

**Joyce Brewer**

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**From:** Edward McEachern <Edward.McEachern@pacificsource.com>  
**Sent:** Tuesday, February 14, 2023 5:13 PM  
**To:** Joyce Brewer  
**Subject:** Hi - I am a member of the St Michael's vestry (ie its Board) re: Senate bill to change state street H 25 sponsored by rep Palmer

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And am **opposed** to the bill to be read in the State Affairs committee that transfers road jurisdiction from CCDC and ACHD to the state, **bill H25**

- it will not improve safety vs what's going on now
- no reasonable threats to security have been identified to the public
- it will permanently encumber access to the cathedral's options for parking
- it will encumber access to church functions during the week for the frail and elderly

This feels like legislative overreach

**J. Edward McEachern, MD**  
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Joyce Brewer - Committee Secretary  
[sstaf@senate.idaho.gov](mailto:sstaf@senate.idaho.gov)

My name is Jeffery L Hess, partner in Hawkins Homes and Communities

**[REDACTED ADDRESS]**  
Hess is 855 Broad St Suite 300 Boise, ID 83702

Mr. Chairman and Members of this Committee:

Hawkins Companies has been in business in Idaho for over 40 years and is one of the top private companies in Idaho. We have built projects in over 25 states. We have projects in downtown Boise at Capitol, Front, Broad and 6<sup>th</sup>; Broad, 9<sup>th</sup> and Myrtle; 8<sup>th</sup>, Main and Idaho to; as well as at Capitol and Myrtle, name a few.

I rise in opposition to House Bill 25:

A man wants to build a church in the heart of the city within the two main gates: He must walk through the first gate of the old city where the gate keeper has placed broken glass; then at the second gate the road keeper has placed land mines to walk through; As the builder is headed to the center with his material in hand he sees the king building a new wall with a gate guarded by a three headed monster...he must chose to pay the king's ransom or turn around.

Sometimes the price is too high and we as developers seek other locations...We know that you are supporters of sound capital investment and the freedoms to build a better life. This bill is not a way to support the folks who make communities grow in Idaho.

It has been stated that this bill is for the safety and security of the public. As to safety and security ... they are just two sides to the same coin. Let me ask the question, what unsafe condition in the use of the roadways does this bill fix? ACHD has been given, by this body, the power and requirement to make and keep our

roadways safe. It has the expertise and history of knowing what is safe. AGAIN, what roadway use condition does this bill fix? What unsafe condition exists in the public in the area? The Idaho Code specifically talks about the coordination of all the law enforcement departments needed to protect the public safety, what law enforcement issue does this bill fix?

Safety, by the way, is not a one place condition but a continuum of security within a set of facts. Deciding what is "safe" enough takes expertise and experience that the three headed monster does not currently possess. It will take time and money for you to determine where along the continuum you are satisfied. Simply put, IF I submit my building request with its environmental impact report and traffic studies who within the three headed monster has the expertise and time to analyze these complex issues with safety? AGAIN, what is the purpose, or underlying unsafe condition, that requires the additional gate that I must find my way through?

This bill is ambiguous, unneeded, without purpose, and unconstitutional and so I ask for this committee to ask for an opinion as to the constitutionality of HB 25 under Article III Section 19 that reads: "*LOCAL AND SPECIAL LAWS PROHIBITED. The legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: ... Authorizing the laying out, opening, altering, maintaining, working on, or vacating roads, highways, streets, alleys, town plats, parks, cemeteries, or any public grounds not owned by the state.*" Finally, it will cost consumers and the taxpayers, contrary to the legislative statement, significantly over time and simply adds more unneeded government bureaucracy!

Sincerely,

Brian Huffaker  
President  
Hawkins Companies

Jeffery L. Hess, Esq.  
Partner  
Hawkins Homes and Communities



## OFFICE OF THE MAYOR

MAYOR: Lauren McLean

**Testimony of Kathy Griesmyer**  
**Oppose HB 25: Restrictions on Municipal Street Authority**  
**Before Senate State Affairs Committee**  
**February 15, 2023**

As the Government Affairs Director for the City of Boise, I write to you today in opposition to HB 25 because it restricts municipal authority regarding street use and planning while adding unnecessary bureaucracy between state, legislative and local government stakeholders to approve everyday street operations.

First and foremost, we believe that HB 25 is simply not needed and will complicate the day-to-day provisions of street use and planning. As currently drafted, the City of Boise will be required to get approval from several new government stakeholders before moving forward on any roadway alteration lasting longer than seven days: the Department of Administration, the Governor, legislative leadership and members of the Idaho State Capitol Commission. This will add more levels of bureaucracy to gain approval on any changes to routine roadway maintenance, street design, road improvements and other construction projects. Street projects already have oversight from elected bodies, including members of the Ada County Highway District (ACHD) as well as the Boise Mayor and Boise City Council members. This already allows for members of the public, businesses and other transportation stakeholders to share their concerns with locally elected leaders who are integrated with local community needs and concerns.

From a practical reading of the bill's language, specifically lines 17-20 regarding the need for approval of alterations on the use of the roadway exceeding seven days, we believe this bill is again unneeded because there are no events taking place in the city along the roadways identified in HB 25 that last longer than seven days. However, this bill will significantly complicate the approval of roadway projects, including our current efforts to convert 5<sup>th</sup> and 6<sup>th</sup> Streets from a one-way to two-way traffic pattern. This project is seen as a significant economic development investment in our city's downtown core, with project alignment with the Capital City Development Corporation and ACHD, along with strong support from our business community, including the Boise Metro Chamber, Downtown Boise Association, and major developers in the area, including Old Boise, Oppenheimer Companies and Hawkins Home Group.

Additionally, with current roadway projects already moving through various development stages, and forthcoming policies and procedures that are to be created by the Idaho State Capitol Commission to implement the provision of HB 25, it leaves local governments and their partner stakeholders with no current process for how to have their projects reviewed and approved by the additional state actors that now must be consulted in local roadway projects.

Finally, while we understand that HB 25 is being viewed as a solution to address safety and security concerns arising from events, we again believe this bill is simply unnecessary since proactive collaboration already exists between the state and city governmental entities to ensure the safety and security of the capitol building, Steunenberg Monument Park and surrounding state property. In response to similar legislation being introduced during the 2022 legislative session (HB 818), the City of Boise invited the Department of Administration to join the city's Special Events Team to ensure greater collaboration on events that may impact state property in the capitol mall area. The city's Special Events Team works with event organizers and local stakeholders (such as police, fire, EMS, ACHD, etc.) to help produce successful and safe events with minimal impact on the environment and the surrounding neighborhoods and businesses. With over 100 special events permitted through the City Clerk's Office each year, this committee plays an important role by assessing event impacts and addressing important event considerations such as security, alcohol compliance, emergency services and road closures/traffic control. Given the compelling state interest in greater coordination of events that may impact state property, staff from the Department of Administration have participated on this events committee since June 2022 and have approved several events near state property, including large events such as the Twilight Criterium, Idaho Veteran's Day Parade, and the Idaho Potato Drop that do impact road closures surrounding the statehouse.

For these reasons, we respectfully request that you vote "no" on HB 25 and hold this bill in committee. If you have any questions about our position, please do not hesitate to reach me at [kgriesmyer@cityofboise.org](mailto:kgriesmyer@cityofboise.org) or at 208-890-3800. Thank you.

