigle, Mills, Anderson, Race, Inselman, Pestka, Head, Kuperus, Brown and Blake. Andy Daleiden, Engineer from Kittleson & Associates, was also in attendance.

Director Wong, Mr. Quintana, Mr. Price, Mr. Daigle, Mr. Mills and Mr. Wallace presented individual presentations on their department's budgets. Report form attached. No official action was taken.
WORK SESSION

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<td>Topic</td>
<td>Budget Work Session</td>
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<tr>
<td>Staff Assigned</td>
<td>Michael Brokaw</td>
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<td>Direction to Staff/Outcome</td>
<td>Divisional overviews presented by Director, Communications, Legal, Engineering, Maintenance and Planning/Projects</td>
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<td>Follow-up Session (Y/N)</td>
<td>Yes, next work session scheduled for July 17, 2013</td>
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Pre Commission – June 26, 2013 – 5:30 p.m. – Pre-Commission Room – Commissioners Baker, Franden, Arnold, Jaurena and Hansen met with Director Wong and staff members Brokaw, Price, Quintana, D. Wallace, Daigle, Mills, Inselman, M. Wallace, Yarrington, Serdar, Wagoner, Watsek and Blake. Andy Daleiden, Engineer from Kittleson & Associates, was also in attendance.

The Commission and staff reviewed the day's formal meeting agenda. No official action was taken.
COMMISSION MEETING MINUTES
for
Wednesday, June 26, 2013

Minutes of the Commission meeting held on Wednesday, June 26, 2013 at 6:00 p.m. in the offices of the Ada County Highway District, 3775 Adams Street, Garden City, Idaho.

Commissioners Baker, Franden, Arnold, Jaurena and Hansen were present.

AHD staff present: Bruce Wong, Craig Quintana, Paul Daigle, Dave Wallace, Gary Inselman, Mike Brokaw, Steve Price, Jarom Wagoner, Dave Serdar, Stacy Yarrington, Lauren Watsek, Mindy Wallace and Stephanie Blake.

Approximately 27 members of the public attended.

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 more 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, with the exception of Item 1 on the Regular Agenda, which he remanded to staff indefinitely. Commissioner Jaurena seconded. Motion carried unanimously.

ADOPT CONSENT AGENDA – Request for Approval:
A. Development Applications – Preliminary Plats
   A1. Silver Trail Subdivision – Preliminary Plat - Consideration & Approval
   A2. Silvercloud Subdivision – Preliminary Plat – Consideration & Approval
B. Final Plats
   B1. Pinewood Lakes Subdivision No. 9 – Final Plat – Request for Approval
   B2. Dallas Harris Estates Subdivision No. 11 – Final Plat – Request for Approval
   B3. Spurwing Grove Subdivision No. 5 – Final Plat – Request for Approval
   B4. Spurwing Challenge Subdivision – Final Plat – Request for Approval
C. Minutes & Minute Entries – Request for Approval
D. Intergovernmental Agreement for Roles and Responsibilities under the NPDES Municipal Stormwater Permit (Permit #IDS-02756-1) – Acceptance of Facts, Findings and Conclusions – Request for Approval
E. Interagency Agreement between ACHD and Capital City Development Corporation – 9th Street and Grove Street (Boise) – Request for Approval

ACTION TAKEN: Commissioner Franden moved to approve the Consent Agenda. Commissioner Jaurena seconded. Motion carried unanimously, without objection.

REGULAR AGENDA:

1. Condemnation of Right-of-Way Necessary for Ustick Road (Cloverdale to Five Mile) Project – Parcel 16, (Steve B. & Keum Nam Beineke) 11700 W. Ustick Road, Boise, Idaho – Authorization and Order of Condemnation:

   ACTION: NA – Remanded back to staff in the first motion of the evening, the adoption of the agenda as amended.

2. DRH13-00107- Design Review – Request for Waiver of Policy:

   Stacey Yarrington, ACHD Planner II, presented the staff report.

   Commissioner Hansen asked several questions of Ms. Yarrington. Ms. Yarrington responded.

   Commissioner Baker asked a question of Ms. Yarrington. Ms. Yarrington responded.

   David Benoit, 5839 Yaquina Head, Garden City, testified and submitted written material and photos for the record.

   Commissioner Hansen asked a question of Mr. Benoit about the photo he submitted. Mr. Benoit responded.

   Commissioner Hansen asked a follow-up question. Mr. Benoit responded.

   Commissioner Baker asked a question of staff. Ms. Yarrington responded.

   Commissioner Baker responded with a follow-up question. Mr. Yarrington responded. Mr. Benoit responded with additional information.

   Commissioner Hansen asked a question of staff. Ms. Yarrington responded.

   Commissioner Arnold asked a question of Mr. Benoit. Mr. Benoit responded.

   Commissioner Jaurena asked a question of staff regarding the benefit of the staff recommendation to the tax payers. Ms. Yarrington responded. Mr. Benoit added additional comments.

   Commissioner Franden asked a follow-up question. Mr. Benoit responded.

   Jose Peredo, 410 Fall Drive, Boise, testified.
Commissioner Hansen asked a question of Mr. Peredo. Mr. Peredo responded.

Commissioner Baker asked an additional clarifying question. Mr. Peredo responded.

Commissioner Jaurena asked a question of Mr. Peredo. Mr. Peredo responded. Mr. Benoit also responded. Mr. Peredo also responded.

Commissioner Franden commented on the boundaries of the Commission's authority at this meeting. Commissioner Baker concurred.

Commissioner Franden asked Ms. Yarrington for clarification about the applicant's request. Ms. Yarrington responded.

Gary Inselman, ACHD Development Services Manager, responded.

Commissioner Jaurena asked Ms. Yarrington for clarification regarding the two requested waivers. Ms. Yarrington responded.

Commissioner Franden asked Ms. Yarrington a question about paving alleys. Ms. Yarrington responded.

Commissioner Franden asked several additional questions of staff. Ms. Yarrington and Mr. Inselman responded.

Commissioner Hansen provided a motion (below - ACTION 1) and provided comments.

Commissioner Jaurena expressed his agreement with the second waiver, but not the request for a waiver of the requirements for curb and gutter improvements on Franklin. Commissioner Jaurena offered a substitute motion (below - ACTION 2).

Commissioner Baker offered an explanation of why she is unwilling to support the substitute motion.

Commissioner Franden commented, explaining his support for the substitute motion.

ACTION 1: Commissioner Hansen moved to approve the applicant's two requests for waiver of policy. Commissioner Baker seconded the motion. Motion was replaced by a substitute motion.

ACTION 2: Commissioner Jaurena offered a substitute motion to approve the first request for a waiver of policy for the required alley work, but deny the second requested waiver of policy (requirement for curb and gutter improvements on Franklin Road). Commissioner Franden seconded. Motion passed 3 to 2, with Commissioners Franden, Arnold and Jaurena voting aye; Commissioners Baker and Hansen voting nay.

3. Meridian LDS Temple – Conditional Use, Private Road & Master Site Plan – Request for Modification of Policy:

Stacey Yarrington, ACHD Planner II, presented the staff report.
Commissioner Baker asked a question of Ms. Yarrington about the request for waiver of policy. Ms. Yarrington responded.

Commissioner Jaurena asked a clarifying question.

Commissioner Franden asked several questions of Ms. Yarrington about the future plans for Linder Road. Ms. Yarrington responded.

Gary Inselman, ACHD Development Services Manager, also responded.

Commissioner Franden asked a follow-up question of Mr. Inselman. Mr. Inselman responded.

Commissioner Hansen asked a question of Ms. Yarrington regarding transit. Ms. Yarrington responded.

Mr. Inselman added additional clarification on the staff's recommendation for the Commission to approve the request for waiver of policy.

Kerry Neilson, 50 E. N. Temple Street, Salt Lake City, Utah, testified on behalf of the applicant.

Commissioner Hansen commented on the need for bus service availability around the temple and meeting sites. Mr. Neilson responded.

Paul Farmer, 7107 N. Springcrest Place, Meridian, testified.

Mr. Inselman responded to several points that Mr. Farmer raised.

James Goff, 1458 W. Sandy Court, Meridian, testified.

David Bensinger, 7258 N. Springcrest Place, Meridian, testified.

Mr. Inselman responded to several points raised by Mr. Bensinger.

Commissioner Hansen asked a question about the potential for this site to be a candidate for a roundabout. Mr. Inselman responded.

Commissioner Hansen asked several follow-up questions. Mr. Inselman responded.

Commissioner Jaurena asked a question of Mr. Inselman. Mr. Inselman responded.

Commissioner Franden asked several questions of Mr. Inselman. Mr. Inselman responded.

Commissioner Hansen expressed his concern with several of the assumptions related to the staff recommendation.

Commissioner Franden encouraged staff and the applicant to look at the turning movements, specifically at the subdivisions near the new temple site.
ACTION: Commissioner Jaurena moved to approve the staff report and request for modification of policy, as written. Commissioner Arnold seconded the motion. Motion carried unanimously, without dissent.

Commissioner Baker called a five minute recess at 7:19 p.m.

Commissioner Baker called the meeting to order again at 7:24 p.m.

4. PUD13-00003/Cantabria Apartments – Planned Unit Development – Consideration and Approval:

Mindy Wallace, ACHD Planning Review Supervisor, presented the staff report.

Lance Warnick, 435 Main Street, Kuna, testified on behalf of the applicant.

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

Commissioner Jaurena asked a question of Mr. Warnick. Mr. Warnick responded.

Commissioner Franden asked a question of Mr. Warnick. Mr. Warnick responded.

Commissioner Baker read the following names in the record, as those who submitted letters or emails to the Commission in advance. She acknowledged that the Commission received this correspondence:

1. Diane Griffiths, President of the Pepper Hills Homeowners Association
2. Betty Bermensolo, spokesperson for the Southwest Ada County Alliance
3. Jolene Johnstun
4. Joe and Annette DeAngelis
5. June Wilber
6. Beth Schafer
7. Mike Liden
8. Dean Crowsdale

Gale Hogan, 1740 S. Mayflower Way, Boise, testified.

Ms. Wallace responded to several comments Mr. Hogan made.

Larry Lindstrom, 11873 W. Armg Drive, Boise, testified.

Dean Crowsdale 11990 W. Armg Drive, Boise, testified.

Dave Skaggs of Summit Development, 1341 S. Spring Valley Drive, Nampa, testified on behalf of the developer.

Commissioner Hansen asked a question of Mr. Skaggs. Commissioner Baker responded.

Diane Griffiths, 2138 S. Rushmore Way, Boise, testified.

Commissioner Baker commented on ACHD's role in this approval process and asked Ms. Wallace whether she had any follow-up comments. Ms. Wallace responded.
Commissioner Hansen asked a question of Ms. Wallace. Ms. Wallace responded.

Wendy Dahle, 11949 W. Armga Drive, Boise, testified.

Commissioner Baker asked a question of Ms. Dahle. Ms. Dahle responded.

Commissioner Jaurena provided additional comments. Ms. Dahle responded.

DuWayne Dahle, 11949 W. Armga Drive, Boise, testified.

Commissioner Jaurena provided follow-up comments to Mr. Dahle. Mr. Dahle responded.

Betty Bermensolo, 1970 Canonnero, Boise, testified.

Commissioner Baker asked several questions of staff. Ms. Wallace responded.

Commissioner Arnold asked a question of Ms. Wallace. Ms. Wallace responded.

Commissioner Hansen asked a question of staff. Mr. Inselman responded.

Commissioner Hansen asked a follow-up question of Mr. Inselman. Mr. Inselman responded.

Commissioner Jaurena asked a question of Ms. Wallace. Ms. Wallace responded.

Commissioner Jaurena asked a follow-up question. Mr. Inselman responded.

Commissioner Franden asked a question of Mr. Inselman. Mr. Inselman responded.

Commissioner Hansen provided comments.

Commissioner Jaurena provided comments and provided a motion (below- Action 1).

Commissioner Baker asked that Commissioner Jaurena include a requirement for detached sidewalks and to move the building.

Commissioner Jaurena amended his motion to include the detached sidewalks, but not the requirement to move the building.

Commissioner Arnold expressed that she couldn't second the motion with the additional requirements.

Commissioner Jaurena asked a question about amending his motion.

Commissioner Baker asked several questions of legal counsel.

Steve Price, AHCD General Counsel recommended that the Commission withdraw their motion and start over.

Commissioner Jaurena withdrew his motion.
Mr. Price added additional clarity on the questions that the Commissioners raised.

Commissioner Jaurena offered a new motion (below – Action 2).

**ACTION 1:** Commissioner Jaurena moved to approve the staff report as written. Commissioner Arnold seconded. Commissioner Jaurena withdrew this motion.

**ACTION 2:** Commissioner Jaurena moved to approve the staff report with the additional requirement that the pork chop on Cloverdale be maintained by the developer and that, when future development happens on Overland Road, there be a detached sidewalk installed at that time. Hearing no second, this motion failed.

Commissioner Arnold asked a question of Mr. Price. Mr. Price responded.

Commissioner Franden asked a question of staff. Mr. Inselman responded. Mr. Price responded as well.

Commissioner Franden asked several follow-up questions. Mr. Inselman and Mr. Price responded.

Commissioner Baker provided several comments and made a motion (below – Action 3).

**ACTION 3:** Commissioner Baker moved to approve Planned Unit Development No. 13-00003 - the Cantabria Apartments, with the requirement that the sidewalk be detached with the construction of this development and that the pork chop be maintained by the developer. Commissioner Hansen seconded. Motion passed 3 to 2 with Commissioners Baker, Jaurena and Hansen voting aye; Commissioners Arnold and Franden voting nay.

Commissioner Jaurena explained his opposition for the motion.

Commissioner Hansen provided comments about the rationale for his vote.

Commissioner Arnold explained her opposition for the motion.

**PUBLIC COMMUNICATION:**

Commissioner Baker opened the floor for public communication.

Hearing no one wishing to speak, Commissioner Baker adjourned the meeting at 8:49 p.m.