December 2022 Membership Meeting

Hybrid Meeting – 8 December 2022
Agenda – 8 December 2022

• Welcome and overview – John Mooney, BVNA Board President
• Development Update
  • Miscellaneous – John Mooney
  • Woven/Atwell – Gary Veasy, BVNA Board Secretary
• Dallas Harris Elementary – Katie Swain, BVNA Board Treasurer
• Transportation Update – Zach Piepmeyer, BVNA Board Director
• Parks and Trails – Rob Stark, BVNA Board Vice-President
• Firewise – Roy Tweedle, BVNA Board Director
• Miscellaneous – John Mooney
  • Annual Meeting Reminder
  • Dry Well info
  • CID letter
  • ACHD Action on Warm Springs Avenue

• Our apologies for the late meeting start time and the technical difficulties for those online at our monthly meeting. We will continue to try and improve our capacity to conduct hybrid meetings. We recognize that many of you appreciate the opportunity to listen in and interact without leaving home on a school/work night.
• Attendance: All board members except Piepmeyer (vacation). 14 neighbors in person with 8 online.
Development Update

John Mooney, BVNA President
Harris East Update – Excavations onto Peace Valley?

• Cut & Fill questions answered this past month

  • Boise Hunter Homes (developer) identified the north fence line at Peace Valley was approximately 75’ too far north during their required parcel survey before excavations began.
Harris East Trailhead Parking/Turn-around

- Status: City Council asked City Staff to work with the developer (Boise Hunter Homes) and ACHD to determine if there was a means to construct a motor vehicle turnaround at the termination of Council Springs Road (Homestead Trailhead)
- No progress as of yet but BVNA has contacted the city and ACHD and we hope for resolution soon.
Base of Harris North

- DRH22-00428
- IAW SP-01 (administrative review)
- Rental Mix
  - 4x1BR / 12x2BR / 6x3BR (22 units)
- Assigned Planner: Katelyn Menuge

**Project Location**

4812 E BARBER DR
Boise, ID

**Project Description:**

4812 E Barber Valley Dr
Construct 22 unit multi-family project with associated site improvements

**Record Details**

**Applicant:**
- Individual
- Mike Arbon
- WV Holdings, LLC
- 4812 E Barber Valley Dr
- Boise, ID, 83716
- Main Phone: 774-262-4830
We would recommend using Continental or other high-visibility crosswalk markings (see the recommended Figure 3B-19 here: https://mudc.org/wp-content/uploads/meetings/2011B/Attach-No-3-Markings-Sec-3B.18-Approved-6-23-11.pdf for examples).

Recommended signs (4 each) to be installed at the crosswalk, see MUTCD Section 2C for more details. Please also refer to https://mutcd.fhwa.dot.gov/resources/interpretations/3_09_61.htm for an example.
HOW? Because of the professional engagement and coordination with the City and ACHD from BVNA Directors Gary Veasy, Zach Piepmeyer, and Rob Stark. THANK YOU!!!
“Woven” Subdivision

- All documents are on city portal. PUD: [permits.cityofboise.org/CitizenAccess/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=22CAP&capID2=00000&capID3=00EKN&agencyCode=BOISE](https://permits.cityofboise.org/CitizenAccess/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=22CAP&capID2=00000&capID3=00EKN&agencyCode=BOISE) (go to documents tab)
- P&Z Hearing 12 December 22: PUD (Planned Unit Development), Subdivision, Rezone, Annexation - DRB (Design Review Board) is separate process. NOTE: Item was deferred by P&Z to January 9, 2023 due to length of the 12/22 meeting.
- 33 townhomes proposed (40 originally)
  - 7 2-Plex Bldgs (2-story, 2500 SF); 3 3-Plex Bldgs (3-story, 2400 SF);
  - 2 5-Plex Bldgs (2-story, 2400 SF)
- 2 story units are adjacent to East Valley
- 10.3 units/acre (14.5 allowed in a R2 zone)
- Detached sidewalks are proposed on most streets
- Direct street access to Warm Springs Ave has been included
- Based on revisions made to the project, BVNA supports the staff recommendation for approval
“Woven” Subdivision

- Application includes lot size and setback reductions as part of the PUD (based on providing code-allowed amenities):

<table>
<thead>
<tr>
<th>R-2 Setbacks</th>
<th>Requested Interior Setback Reductions</th>
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</table>
| Front        | Block 1 Lots 1-6, Block 2 Lots 8-15: 16’  
               | Block 1 Lots 7-14: 0’           
               | Block 2 Lots 1-6: 5’            |
| Street Side  | Block 1 Lot 1: 10’                     
               | Block 1 Lot 14: 4’               
               | Block 3 Lots 1&5: 13’            |
| Interior Side| Attached Units: 0’                     
               | End Units: 3’                    |
| Rear         | Block 1 Lots 10-11: 7’                
               | Block 2 Lots 1-6: 0’             
               | Block 3 Lots 1-5: 0’             |

- Vehicle Parking Summary

<table>
<thead>
<tr>
<th>REQUIRED</th>
<th>66 SPACES (2 PER DU)</th>
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<tr>
<td>Garage</td>
<td>66 spaces</td>
</tr>
<tr>
<td>Driveway</td>
<td>34 spaces</td>
</tr>
<tr>
<td>On-Street</td>
<td>20 spaces</td>
</tr>
<tr>
<td>TOTAL</td>
<td>120 SPACES (3.6 PER DU)</td>
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“Woven” Subdivision - Site Plan
“Woven” Subdivision - Street Sections
"Woven" Subdivision - Site Plan

Site plan to be revised to include a 10’W. MUP (multi-use path) instead of a 5’ sidewalk at property frontage (see next slide)
"Woven" Subdivision - ROW Section

- WSA Centerline
- 40'
- R/W P.E.
- 2'-3'
- 20' (approx.) landscape setback to residences
- Curb & Gutter w/ Drainage Openings OR 2' Ribbon Curb
- 19'-20'
- Pathway
- Grade surface for stormwater storage
“Woven” Subdivision - PUD Findings

P&Z must find that all of these findings apply to the project in order to approve it.

Planned Unit Development (City Code Section 11-03-04.07(C7))
1. The location is compatible to other uses in the general neighborhood;
2. The proposed use will not place an undue burden on transportation and other public facilities in the vicinity.
3. The site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls, fences, parking, loading, landscaping, and such other features as are required by this Code. (This was primarily the basis for denial for the previous application.)
4. The proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity.
5. The proposed use is in compliance with the Comprehensive Plan.
Dallas Harris Elementary School

Katie Swain, BVNA Treasurer
Dallas Harris Elementary School Progress

• Update From: Dr. Teri Thaemert, Area Director - Timberline Quad, Boise School District

• BSD is currently working with students at DTEC to design the school's Yote logo

• The gym roof is currently in place

• Comments, feedback? Please email Board@bvnaboise.org
New School “People Circulation” (cars, bikes, peds)

- BSD has NOT begun an effort to define the traffic circulation around the new school
  - They have defined drop-off zones, but not how traffic should be routed to/from the school
- BPD will engage with the school district ‘soon’ and develop road traffic circulation plan
  - We’ve done initial coordination with the BPD traffic unit (Cpl Wills)
- Kids that walk/bike to school are served by the Safe Routes to School program
  - There is no SRTS program for East Junior High
  - Plans for a SRTS program for DHE have not begun (yet)
  - If you’d like to volunteer your time to coordinate with the Safe Routes to School for DHE (or East JHS), please let us know (board@bvnaboise.org)
- DHE is designed as a walkable ‘urban elementary’. Our neighborhood challenge is to make it safe and enjoyable for kids to walk or bike to school
  - In 1969, 42 percent of children 5 to 18 years of age walked or bicycled to school
  - In 2001, 16 percent of children 5 to 18 years of age walked or bicycled to school
Dallas Harris Elementary School Progress

• ‘The Boise Schools Foundation set up an account for Dallas Harris Elementary. We can now accept donations for our school. It would be great to start the school year by giving teachers some money in their accounts to help get their classrooms set up. We would also like to start a fund to purchase bleachers for the gym. The gym is designed for bleachers, but they did not make the budget cut. The cost is around $40,000-$50,000. We know this is a big amount, so it may take us a few years to purchase and install the bleachers, but every dollar will help. If you are interested in donating to our account, please click on the link below or scan the QR code on the next slide.’

• https://host.nxt.blackbaud.com/donor-form/?svcid=renxt&formId=ae48eb48-64db-442a-8ed9-546f6419924f&envid=p-SdsX_pjE80CDMOI1UUUVDA&zone=usa
Dallas Harris Elementary School Progress

Donate Now

Dallas Harris Elementary
GENERAL FUND

To make a donation online, please fill out the following form. All information submitted on this form is transmitted securely and kept private by the Boise Public Schools Foundation, a private, nonprofit 501(c)3 organization established to raise and manage funds for the Boise School District.

Please call the Boise Public Schools Foundation at 208-854-4065, or e-mail us at foundation@boiseschools.org, if you have any questions.

Gift Amount

[One-time donation] [Recurring donation]

$ gift amount
Transportation Update

Zach Piepmeyer, BVNA Secretary
Barber Valley Transportation Plan (BVNTP)

- BVNA strategy: use the BV Neighborhood Transportation Plan to input our projects onto the ACHD Integrated Five Year Work Plan (IFYWP) interactive map
  - Eventually – prioritize a #1 project for the BV. Then work hard to get it added to the upcoming 2024-2028 IFYWP!

- ACHD is seeking public input to the IFYWP interactive map:
  - [https://engage.achdidaho.org/integrated-five-year-work-plan-ifywp](https://engage.achdidaho.org/integrated-five-year-work-plan-ifywp)

- Or - Please take the ACHD Survey:
  - [https://engage.achdidaho.org/integrated-five-year-work-plan-ifywp](https://engage.achdidaho.org/integrated-five-year-work-plan-ifywp)

Example Input from BVNA (Roy Tweedle)
Parks & Trails Update

Rob Stark, BVNA Vice-President
Ada County Greenbelt Rest Area Proposed

- Ada County entered into a new 25-year Management Agreement for the Penitentiary Canal Greenbelt Pathway and Diversion Park in May.
- County is now considering a “Greenbelt Rest Area” park to be installed at the location highlighted below.
Two Trail Planning Opportunities
Tesoro/Boulder Heights & Peace Valley/Harris East

Thanks to the following for initial Tesoro work:
• Marshall Simmonds
• Steve Moore
• Nathan Hallam
• John Hall
If you’re interested contact board@BVNABoise.org
15 November – WMA closed to motorized traffic

• Wintering wildlife will be returning soon!
• Our backyard is the Boise River Wildlife Management Area (WMA)
• This 36,000-acre WMA supports more than 300 species of wildlife including the largest wintering mule deer herd in Idaho
  • Motorized access is restricted in the winter to protect wintering wildlife
  • Hunters and trappers are active on the WMA
  • Dogs on leash from 16 Nov to 30 April
    • Off-Leash pets are a stressor to wintering wildlife
  • Mountain bikes are permitted on designated trails
    • But pay attention to trail conditions and stay off muddy trails!!!!
Migrating Deer/Elk in Town

• Leash your dog on the WMA trails (Homestead, Highland Valley)
• Slow down at migration times (dusk and dawn)
  • That’s why we have these signs out here in the BV!
• Did you catch this on NextDoor?
  • *Elk herd moving across WSA from the Warm Springs golf course/river to Table Rock in the early morning*
Firewise Update

Roy Tweedle, BVNA Director

Brent Jussel from Dallas Harris Estates has begun coordination with our resident Barber Valley neighborhood Firewise expert, Dr. Tanner Gronowski from the East Valley HOA. Brent will lead an effort to gain Firewise certification for the Dallas Harris Estates HOA.
Thanks to Brent Jussel for his outreach and work on Firewise for Harris Ranch. Most importantly, thanks to Tanner Gronowski for lending his consultation expertise based on his successful work with the East Valley HOA. If you want to engage your HOA (Spring Creek? Mill District? Barber Junction? Barber Station?)...contact board@bvnaboise.org. Please, this is important!
What is “Firewise”

- The national Firewise USA™ Program is intended to serve as a resource for communities across the U.S. who work toward a common goal to reduce loss of lives, property, and resources to wildland fire.

- BVNA has determined our role is to motivate and facilitate individual HOA efforts to reduce the threat of wildfire in the Barber Valley
  - We need your help: only Harris North and East Valley are participating in this program
  - How? Engage with your HOA and ask them what other issue is a greater threat to your home values – ask them to consider coordinating with BVNA on Firewise

- Multiple informational links at our website BVNABoise.org

- “Elemental” https://www.elementalfilm.com is a new documentary film about our relationship with wildfire in the western United States.
  - The Egyptian Theater : 27-29 April 2023 (save the date!!!)
Open Forum & Announcements

What Didn’t We Talk About That You Wanted to Hear About?
Or....
What Else Should We Be Working On?
Please consider serving our community!

BARBER VALLEY
NEIGHBORHOOD ASSOCIATION

ANNUAL MEETING

DIRECTOR RECRUITMENT DRIVE
Join us at our annual meeting and participate in the Director elections. Five seats are up for election. Directors serve a two-year term and attend approximately 10 monthly board and other meetings as required. You can serve in a capacity that interests you. If you’re interested in serving, please email a bio and short paragraph describing your community volunteer interests and what work you’d like to focus on to Board@BVNABoise.org, no later than January 4th.

Monthly meetings are held on the 2nd Thursday of each month at 6:30 PM at the Mill District Clubhouse and online. Check our website for meeting schedules and minutes.

5 Open Board positions
Election at January Meeting
Interested? Short bio TO BVNA
NLT 4 January
Contact us with any questions

STAY CONNECTED
Website: BVNABoise.org
Facebook: Barber Valley Living group page
Use QR code to join our mailing list and stay informed!
Boise City Council Redistricting

• BVNA testified in opposition to map proposed by the Redistricting Commission at 29 November City Council hearing
BVNA Outreach to CID Parties

The Barber Valley Neighborhood Association (BVNA) has refrained from commenting or advocating on behalf of any of the parties involved in the subject litigation ongoing before the Fourth Judicial District. We have sought to become educated on a complex issue - community infrastructure districts - and are deeply concerned that this issue would tear apart our neighborhood during a very critical period of community infrastructure development. As a result, after two years of board discussion and three separate votes on the issue, we decided to no longer remain silent and voted this month to urge all parties to meet in a civil, transparent, and problem-solving atmosphere for an expeditious out-of-court solution so the planned community infrastructure projects can move forward.

We are convinced this legal impasse will adversely impact our community. We recognize each of the parties has seemingly valid concerns, but our larger Barber Valley community is the forgotten party in this court proceeding and it is our duty to make it clear that we hold all parties responsible for an impasse that has halted community development and instilled a divisive tone that we hope can be healed. The preponderance of our community, in our board’s estimation, moved here with an expectation that the build-out of Harris Ranch was proceeding smoothly and would be complete “soon.” Our board’s appraisal of “soon” is now years into the future with the expectation that this legal impasse will continue with appeals and legal filings. The promise of the Town Center, Village Green, Alta Harris Park, and Warm Springs bypass improvements have already been delayed two years due to this ongoing litigation.

We understand the District Court for the Fourth Judicial District will hear this case in January and a ruling is expected in the spring of 2023. Regardless of the ruling, we understand the “losing” party(s) will appeal and this is likely to extend the legal process for additional years. We strongly condemn this course of action and appeal to each of the parties to resolve this issue out of court.
Warm Springs Avenue Reclassified

- From Eckert Road to SH21 was previously classified as a residential arterial
- Now classified as a collector
  - Permits “traffic calming” design treatments – just like we’re seeing on the Woven subdivision application
- Also included roundabouts on the WSA bypass in Harris Ranch
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<tr>
<th>Draft Master Street Map – Approved 7 Dec – BV Excerpt</th>
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**MSM Arterials:**
- State System
- State System (New Alignment)*
- Mobility Arterials
- Mobility Arterials (New Alignment)
- Mobility Corridor (under study)
- Residential Mobility Arterial
- Residential Mobility Arterial (New Alignment)
- Transit/Commercial
- Planned Commercial
- Residential
- Neighborhood Residential
- Town Center
- Industrial
- Rural
- Arterial (no typology designated)
- Under Study
- Proposed Planned Commercial
- Proposed Residential
- Proposed Residential Neighborhood
- Proposed Town Center
- Proposed Industrial
- Proposed Rural
- Proposed Arterial (no typology assigned)
- Proposed under Study

**MSM Collectors:**
- Commercial
- Industrial
- Residential
- Town Center
- Traditional Neighborhood
- Rural
- Collector (no typology designated)
- Proposed Commercial**
- Proposed Industrial**
- Proposed Residential**
- Proposed Town Center**
- Proposed Traditional Neighborhood**
- Proposed Rural**
- Proposed Collector (no typology designated)**

**MSM Roundabouts:**
- Single Lane
- Multi-lane
- Dual Lane
- Triple Lane
Dry Well Information

Recharge Sources — Summary

- Domestic Septic (1%)
- Canal Seepage (62%)
- Lake Lowell Seepage (2%)
- Flood Irrigation (29%)
- Stream Seepage (1%)
- Underflow (1%)
- Geothermal (hot) water input
Dry Well Citizen Effort to Oppose NY Canal Lining

- Request to neighbors to add their voice to the public call to halt the full-lining of the New York Canal system, and include the attached letter with their irrigation bill.

- Excerpt of text to New York Irrigation District
  - We are writing to you in opposition to the lining of the New York canal system. This open bottom canal system is the primary means of recharging the aquifer, particularly with diminishing farmland and the resulting reduction in flood irrigation. The groundwater the entire region depends on comes from the Treasure Valley aquifer and removing the remaining source of recharge will have a detrimental effect on residents in the Treasure Valley.
  - We encourage you to think outside the box and look at options other than a fully concrete-lined canal system. There must be a compromise between the goal of fully lining the canal system and keeping the aquifer in a continuous viable condition to provide groundwater to residents throughout the Treasure Valley.

- If you wish more information, please contact us at Board@bvnaboise.org, or directly to Suzanne Knorr at drywellboise@gmail.com
Board Work Session Notes

• Board voted to conduct our January “annual meeting” in hybrid mode with a limited agenda to include a summary of CY2022 activities followed by BVNA Board candidate introductions and then instructions on BVNA Board election voting instructions.

• Board approved unanimously verbal testimony in support of the Woven annexation, subdivision, and planned urban development applications before the City’s Planning and Zoning Commission on 12 December

  • The Woven application was not heard before PZC on 12 December due to lateness of hour (previous agenda items involved significant public testimony)

  • The Woven Subdivision application was deferred to the 9 January PZC hearing and should be the first agenda item at 6pm. If you wish to testify, please reference the City’s website for instructions (QR Code above - bottom of the page)

  • We encourage anyone with an interest to participate and express your position on this application because it will significantly impact our neighborhood, especially those that live on Warm Springs Avenue in the SE end of the valley.
• Barber Valley Transportation Plan
  • Mooney will contact ACHD to determine next steps.
• Collaborative Visioning (monthly NA collaboration)
  • Larry Crowley has been our primary representative at this meeting. With Larry’s departure from the board, we need to determine who will assume responsibility for representing us at this monthly meeting conducted on the second Thursday of the month at 12 noon. Larry agreed to handle the January 2023 meeting.
• BVNA letter to Harris Ranch CID parties
  • Responses were received from the HRCID Taxpayers’ Association and Barber Valley Development. HRCIDTA letter as well as the BVD response is on the following slides. No response to date (14 December) from the HRCID Board chaired by City Council President Pro Tem Holli Woodings. BoiseDev media article resulted from letter (QR Code above)
December 5, 2022

Barber Valley Neighborhood Association
7153 E Highland Valley Road
Boise, ID 83716

Attn: John Mooney, Jr., President

Re: Harris Ranch CID Litigation

Dear Mr. Mooney,

Thank you for your letter of November 30, 2022 regarding the ongoing litigation among the Harris Ranch CID (HRCID), the Harris Ranch developers and homeowners and taxpayers located in Harris Ranch CID. We understand and appreciate your concerns about the continued development of the Barber Valley. Please be assured that the Harris Ranch CID Taxpayers’ Association (Association) shares your concerns and desires for the timely and equitable resolution of the many issues related to the HRCID.

I also want to stress and emphasize that the current litigation was not the Association’s preferred course of action. I am taking this opportunity to explain how we got to where we are today — in protracted litigation that could continue for years, including a likely appeal to the Idaho Supreme Court and the possibility of a remand for further proceedings before the HRCID Board of Directors (Board) and/or the District Court.

The History — The Association grew from a “grass-roots” effort that started over two years ago in response to questions that homeowners in Harris Ranch had about their property tax bills. In the summer of 2020, a relatively small group of homeowners began a fact-finding effort to better understand the HRCID and its financial impacts. Starting in July 2020, we submitted letters to the Board as to why 20% of our property tax bills were related to the HRCID and what could be done to minimize those additional taxes. Our letters, emails, and public testimony in 2020 before the Board were met with silence. Neither the Board nor the City Council ever made any response.

As a result, our Association was formally established, continued its fact finding, and expanded its efforts to include a legal review of the HRCID and its past actions. We were surprised and even alarmed by the extent of the legal issues we discovered. After that review, we prepared a 13-page memo (Memo) which outlined some of the legal and constitutional problems with the HRCID and requested a meeting with the City and the HRCID to discuss them. A meeting was held in City Hall on July 1, 2021 with David Hasegawa, head of the HRCID staff who is also the Deputy Treasurer for the City of Boise, and John McDevitt, a bond attorney for the City. We read the entire Memo out loud to Mr. Hasegawa and Mr. McDevitt and discussed its contents and implications in great detail. That meeting lasted about two hours.

Given the issues outlined in the Memo, we suggested that the City (acting through the HRCID Board) utilize a special statutory procedure to submit the various issues to the courts for judicial review in cooperation with the Association and the Developers. That would have provided all interested parties with an opportunity to present their views to the courts and get a judicial determination on a cost-effective and expeditious basis (as those cases are given priority in the courts). In the weeks and months that followed, the Association repeatedly renewed its proposal that the issues be submitted on an amicable and cooperative basis to the courts using that special statutory proceeding. But neither the City nor the Board ever responded. It is important to note that this process could have started on July 1, 2021 and could have been completed relatively quickly and inexpensively. But, instead, the City and HRCID did nothing.

In the months that followed the July 2021 meeting, the Association continued its factual and legal review of the HRCID, including submitting public records requests for relevant documents. Many additional issues were identified, and the Association submitted at least a dozen letters to the HRCID addressing concerns regarding the HRCID and its financial impacts on homeowners. For example, in tax year 2021, homeowners in the HRCID paid property taxes that were 30% higher than any other comparable property in Boise. In tax year 2022, that difference increased to 40% due solely to the imposition of HRCID taxes. But, again, neither the Board nor the City responded to any of our letters, or to our concerns about the growing property tax inequities.

The Current Proceedings — Under the Idaho CID statute, homeowners have only one option if they dispute any actions taken by the Board — they must file a special type of “appeal” within 60 days of the Board’s action or be forever barred from challenging it. The Association conveyed to the City repeatedly that we would be forced to file such an appeal if the Board continued on its apparent course without discussion or compromise. The Board nonetheless proceeded to adopt two resolutions in October 2021 authorizing more bonds and more payments to the developer, and in doing so again ignored our objections and concerns.

But that’s not all. The developer, less than a month later, filed a SLAPP1 lawsuit against the Association and its officers that alleged, among other things, that our objection letters to the Board had “defamed” the developer, that we had interfered with their...

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1 "Strategic Litigation Against Public Participation". These are lawsuits brought by powerful economic interests to intimidate, and to dissuade local public interest groups from exercising their rights to free speech and participation in public processes.
economic interests, and that our use of the name "Harris Ranch CID Taxpayers’ Association" violated an alleged common law trademark right. The lawsuit was without merit and was brought for the obvious purpose of trying to intimidate us from filing the appeal.

Despite the developer’s SLAPP lawsuit, we filed our appeal on December 3, 2021, which was the only option available to us since the City and the HRCID never responded to our numerous efforts to address our issues in a collaborative way. Our insurers engaged counsel to defend us against the meritless SLAPP suit, and a few days later, the developer voluntarily dismissed the SLAPP lawsuit.

**Conclusion** — For over two years the Association has made numerous good faith efforts to work with the City to address the issues outlined above. But the City and the Board have never responded and have instead demonstrated their indifference and unwillingness to cooperate in resolving those issues. And the developers have made their hostility and inflexibility abundantly clear, including by filing their SLAPP lawsuit.

Finally, the Association has no desire whatsoever to limit or delay development projects in the Barber Valley. If the Village Green and Town Center projects are economically viable, we expect that they could proceed regardless of the ongoing CID litigation. We note that those projects consist almost entirely of what would be private rather than public facilities, and thus cannot be financed with HRCID funds regardless.

Thank you again for your letter and your interest in these issues. If your letter causes the City to reassess the approach they’ve taken to date, they know how to reach us.

If you have any questions regarding any of the foregoing, please let me know. Also, I conclude with the request that any party given a copy of your letter be given a copy of this letter as well.

Sincerely,

L A Crowley, President
Harris Ranch CID Taxpayers’ Association

Cc: Helis Woodings, HRCID Board Chair
    Bradley Dixon, Givens Pursley
    Melodie McCauley, Givens Pursley
    Doug Fowler, HFLP/Lenir
    T Hethe Clark, Clark Wardle
    Joshua Leonard, Clark Wardle
    Nick Warden, Bailey Glasser
RE: Harris Ranch CID Litigation

Dear Mr. Mooney:

We have had an opportunity to review BVNA’s letter dated November 30, 2022. We appreciate BVNA’s efforts to resolve the current impasse. Although we will provide additional comments below, our position is and remains that we will meet with anyone, at any time, at any place to negotiate in good faith and in a civil manner.

As you are aware, the Harris Ranch Specific Plan 01 ("SP01") project has been underway for more than 15 years. For more than 10 of those years, the Harris Ranch Community Infrastructure District ("CID") has played a major role in the financing of improvements that are critical to ensuring SP01 reaches its planned potential. This includes portions of the project that have been delayed, to date, for nearly two years due to threats of and then actual litigation filed by the Harris Ranch CID Taxpayers’ Association ("HRCIDA"), including development of the Village Green and Alta Harris Park.

Barber Valley Development, Inc. and the Harris Family Limited Partnership have an obligation to protect what was originally approved by the City of Boise and remains eagerly awaited by the residents who have moved into SP01. Meanwhile, it is HRCIDA’s intent to do everything in their power to delay and interfere with the CID—we know this because they have said so in public settings. We know HRCIDA’s primary members—William Doyle and Larry Crowley—were aware of the CID before they purchased their properties. We have responded to HRCIDA’s concerns in public and debunked much of the misinformation (see https://www.cityofboise.org/departments/finance-and-administration/city-clerk/harris-ranch-cid/harris-ranch-cid-10-5-23-meeting/). We have also taken steps to address what we believe to be tortious interference with the CID and its underlying development agreement through a lawsuit filed last fall. We came very close to settling the litigation at the time, with the HRCIDA scuttling those discussions at the last minute with unreasonable demands of hundreds of thousands of dollars. We nevertheless terminated the lawsuit at Mr. Doyle’s request in a good faith effort to rekindle settlement discussions. A copy of Mr. Doyle’s request to Mr. Fowler is attached. Renewed settlement discussions never ensued.

So far, the HRCIDA’s efforts to expand the record to attack the foundations of the CID have been rejected by the Court. Having now seen the HRCIDA’s arguments in briefing, we remain convinced the CID will prevail at hearing in January. Nevertheless, we also believe there are ways to address HRCIDA concerns that are short of HRCIDA’s quixotic goal of terminating the CID. HRCIDA can get a “win” while not scuttling the remainder of the amenities that SP01 residents and neighbors are eagerly awaiting. We remain willing to reengage in that conversation.

Sincerely,

Doug Fowler, President

December 21, 2021 Email Correspondence from Bill Doyle to Doug Fowler

From: Bill Doyle <bill.doyle@protonmail.com>
Sent: Tuesday, December 21, 2021 6:13 PM
To: Doug Fowler <dfowler@lenrivit.com>
Subject: Personal Message

Hello, Doug. I don’t know if you are a religious person. If I remember correctly, you are a graduate of Northwest Nazarene, so perhaps you are. In any event, I am. You have been in my prayers, in part because I imagine that our actions in opposing the CID have been stressful for you, as they have been for me. That certainly is not my intention. I am simply seeking to have my understanding of the law addressed by an impartial court. I hope you will choose to do what is right in God’s eyes, as you see that. That would be particularly appropriate in this season of faith and hope. In any event, I wish you and your family a blessed Christmas.

Sincerely,

Bill Doyle

P.S.: Please know that I consider the Harris Ranch development to be an impressive achievement for you, personally and professionally. You have much to be proud of. Please don’t let the litigation you filed be a stain on that accomplishment by continuing to pursue it. I’m sure you’re a capable adversary, as am I. But I don’t see that that is in anyone’s interests, at many levels, or reflective of our better selves.