

**CITY OF CALDWELL  
PUBLIC MEETING INFORMATION**

We invite interested parties to participate in public hearings either electronically or in person. If you have a cough, fever, or are not feeling well, please contact Planning & Zoning staff to arrange participation remotely. The City of Caldwell follows the CDC guidelines to allow for distancing in the public meeting area and provide masks/hand sanitizer on site.

Virtual Participation Option: Register in advance to provide public comments electronically or by telephone. During the registration process, you will be asked what item on the agenda you wish to speak about. Please use the case number as listed within the written notice.

On-line registration must be submitted at least 24 hours in advance of the meeting. Click on the green “public meetings” button on the center of the page. After registration, you will receive a confirmation email containing information about joining the virtual meeting. **REGISTER AT: <https://www.cityofcaldwell.org>**

Written comments must be received at least eight (8) days in advance of the meeting to the Planning & Zoning Department at [P&Z@cityofcaldwell.org](mailto:P&Z@cityofcaldwell.org) to be included within the staff report. All comments received after the staff report has been transmitted will be included in the case file and provided as late exhibits at the appropriate public hearing.

Live Stream Viewing: If you are not planning to speak, members of the public are encouraged to view the meeting via the live stream option: <https://www.youtube.com/channel/UCci7S1A0UJNK6asXxxugLGA>



**REGULAR CITY COUNCIL MEETING  
AGENDA  
Tuesday, April 18, 2023  
6:00 PM**

**INVOCATION OFFERED BY PASTOR BETH STOCKETT OF THE CROSS ROADS COMMUNITY CHURCH OF CALDWELL.**

**PLEDGE OF ALLEGIANCE TO THE FLAG.**

**ROLL CALL.**

**CONFLICT OF INTEREST DECLARATION.**

**SPECIAL PRESENTATIONS.**

- a. *Report from Idaho State Department of Agriculture regarding the Japanese Beetle.*
- b. *Local Highway Technical Assistance Council: Recognition of Street Department Employees – Paul Alsop, Robert Nelson, David Renteria, Stan Bland, and Kresta Smout.*

**AUDIENCE PARTICIPATION.**

**CONSENT CALENDAR: [ALL CONSENT CALENDAR ITEMS ARE ACTION ITEMS]**

1. The Caldwell City Council dispenses with the three (3) reading rule of Idaho Code §50-902 for all ordinances.
2. Approve the minutes for the Caldwell City Council Meeting held on April 4, 2023 and Caldwell Housing Authority meetings held on January 27, 2023, February 24, 2023, and cancelled meeting in March 2023; the Caldwell Historic Preservation Commission regular meeting held on February 22, 2023; and a Caldwell Historic Preservation Commission Workshop held on February 28, 2023;
3. Approve Resolution declaring a City-owned vehicle located at the Caldwell Airport as surplus property for disposition to public auction;
4. Approve Resolution authorizing the purchase of new influent fine screens in the amount of \$229,000.00 to be used at the Wastewater Treatment Plant;
5. Approve Resolution accepting a Permanent Easement from Brown Family Farms for the extension of the Farmway Water and Conduit Project;
6. Approve request from Canyon County Juvenile Probation to waive the park permit application fee and special event permit fee in the total amount of \$195.00 for the National Truancy Awareness community event to be held at Griffith Park on August 12, 2023;
7. Approve Resolution No. 301-22(A) superseding Resolution No. 301-22 to execute a Utility Easement with Idaho Power for the utility relocation on Montana Avenue associated with pedestrian improvements as part of an active federal funded project;

8. Approve Resolution authorizing an existing Deferral Agreement between ForeTeeFirstStreet I LLC and the City of Caldwell be dissolved pursuant to the completion of improvements located at 509 South 41<sup>st</sup> Avenue;
9. Approve Resolution ratifying the execution of a change order under the contract 222, East Ustick Sewer Trunk Line Extension in the amount of \$1,585,579.50 with Central Cove Construction, LLC;
10. Approve Resolution accepting a Permanent Easement from Lloyd Family, LLC to provide sanitary sewer service to 4012 Brian Avenue;
11. Approve Resolution accepting a Permanent Easement from North Ranch A LP to provide sanitary sewer and domestic water main lines to 4321 Muller Drive;
12. Approve Resolution accepting a Permanent Easement from Watson Land Holding, LLC to provide sanitary sewer and domestic water main lines to a portion of the Arbor Ridge Subdivision;
13. Approve Resolution accepting a Permanent Easement from Hemlock Developers, LLC to provide a pressure irrigation main line to service area parcels;
14. Approve Resolution accepting a Permanent Easement from Ustick Storage to provide a pressure irrigation main to 17848 Middleton Road;
15. Approve Resolution accepting a Permanent Easement from Ustick Storage, LLC and Hemlock Developers, LLC to provide a domestic water line to services area parcels;
16. Approve Resolution accepting a Permanent Easement No. 2 from Ustick Storage, LLC to provide a domestic water line to 17848 Middleton Road;
17. Approve Resolution accepting a Permanent Easement No. 3 from Ustick Storage, LLC to provide a domestic water line to 17848 Middleton Road;
18. Approve Resolution authorizing the execution of a Professional Services Contract with Resource Consultants, Inc., in the amount of \$15,000.00 for the management of ARPA funds for the City of Caldwell;
19. Approve Resolution authorizing and approving participation in cooperative purchasing programs established by any association that offers it goods or services as a result of the competitive solicitation processes pursuant to Idaho Code Section 67-2807 and authorizing the City Clerk, City Treasurer, and City Finance Director to take action consistent with the resolution;
20. Approve Resolution awarding the bid for the Wastewater Treatment Plant Shop Expansion Project to the apparent low bidder, Ewing Company, in the base bid amount of \$2,496,000.00 and authorize staff to execute the construction contract and provide notice of award.

#### OLD BUSINESS:

1. **CONTINUED ACTION ITEM:** Consider Resolution authorizing purchase of a 2024 T480 Kenworth Plow Truck through the Sourcewell Cooperative Purchasing Alliance in the amount of \$343,046.00, pursuant to Idaho Code 67-2807, for use by the Caldwell Street Department.

#### NEW BUSINESS:

1. **ACTION ITEM: Public Hearing** (Quasi-Judicial): **CPM22-000012 / ZON22-000005 / AMD-22-07 (Legacy Falls):** A request by BVA Development, on behalf of BV Legacy Falls LLC., for a comprehensive plan map amendment to change the future land use designation from CS (Commercial and Service) to HDR (High Density Residential) on the southern half of parcel R32822011A0, to include approval of Resolution # 442-22, associated with CMP22-000012. Concurrently, the applicant is requesting a rezone of the southern half of parcel R32822011A0 from C-1 (Neighborhood Commercial) to R-3 (High Density Residential), to include approval to terminate the original development agreement (DA-07-020) associated with the subject parcel, and to include approval of a new development agreement associated with AMD-22-07 and ZON22-000005. The proposed development, Legacy Falls, will include approximately 13.88 acres of commercial property for office and flex space, and approximately 5.20 acres for residential 3-story condominiums. The subject property is located at the southeast intersection of S Florida Ave and Karcher Road in Caldwell, Idaho. *The Planning and Zoning Commission at their March 22, 2023 public hearing, made a recommendation to City Council for approval of CPM22-000012, ZON22-000005 and AMD-22-07, subject to the conditions of approval as presented. (Staff Planner: Alex Jones)*
2. **ACTION ITEM:** Consider Bill No. 41 (**Ordinance No. 3435**) for **CASE NO: ZON22-000005** with a request to move for its passage by title only and approve the summary for publication.
3. **ACTION ITEM: Public Hearing** (Quasi-Judicial): **REQUEST SUMMARY: CASE NO: ANN22-000022 /CPM22-000010 (Copper Pointe):** A request by Glancey Rockwell & Associates on behalf of the property owner Rockbury 88 LLC., for an annexation of approximately 8.53 acres and any adjacent right-of-way, with a proposed R-3 (High Density Residential) zoning designation, to include the approval of a Development Agreement associated with ANN22-000022. Concurrently, the applicant is requesting a comprehensive plan map amendment from Medium Density Residential to High Density Residential to include approval of Resolution No. 422-22 associated with CPM22-000010. The subject properties are located at 4125 and 4211 South Florida Avenue (Parcels R27474 and R27475), Caldwell, Idaho. *The Planning and Zoning Commission at their March 22, 2023 public hearing, made a recommendation to City Council for approval of ANN22-000022 and CPM22-000010, subject to the amended conditions, and approved a Special Use Permit (SUP22-000029), subject to conditions, for the Copper Pointe multi-family development. (Staff Planner: Katie Wright)*

4. **ACTION ITEM:** Consider Bill No. 72 (**Ordinance No. 3466**) for **CASE NO: ANN22-000022** with a request to move for its passage by title only and approve the summary for publication.
5. **ACTION ITEM: Public Hearing (Quasi-Judicial): CASE NO: CPM21-000002/ANN21-000014/ ZON21-000005/ SUB21-000041 (Arrowrock Farm):** Gem State Planning, on behalf of Trilogy Development and Endurance Holdings LLC., is requesting Annexation (ANN21-000014) of parcels R3270901100 (approximately 17.77 acres), R32709011B0 (approximately 17.40 acres), and the right-of-way along the Karcher Road frontage (approximately 2.78 acres), for a total of approximately 37.95 acres, to include approval of a Development Agreement associated with ANN21-000014. The applicant is proposing an HC (Highway Corridor) zoning designation for approximately 27 acres, which is consistent with the Comprehensive Plan Future Land Use designation of Highway Corridor. The proposed zoning designation for the remaining 10.99 acres is R-2 (Medium Density Residential), where the Comprehensive Plan designation is Highway Corridor. Concurrently, the applicant is requesting a Comprehensive Plan Map Amendment (CPM21 000002) for 10.99 acres to modify the designation from Highway Corridor to Medium Density Residential, to include approval of Resolution No. 344-22 associated with CPM21-000002. Also requested is an approval of a Preliminary Plat (SUB21-000041) for **Arrowrock Farm Subdivision**, a mixed-use subdivision consisting of 40 single-family homes, 60 townhome units, 52 four-flex units, two (2) commercial lots, and 15 open space common lots. At the time of application submission, multi-family was a permitted use within the H-C (Highway Corridor) zone and single family within the H-C (Highway Corridor) zone required a special use permit. The subject properties are located on the northwest corner of Karcher Rd and S. Indiana Ave. *The Planning and Zoning Commission at their March 22, 2023 public hearing, made a recommendation to City Council for approval of CPM21-000002, ANN21-000014, ZON21-000005, and SUB21-000041, subject to the conditions of approval as presented, and approved a Special Use Permit (SUP21-0000159), subject to conditions, for proposed townhomes within Arrowrock Farm Subdivision. (Staff Planner: Katie Wright)*
6. **ACTION ITEM:** Consider Bill No. 61 (**Ordinance No. 3380**) for **CASE NO: ANN21-000014 and ZON21-000005** with a request to move for its passage by title only and approve the summary for publication.
7. **ACTION ITEM:** Consider Bill No. 14 (**Ordinance No. 3498**) amending Chapter 4 (Section 04-09-09) granting the right of interment cemetery space at Canyon Hill Cemetery and extending the period from said right (that would automatically expire) from 30 year to 50 years with a request to move for its passage by title only and approve the summary for publication.
8. **ACTION ITEM:** Consider Bill No. 18 (**Ordinance No. 3502**) amending Chapter 8 (Section 08-07-07) pertaining to the relabeling of alcoholic beverages consumed at Indian Creek Plaza with a request to move for its passage by title only and approve the summary for publication.
9. **ACTION ITEM:** Consider Resolution authorizing the execution of a Professional Services Agreement with Keri Foster for services pertaining to Community Development Block Grant funds.
10. **ACTION ITEM:** Consider Resolution authorizing the approval of a new job description for a Purchasing Coordinator within the Finance Department using ARPA funds.
11. **ACTION ITEM:** Consider acceptance of the Finance Report.
12. Council Reports.
13. Mayor's Comments.
14. Adjournment.

**Next Regularly Scheduled City Council Meeting is on Tuesday, May 2, 2023 at 6:00 p.m.** in the Community Room at the Caldwell Police Station at 110 South Fifth Avenue. Any person needing special accommodations to participate in the meeting should contact the City Clerk at 411 Blaine Street or call #455-4656 prior to the meeting. The entire agenda packet and minutes can be viewed on the City of Caldwell's website: [www.cityofcaldwell.org/your-government/transparency/council-documents](http://www.cityofcaldwell.org/your-government/transparency/council-documents). Cualquier persona que necesita arreglos especiales para participar en la reunión debe comunicarse con el Secretario de la Ciudad en 411 Blaine Street o llame al # 455 a 4656 antes de la reunion.